

**COMMITTEE ON THE  
RIGHTS OF THE CHILD**

**WRITTEN REPLIES BY THE GOVERNMENT OF SUDAN CONCERNING  
THE LIST OF ISSUES (CRC/C/Q/SUD/2) RECEIVED BY THE COMMITTEE  
ON THE RIGHTS OF THE CHILD RELATING TO THE CONSIDERATION  
OF THE SECOND PERIODIC REPORT OF SUDAN (CRC/C/65/Add.17)**

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Translated from Arabic

**In the Name of God, the Merciful, the Compassionate!**

**The Republic of the Sudan**

**National Council for Child Welfare**

Supplementary information provided by the Government of the Sudan to the Committee on the Rights of the Child concerning the list of issues (CRC/C/Q/SUD/2) relating to the consideration of the second periodic report of Sudan (1993-1997) submitted under article 44 of the Convention on the Rights of the Child.

- (a) *Disaggregated data (by gender, age, minority groups, urban or rural areas) covering the years 1998, 1999 and 2000 on the percentage (of the total population) of children living in the State party*

**Percentage (of the total population of the Sudan) of children in 0-14 age group, disaggregated by place of residence and gender**

Region	1998			1999			2000		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Sudan	44.7	43.6	44.1	44.2	43.2	43.7	43.7	42.9	43.3
Urban	39.4	41.2	40.3	39.3	41.1	41.2	39.3	41.6	42.1
Rural	47.2	44.7	45.9	46.6	44.2	45.4	46.0	43.6	44.8
Northern region	42.9	39.3	41.1	42.7	39.1	40.9	42.4	38.9	40.7
Urban	38.5	37.8	38.1	38.8	37.5	38.1	39.1	37.2	38.1
Rural	44.4	39.8	42.0	44.1	40.2	41.8	43.7	40.7	41.5
Eastern region	42.4	43.6	43.0	42.0	43.0	42.5	41.7	42.6	42.1
Urban	39.3	41.9	40.6	39.0	41.7	40.4	38.9	41.5	40.2
Rural	44.2	44.6	44.4	43.7	43.9	43.8	43.3	43.2	43.2
Khartoum	35.2	38.3	36.6	35.1	38.1	36.5	35.1	38.0	36.4
Urban	33.8	37.6	35.1	33.8	37.5	35.1	33.8	37.3	35.4
Rural	43.0	42.1	42.6	43.0	42.1	42.6	43.0	42.1	42.6
Western region	45.7	43.4	44.5	45.3	43.1	44.2	44.9	42.9	43.8
Urban	42.2	42.3	42.3	42.2	42.3	42.2	42.1	42.3	42.3
Rural	46.9	43.8	45.4	46.4	43.3	44.8	45.9	42.6	44.3
Kordofan	51.7	46.5	49.0	51.1	46.0	48.5	50.5	45.5	47.9
Urban	45.9	43.8	44.7	45.9	49.1	43.0	45.9	55.1	41.2
Rural	53.4	47.4	50.3	52.6	46.7	49.6	51.9	46.1	48.9
Darfur	49.0	46.1	47.6	48.3	45.5	46.9	47.5	44.9	46.2
Urban	46.9	46.4	46.6	46.9	46.4	46.6	46.9	46.4	46.6
Rural	49.4	46.1	47.7	48.5	45.3	46.9	47.6	44.6	46.1
Southern region	44.6	44.5	44.6	44.2	44.2	44.2	43.9	43.8	43.8
Urban	46.2	46.4	46.3	46.2	46.4	46.3	46.2	46.4	46.3
Rural	44.2	44.1	44.2	43.7	43.6	43.6	43.3	43.2	43.2

Source: Central Bureau of Statistics.

In this regard, we should like to point out that there are no separate minorities in the Sudan. The Sudan's laws and its Constitution of 1998 afford all citizens equality of treatment, there being no discrimination against any group on grounds of race, colour, religion or difference.

- (b) *In light of article 4 of the Convention, please provide additional information on the amount allocated for the welfare of children from the federal and State budgets for the years 1998-2002 with regard to education; health care; children with disabilities (special needs); support to families and children in special welfare homes; and juvenile justice. Please also indicate the percentages of these allocations derived from international sources*

The State's system of financial allocations continues to be based on the provisions for the different sectors. For example, the social sector comprises projects pertaining to health, education, water, sanitation, safety, and social protection programmes, but these are not broken down according to the different sections of the population such as children and women. Some budgets are allocated to certain programmes, particularly those with a foreign aid component. For example, the Child Friendly Communities Programme, which has been implemented under the auspices of the Government and in cooperation with UNICEF in nine northern and southern States, covers all children's social services including, inter alia, health, education and drinking water.

The budgets approved by the Government of Sudan for 2002 amounted to 124,038,908 Sudanese pounds (LSd), with a further LSd 344,301,908 being provided in foreign aid. We intend to draw up questionnaires to gather information on the financial resources allocated to and disbursed on children's social services at the federal, State and local levels, out of all governmental and non-governmental sources and foreign aid.

- (c) *Provide information and data on infant mortality rates; the proportion of children with low birth weight; the proportion of children affected by malnutrition; the number of children with disabilities who require assistance and are taken care of either by their families or in a welfare institution; the number of orphans and abandoned children and the number of children put up for adoption*

1. The infant mortality rate fell from 160 deaths per 1,000 live births in 1993 to 82 in 1999. During the same period, the under-5 mortality rate fell from 145 deaths per 1,000 live births to 132 (cf. the Fourth Population Census, 1993, and the Safe Maternity Survey, 1999).

2. According to the 2000 Multiple Indicator Cluster Survey, the proportion of children affected by malnutrition amounted to 19 per cent nationally, with variations being found for this figure according to State.

3. According to the 2000 Multiple Indicator Cluster Survey, the proportion of children who, in their mother's opinion, had been born with low birth weight amounted to approximately 30 per cent nationally.

4. According to the Fourth Population Census, the number of children with disabilities amounted to 90,248, accounting for 26.7 per cent of the total number of persons with disabilities in the Sudan. Of these, 52,906 children, or 59 per cent, were boys and 37,342, or 41 per cent, were girls.

#### **Types of disability**

Item	Type of disability	Per cent
1	Physical	42.5
2	Auditory	22.1
3	Visual	8.0
4	Multiple	1.5
5	Mental	14.5

#### **Disabled services**

Item	Type of institution	Total number of children
1	Institutes for the deaf	1 475
2	Institutes for the blind	285
3	Institutes for the mentally disabled	430
4	Institutes for communication	200
5	The Shashar Home for Children with Motor Disabilities	300

Source: 1993 Population Census.

5. Evolution of services for persons with disabilities.

The services provided for persons with disabilities have evolved during four successive phases.

Phase one:

During this phase society is unable to accept children with disabilities. The phase is characterized by the dissemination of certain mistaken beliefs about disabled persons, which lead to their being rejected and marginalized by society.

Phase two:

During this phase the problem is acknowledged and resolved through the provision of institutional care. For religious motives rooted in the principles of piety and charity, local communities begin to care for disabled persons by housing them in institutions that are cut off from society and where they are supplied with food, clothing, shelter and health care.

Phase three:

This is the training and rehabilitation phase, where the way that disabled persons are viewed begins to change. The services offered are directed towards providing the disabled person with education, counselling and training for productive employment. This philosophy is implemented, however, through special institutions or centres.

The final phase:

This is the integration phase, when persons with special needs are offered educational services via the regular education system.

In this regard, a programme has been implemented to provide training for kindergarten instructors and teachers in the State of Khartoum. Approximately 250 students with various disabilities have been integrated into kindergartens. A (free) model clinic for children with disabilities has been set up at the Institute for Prosthetic Devices.

### **The National Project for the Manufacture, Supply and Training in the Use of White Canes for the Blind in the Sudan (2002)**

This project is targeted at 5,000 blind persons and is divided into two parts as follows:

(a) The first training programme is on the use of white canes for the blind is directed towards 40 trainers in the southern States.

(b) The second training programme is on the use of white canes for the blind is directed towards 40 trainers in the northern States.

These programmes endeavour to raise society's awareness of the importance of white canes for the blind and of the gestures which are used therewith, to teach public transport drivers how to recognize the main gestures that are used with white canes, and to teach the traffic police what these gestures mean.

6. Children of unknown parentage subject to adoption and Kafalah.

**Number of children of unknown parentage in the State of Khartoum**

Year	No. of children taken into care	Gender	
		Male	Female
1998	389	219	170
1999	460	244	216
2000	522	284	238
2001	538	280	258
May 2002	229	118	111

According to a report by the Council for Child Welfare in the State of Khartoum a total of 52 children (30 boys and 22 girls) were adopted in 2002, compared with a figure of 45 (25 boys and 20 girls) in 2001. Reference was made to the concept of adoption and the system of Kafalah in Sudan in part V, paragraph 153 of Sudan's second periodic report (CRC/C/65/Add.17).

(d) *Number of complaints concerning crimes committed against children and the number that were heard by a court of law*

**Crimes committed against children**

Year	No. of complaints
1999	256
2000	508

All these complaints were heard by the competent judicial authorities and judgements were handed down in their regard (Source: Centre for Criminal Studies and Research).

(e) *Rate of illiteracy among children under 12 years of age; percentages of children enrolling in primary and secondary schools; percentage of children completing these two stages of education; percentage of drop-outs; average ratio of teachers per children in*

*classrooms, with an indication of any significant disparities between States and urban/rural schools; number of children with disabilities integrated into regular schools; number of special schools for children with disabilities*

The following data are taken from reports prepared by the Educational Planning Agency of the Federal Ministry of Education.

**Rate of illiteracy among children under 12, 2000/2001**

Boys	47%
Girls	58%
Average	52%

**Rate of school enrolment, 2000**

Primary school (boys and girls)	54.3%
Secondary school (boys and girls)	17.0%

The percentage of drop-outs from primary education (i.e. children who were admitted to the first grade in 1994 and did not enrol in the eighth grade in 2001) amounted to 37 per cent. The percentage of children who completed primary school amounted to 63 per cent.

**Teacher/student ratio in the Sudan, 1999**

Rural areas	1:25
Urban areas	1:30

**Teacher/student ratio by State, 2000/2001**

State	Students	No. of teachers
Northern	18	1
Nile	21	1
Khartoum	45	1
Jazirah	25	1
Blue Nile	23	1
Sennar	29	1
White Nile	25	1



State	Students	No. of teachers
North Kordofan	29	1
South Kordofan	25	1
West Kordofan	26	1
North Darfur	68	1
South Darfur	28	1
West Darfur	39	1
Red Sea	27	1
Kassala	29	1
Gedaref	29	1
Bahral-Ghazal	24	1
Equatoria	33	1
Upper Nile	21	1
Overall ratio	31	1

Source: Educational Planning Agency - Federal Ministry of Education.

### Special education, 1999/2000

Grade	No. of students			No. of teachers			Teacher/student ratio
	Boys	Girls	Total	Male	Female	Total	
First	51	83	134				
Second	42	68	110				
Third	46	44	90				
Fourth	49	55	104				
Fifth	88	46	134				
Sixth	50	61	111				
Seventh	43	49	92				
Eighth	68	44	112				

Source: Educational Planning Agency - Federal Ministry of Education.

**Number of institutes and schools for persons with special needs**

**(a) Auditory disability**

Name of institution	Year established	No. of beneficiaries	Services provided
Al-Amal (1)	1973	180	Pre-school education, academic, basic and secondary education, vocational education for boys at the Belgian School, for girls at the Institute, adult education, psychosocial education
Al-Amal (3)	1994	123 (73 boys, 50 girls)	Pre-school education, basic education, vocational training, psychosocial rehabilitation
Al-Amal (3)	1999	20	Preparatory and basic education
Al-Amal (10)	1993	74 (49 boys, 25 girls)	Basic education, theatre, adult education, handicrafts
Salmabi Institute for Hearing and Communication	1989	74 (36 boys, 38 girls)	Pre-school education, academic education, psychosocial rehabilitation

**(b) Motor disability**

Name of institution	Year established	No. of beneficiaries	Services provided
Dar Shashar	1973	Approx. 300 cases per annum	Children's therapy, production of aids for disabled persons, natural remedies, parental counselling, care in the community (Suba, Maiquma, Ambadi)

**(c) Visual disability**

Name of institution	Year established	No. of beneficiaries	Services provided
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Nur Institute	1960	104 (74 boys and 30 girls)	Academic education for the basic stage, psychosocial rehabilitation for blind persons
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**(d) Mental disability**

Name	Year established	No. of beneficiaries	Services provided
Fursan Al-Irada	1995	43 (30 boys and 13 girls)	Academic education, psychosocial rehabilitation, vocational training, assessment, social awareness in the community, family awareness and counselling
Centre for Young Children		20 (13 boys and 7 girls)	Psychosocial rehabilitation, family counselling
Basma Association	1990	33 (17 boys and 16 girls)	Intellectual, motor and communications skills development, vocational training, academic education
Children's Disabilities Research Centre	1993	35	Communication, psychological rehabilitation, family counselling
Sakina Charitable Society	1985	170 (90 boys and 80 girls)	Academic education and vocational training
Fayr Centre		15	Communication and psychosocial rehabilitation
Taqawa Centre	1997	289	Psychological assessment, family counselling, staff training in the field of disability, psychotherapy

**Staff training**

There are 12 institutions that offer their staff pre-service training, while the remainder provide ongoing training on an in-service basis.

**Curriculum used in institutions**

General	5	29% (of institutions)
Special	7	41%
Designed by teacher	3	18%
General and special	2	12%

**Other services**

(Transport)	9	35%
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Meals 5 29%

Family counselling 16 55%

According to the most recent estimates produced by the Department of School Health of the Ministry of Health, in October 2000 in the State of Khartoum a total of 1,001 children with disabilities were integrated into public schools (of whom 263 had mental disabilities, 181 permanent disabilities, 224 motor disabilities, and 333 congenital disabilities).

These institutions follow the Ministry of Education curriculum, but adapt it to take account of the specific characteristics of each category, while the teachers take pains to make modifications, omissions or additions thereto.

#### Other services

Item	Services provided	Total number of children
1	School for reintegration of disabled children	50
2	Pre-school for reintegration of disabled children	250
3	Children integrated into regular schools without services	1 001
4	Social integration programmes	5 programmes

Source: Council for Child Welfare - State of Khartoum

(f) *Please provide the Committee with statistical data on sexually transmitted diseases, early pregnancy, female genital mutilation and drug abuse*

The following data are taken from the report of the National Department for the Suppression of AIDS and concerns sexually transmitted diseases in six States, namely Khartoum, Nile, Kassala, Gadaref, Bahr al-Jabal, and Upper Nile.

#### Sexually transmitted diseases

Type of disease	No. of cases by age and gender		Total
	<15 females	<15 males	

Urinary tract infection	-	81	81
Vaginal infection	261	-	261
Respiratory infection	59	-	59
Neonatal conjunctivitis	52	130	182
Genital ulcer	19	18	37
Other sexually transmitted diseases	31	21	52
<b>Total</b>	<b>422</b>	<b>250</b>	<b>672</b>

**Number of cases of AIDS, 1986-2000**

To 1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Total
2	2	64	122	130	188	184	194	201	250	221	270	511	517	652	4 241

**Number of cases of AIDS, disaggregated by age and gender**

Age	January-March 2002			Grand total		
	Male	Female	Total	Male	Female	Total
0-4	-	-	-	44	16	60
5-9	1	-	1	40	18	58
10-14	-	-	-	-	-	-
15-19	1	-	1	92	34	126
20-24	2	1	3	902	521	1 423
25-29	5	7	12	-	-	-
30-34	8	5	13	1 253	518	1 771
35-39	8	2	10	-	-	-
40-44	1	2	3	422	115	547
45-49	1	1	2	-	-	-
50-54	4	-	4	163	44	209
55-59	-	-	-	-	-	-
60+	1	1	2	-	-	-
<b>Total</b>	<b>32</b>	<b>19</b>	<b>51</b>	<b>2 926</b>	<b>1 266</b>	<b>7 120</b>

**Number of patients who tested positive for AIDS in 2002  
(out of all patients tested)**

Groups tested	Period from January-March		Total	
	Tested	Positive	Tested	Positive
Suspected of having AIDS	380	51	380	51
Kidney donors	83	-	83	-
Volunteers	52	1	52	1
Others	215	2	215	2
Blood donors	13 082	380	13 082	380
Migrants	1 134	6	1 134	6
Refugees	7 717	7	7 717	7
<b>Total</b>	<b>22 663</b>	<b>447</b>	<b>22 663</b>	<b>447</b>

Early marriage remains one of the traditional harmful practices that continue to prevail in the Sudan. It gives rise to early pregnancies and childbirths placing the mother's health in jeopardy. No detailed information on this phenomenon is available. It is necessary to carry out studies and research on the various aspects of this phenomenon, which is something which we intend to do in order to address the problem on a scientific basis.

**Female circumcision:**

In the context of the intensive efforts that have been made through awareness and information campaigns concerned with the eradication of the practice of female circumcision in Sudan, an in-depth survey was carried out for the five-year period from 1996 to 2000 to analyse the situation of girls in the 18-21 age group in the regions of Khartoum and the Blue Nile, taking into account gender, geographical distribution, and cultural and age differences. In this study use was made of the statistical method and participative approach, involving a random sample of 1,360 individuals, comprising students, fathers, and mothers, decision-makers and health workers (specialist doctors, health visitors, midwives, and traditional birth attendants).

The following table contains data on the practice of female circumcision by place of residence (urban areas/rural areas).

Place of residence	Girls circumcised	Girls not circumcised
Urban areas	88%	12%
Rural areas	91%	9%

**4. Female circumcision and level of education**

The proportion of girls circumcised is 90.9 per cent for illiterates, as against 50 per cent for females with higher education.

**5. Age groups concerned by female circumcision**

The age groups concerned by female circumcision are those comprising 4 to 6 year-olds in rural areas and 6 to 12 year-olds in urban areas. As can be seen from the table above, the proportion of girls circumcised remains high. A clear change is, however, to be observed in the methods used. The practice of infibulation has decreased and been replaced by other methods. The proportion of females not circumcised has furthermore, increased, reaching 10 per cent in 2001.

**6. Drug abuse**

The table relating to offences committed by juveniles in 1996-2001 shows that about 254 children are drug addicts (see the reply to the question in (g) below).

Translated from French

(g) *Please provide the Committee with statistical data on children in conflict with the law, including the number of children who have allegedly committed a crime reported to the police; the numbers of children held in pre-trial detention and the duration of such detention; the number of children sentenced and the nature of the sanctions imposed (where the sanction is deprivation of liberty, please further specify the place of detention and the type of detention facility); the percentage of recidivism cases; and the number of reported cases of abuse or maltreatment of children during their detention*

The statistics on offences committed by juveniles indicate that the number of such offences amounted to 22,649 in 2000, as against 26,455 in 1999, representing a decrease of 14.4 per cent (i.e. 3,806 fewer offences).

With regard to major offences, it should be noted that 37 murders were committed in 2000, i.e. 10 fewer than in 1999. The number of instances of bodily injury caused was 5,471, representing a decrease of 54. There were also 245 cases of infringement of public morals, representing a decrease of 104 compared with 1999. As regards offences against property, 10 armed robberies were committed in 2000, or 8 more than in 1999, 5 of those offences being committed in the State of Khartoum. There were six cases of breaking and entering in 2000, as against none in 1999. The following table provides details concerning the

above-mentioned offences.

Offence	Year				
	1996	1997	1998	1999	2000
Murder	48	77	44	47	37
Attempted murder	-	-	-	-	-
Causing bodily injury	4 277	4 355	5 888	5 525	5 471
Infringement of public morals	279	569	363	349	245
Other offences	-	614	4 706	1 815	784
Armed robbery	13	25	32	2	10
Breaking and entering	-	14	-	-	6
Theft	6 885	7 063	5 481	4 592	5 693
Fraud	279	134	79	60	23
Assault	-	-	-	-	113
Financial offences	-	1 357	1 167	1 105	560
Drunkenness and traffic in alcoholic beverages	-	3 636	3 428	3 513	2 465
Disturbance of the peace	-	-	3	301	334
Other criminal offences	5 562	5 556	3 896	5 368	4 433
Drug-related offences	73	37	28	52	34
Offences under other laws	1 882	1 613	2 563	2 526	2 430
Violations of the highway code	115	96	119	300	11
Total	22 290	25 454	27 970	26 455	22 649

The following tables give details of the number of children who have been tried and the nature of the sanctions imposed. As the State of Khartoum has a large population including displaced persons, the tables have been compiled on the basis of data from the Khartoum juvenile court.

**Table 1**  
**Offences**  
**(August 2000)**

	Serious injury	Minor injury	Attempted robbery	Rape	Receiving/possessing stolen goods	Assault	Theft	Disturbance of the peace
Males	5	3	2	2	3	1	16	3
Females	1	0	0	0	1	0	0	0

Note: Theft is the commonest offence among juveniles.



**Table 2**  
**Trials**  
**(August 2000)**

	Cases being tried	Cases in which a final judgement was rendered	Amicable settlements	Conditional release
Males	6	11	4	16
Females	0	3	0	0

Note: 4 out of 15 cases are resolved through social work to reach an amicable settlement.

**Table 3**  
**Offences**  
**(February 2001)**

	Serious injury	Rape	Traffic in alcoholic beverages	Sexual offences [illegible]	Theft
Males	9	3	1	0	23
Females	1	0	0	1	3

Note: The number of thefts committed both by females and by males has increased, but those committed by females represent a small proportion.

**Table 4**  
**Trials**  
**(February 2001)**

Sentence to a fine	Release	Placement in a correctional establishment	Indemnification	Imprisonment	Dismissal of case
17	3	1	2	12	5

Notes:

1. The number of cases resulting in a fine is high because the Government tends to opt for measures having a psychological effect on the juvenile rather than for corporal punishment or custodial penalties.

2. Only 1 of 14 children tried was placed in a correctional establishment.

**Table 5**

**Percentage of cases referred to juvenile courts rather than to administrative authorities and to ordinary criminal courts in 1998, 1999 and 2000**

Year	National administrative authorities and other bodies	Ordinary criminal courts	Juvenile courts
1998	27.2%	70.5%	2.3%
1999	60.8%	25.8%	13.4%
2000	1.7%	18.6%	79.7%

Note: The above table indicates a growing recourse to juvenile courts instead of criminal courts or other bodies, these having been found to be perfectly competent from the legal, psychological and social viewpoint to handle cases concerning children.

*(h) Children recruited into armed forces and children living in the street*

1. The respective Sudanese laws set at 18 years the minimum age for enrolment in the regular armed forces and for military service. It should be pointed out that the Sudan signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict in May 2002 after the Special Session on Children of the United Nations General Assembly held in New York.

2. As regards street children in the Sudan, there are no precise statistics on the extent of the phenomenon. This is because of the nature of the problem and the frequent movements of the children concerned from one place to another, which make it impossible to gather accurate data for every part of the country and hence for the Sudan as a whole.

The available statistics indicate that there were some 12,000 street children in 1982. In 1991 the number rose to 14,336 in the State of Khartoum and 36,931 in the northern States. Some 34,000 street children were counted in Khartoum in 2000, 28,000 of them living occasionally and 6,000 permanently in the streets. In 1982, 0.42 per cent of street children were girls, and this proportion was estimated at 2.5 per cent in 1991 and 15 per cent in 2000 in the State of Khartoum.

- (i) *Information on the implementation of some of the recommendations made by the Committee in October 1993 in its concluding observations (CRC/C/15/Add.10) and on the obstacles that have prevented the implementation of others*

Some replies to the concerns expressed with regard to the initial report of the Sudan (1993) are provided below.

**Paragraph 10 of the Committee's concluding observations:**

*Non-compatibility of Sudanese legislation relating to the rights of the child with the principles and provisions of the Convention*

Paragraph 16 and paragraph 20 (and the table contained in the latter) of the second periodic report of the Sudan, covering the period 1993-1997, give details of the compatibility of Sudanese legislation with the Convention. Another table provided below gives further details on the compatibility of the Sudanese 1998 Constitution with the provisions of the Convention.

**Paragraph 11 of the Committee's concluding observations:**

*Lack of training in human rights for persons working with children*

Paragraph 27 of the second periodic report of the Sudan contains a table giving an overview of the seminars and workshops introducing the Convention that have been held in the Sudan.

**Paragraph 12 of the Committee's concluding observations:**

*Insufficient attention paid to the implementation of the general principles of the Convention (arts. 2, 3, 6 and 12) and their relationship to the implementation of all the articles in the Convention*

Details of the compatibility of Sudanese legislation with the Convention are given in sections IV and V, paragraphs 2, 3, 4 and 6, of the second periodic report of the Sudan.

**Paragraph 13 of the Committee’s concluding observations:**

*Health conditions in the Sudan and their detrimental effect on children*

Section VI of the second periodic report of the Sudan provides details on health conditions in the Sudan. The situation has improved but the targets set have not been fully achieved because of the war, drought, desertification, foreign debt and the declared and undeclared embargo on the Sudan, which has resulted in less foreign aid for health programmes.

**Paragraph 14 of the Committee’s concluding observations:**

*Effects of emergency situations on children, problems faced by homeless and internally displaced children and reports on the forced labour and slavery of children*

Measures to protect child war victims are described in section VIII of the second periodic report of the Sudan (further information will be found in section (m) of these replies).

**Paragraph 15 of the Committee’s concluding observations:**

*Paragraph 15 of the Committee’s concluding observations reads as follows: “The Committee is of the opinion that the system of administration of juvenile justice in the Sudan is not fully compatible with articles 37, 39 and 40 of the Convention and other relevant United Nations standards.”*

For more information on this question, the text of the above-mentioned articles should be examined in the light of the corresponding provisions of the Sudanese Constitution and legislation.

Article	Provisions of the Convention	Compatibility with Sudanese legislation
37	(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment  (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily  (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person	Constitution, art. 20; Code of Criminal Procedure, art. 4; Criminal Code, art. 47  Constitution, art. 30; Code of Criminal Procedure, art. 4 (b); Criminal Code, art. 47  Criminal Code, art. 47; Juvenile Welfare Act of 1983; Constitution, art. 20
39	States parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse	Constitution, art. 14; Criminal Code, art. 47; Juvenile Welfare Act of 1983
40	Infringement of penal law	Constitution, arts. 30–33; Criminal Code, arts. 4 (a), 8-10, 27 (2) and 47

With regard to juvenile justice, attention is drawn to the following:

- (a) The thinking behind the 1991 Criminal Code stresses:
  - (i) Juveniles' lack of responsibility, since they do not realize that their behaviour is criminal;
  - (ii) Education, corrective measures and the need to keep the offender out of the criminal justice system;
  - (iii) Treatment of children in all areas of criminal justice on the basis of social rather than criminal criteria.

(b) Procedure

Juvenile police: the juvenile police carries out procedures involving children in accordance with the provisions of the Constitution and the Juvenile Welfare Act of 1983.

Public prosecution service: investigations by the public prosecution service are now carried out in accordance with the provisions of the Code of Criminal Procedure. Consequently, cases involving juveniles are now dealt with by the public prosecution service.

Detention: in accordance with the Juvenile Welfare Act of 1983, children are not as a rule placed in pre-trial detention. Once the inquiry has been completed, juveniles awaiting trial are returned to their families or to someone else who promises to take them to the court when the time comes. However, in some cases, the law permits the juvenile to be detained while awaiting sentence, in accordance with the provisions of the Juvenile Welfare Act of 1983.

Courts: juvenile courts have been established in the State of Khartoum and the head of the judiciary has decided to set up such courts in the rest of the country. In places where there are still no juvenile courts, proceedings are held in criminal courts in accordance with the Juvenile Welfare Act. Special attention is paid by these courts to cases involving children. The judicial authority has been careful to ensure that the judges selected to hear cases concerning juveniles are sensitive to social and humanitarian questions and have a good professional reputation; where possible, it appoints female judges. Thanks to these provisions, cases concerning juveniles are processed quickly. The judge ensures that the sentences handed down do not harm the juvenile physically or psychologically and that detention is a last resort. In addition, everything possible is done to ensure that the juvenile is placed in a special centre independent of the police.

The Sudan needs assistance to set up a comprehensive countrywide system of juvenile justice with all the necessary services in place (police, prosecution service and courts) and to train people to work in this area.

*(j) The State's role in the implementation of the Convention in areas outside Government control (in the south of the country)*

As part of its efforts to implement the Convention on the Rights of the Child in all regions of the country, including rebel-controlled areas, the Sudanese Government has launched a number of programmes, including those listed below.

**1. Operation Lifeline Sudan (Nairobi)**

Within the framework of Operation Lifeline Sudan (in the south the country), which is run from Kenya under the supervision of observers from the United Nations and other international organizations, the Government has authorized UNICEF to operate in areas outside its control.

**2. Programme to prevent the abduction of women and children**

The Sudanese Government has established a commission to put a stop to the abduction of women and children. The commission, which works in cooperation with the international community, has set up programmes to eradicate this phenomenon, with the aim of returning to their homes abducted children whose parents live in rebel-controlled areas. The commission's chairman adopted a resolution concerning children on 2 April 2002. Before then, several children had been returned to their parents along safe routes mapped out jointly with the tribal representatives on the commission. Moreover, several children were returned home by air, with the help of UNICEF. The programme for their return to areas outside Government control is continuing. More information on the establishment of the commission can be found in the reply to the question contained in section (m) (2) below.

*(k) Decentralization and the lack of human and material resources, and their effects on the provision of services to children by local authorities*

Following the introduction of a federal system in the Sudan, the country has been divided into 26 States, which are in turn divided into provinces and districts, of which there are currently 388. Each State has a government presided over by the governor, a council of ministers and an elected legislative council. Decrees Nos. 12 and 13 and the Constitution bestow a number of powers on the State, the most important of which cover health, education, environmental protection, water supplies and social welfare.

The main problems encountered arise from the fact that the division of the country into States has brought with it disparities in the States' share of human and financial resources, and this has led to a deterioration in certain indicators relating to services. For this reason, the authorities decided to hold a conference from 28 to 30 April 2002 to take stock of the federal experience. All the issues relating to the federal system and the problems raised by it were considered at the conference. The discussions were organized around a number of themes, including financial resources, services and human resources. The conference produced many solutions and recommendations which would, if implemented, reduce the disparities between States.

*(l) Reduction in international assistance to the Sudan and reduction in provision of services to children*

Examining the situation of women and children, it has been ascertained that official development assistance received by the Sudan fell from \$2 billion in 1983 to \$48.3 million in 1996 and subsequently to \$16.9 million in 1998-1999, and this has had a demonstrable impact on many social services programmes for children. Some examples are given below.

Immunization coverage was 80 per cent in 1990, when the immunization programme benefited from a subsidy of \$8 million. Since then, coverage has declined steadily, falling to 53 per cent in 1993, when the programme was subsidized in the amount of \$800,000 only. This situation has resulted in a number of epidemics - for example, a polio epidemic that affected 1,760 children in 1993. Since then, the Sudanese Government has started to inject resources into this important programme, a contribution accompanied by an increase in funding from international sources, particularly as part of efforts to control polio.

In the period from independence in 1956 to 2000, the social services sector absorbed 15 per cent of foreign aid received by the Sudan, or \$8 billion of a total of \$54 billion received by way of regional and bilateral aid (loans, subsidies and donations in kind). The table below shows the various inflows of foreign aid to the Sudan between 1969 and 2000 in more detail.

Period	Total (million \$)	Annual average (million \$)
1969-1985	7 886.3	464.0
1985-1989	2 255.0	451.0
1989-2000	1 292.7	107.6

It should be pointed out that the Sudan's foreign debt has reached \$24 billion. In addition, \$60 million deducted from local resources are transferred annually to the International Monetary Fund (IMF). This situation has had negative repercussions on the funding of programmes for children.

Source: Report of the Sudan to the United Nations Special Session on Children.

*(m) More details about efforts to minimize the impact of armed conflict on children*

#### **1. Peace efforts**

Following the National Dialogue Conference on Peace Issues held at Khartoum, the Sudanese Government has entered into a series of negotiations with all the factions of the Sudan People's Liberation Movement (SPLM) to reach a peaceful settlement to the conflict that has ravaged the south of the country since 1983. Convinced of the need to put a stop to the suffering caused by the war, particularly that of women and children, the Government has endeavoured to conclude a ceasefire agreement with the various rebel factions. As part of these efforts, it has on many occasions proclaimed a unilateral ceasefire for humanitarian reasons, to ensure the protection of Sudanese and enable representatives of international organizations to take part in relief operations.

In 1997 the Sudanese Government signed the Khartoum Peace Agreement with many of the belligerent factions. The agreement, which stressed human rights principles, was incorporated into the Sudanese Constitution of 1998. Under the agreement, absolute priority has been given to addressing the problems of displaced children and unaccompanied children and to the elimination of anti-personnel mines. In addition, efforts have been made to allocate the



necessary resources to projects designed to provide water and food supplies, housing and health services to children affected by the conflict, and to reintegrate them into society, taking due account of the prevailing social and cultural values in their communities.

In 2001 the Sudanese Government signed an agreement with the SPLM on an internationally supervised ceasefire in the Nuba Mountains region. This agreement is still in force.

## **2. Efforts to end the abduction of women and children in tribal conflicts**

After the Commission on Human Rights adopted a resolution in 1999 inviting the Sudanese Government to take steps to end the abduction of women and children in tribal conflicts over water resources and grazing rights in certain regions of western and southern Sudan, on 15 May 1999 the Government proceeded to establish a Commission to Eliminate the Abduction of Women and Children, in pursuance of a decree of the Minister of Justice (see attached documentation). This Commission comprises representatives of various government bodies and tribal representatives. It has been given wide-ranging powers to enable it to fulfil its mandate, namely ending the practice of abductions, inquiring into the root causes thereof and returning abducted persons to their families.

In carrying out its work, the Commission cooperates with various partners in the international community such as the United Nations Children's Fund (UNICEF), the European Union, British and Swedish child protection organizations and a number of other national voluntary agencies. In January 2002, pursuant to a republican decree, the Commission was made directly responsible to the President of the Republic (see attached documentation) with a view to enhancing its effectiveness. Since its establishment, the Commission has been able to gather information about a number of abductees and return many children and women to their families (information was gathered about 1,500 cases, and 384 children have been returned to their families). The Commission has also been able to return children whose parents were in areas outside the control of the Government to their families.

## **3. Operation Lifeline Sudan**

As part of Operation Lifeline Sudan, more than 200,000 families have received seeds, tools and fishing tackle, 200,000 head of cattle have been immunized against cattle plague and 800 workers at local level have been trained in particular aspects of animal health.

The Sudanese Government has called a ceasefire at specified times to enable children to be immunized against six childhood diseases and permit the distribution of vitamin A to children in war-affected areas. A two-month ceasefire was also called by the warring parties to enable the anti-polio campaigns initiated in 1994 to be carried to a successful conclusion.

(n) *Information on mechanisms to monitor the State party's implementation of the Convention*

**1. The National Council for Child Welfare**

Under the National Council for Child Welfare Act (1993), the National Council for Child Welfare was established as an independent national body under the auspices of the President of the Republic. Its purpose is to monitor the implementation of the Convention on the Rights of the Child. It has branch offices in the various States, provinces and districts which oversee the implementation of the Convention at local level and ensure coordination with civil society organizations, the aim being to promote programmes and projects on the welfare, development and survival of the child.

**2. The Advisory Council for Human Rights**

The Advisory Council for Human Rights was established in 1994 under a republican decree. It is presided over by the Minister of Justice and its membership is drawn from representatives of State bodies and non-governmental organizations working in the sphere of human rights (e.g. the Union of Sudanese Lawyers, the Union of Sudanese Jurists and the Union of Sudanese Women). The role of the Council is to oversee the enforcement of policies and projects to protect human rights and to keep track of human rights issues. It provides official bodies with advisory opinions on human rights questions.

**3. The Commission to Eliminate the Abduction of Women and Children**

The Commission was established in May 1999 pursuant to a decision by the Minister of Justice, who is also the Chairman of the Advisory Council for Human Rights (see annex). Under a republican decree (see attached documentation), the Commission was made directly responsible to the President of the Republic with the aim of enhancing its effectiveness and providing it with the means to eliminate once and for all the practice of abduction of women and

children. Under the decree, the Commission was also made responsible for executing development programmes in the regions affected by this problem with a view to eliminating the root causes thereof, and endeavouring to expedite programmes to bring about peace and peaceful coexistence at local level. The practice of child abduction, which dates back several decades, stems from inter-tribal disputes over natural resources (e.g. water, grazing rights); the problem is particularly acute among tribes living in close proximity, and especially when resources dwindle as a result of climate changes.

#### **4. The Office of the Commissioner for Humanitarian Aid**

The functions of the Office of the Commissioner are: (a) to coordinate voluntary work, to register bodies working in the field of humanitarian aid, relief and reconstruction, and to oversee the implementation of their programmes and projects; and (b) to coordinate the activities of Operation Lifeline Sudan, which aims to supply humanitarian aid to regions affected by war, especially those outside government control, the objective being to ensure that relief is properly channelled and to implement development programmes with a human rights dimension in affected regions together with United Nations bodies and voluntary agencies that offer relief and participate in Operation Lifeline Sudan (in the south of the country).

#### **5. Sudanese action for children**

Sudanese society's commitment to the cause of children is articulated today, as in the past, through its deep faith in the values and precepts of revealed religion and in the traditions and customs of society. These values permeate Sudanese society, and the Sudanese Government's commitment to these values is demonstrated by its accession to the Convention on the Rights of the Child. The Government has also adopted a number of policies and measures affirming its commitments in this area.

In its past efforts to address issues relating to childhood, the Sudan has had to grapple with formidable challenges that have hitherto prevented society and the State from translating their firmly-held beliefs into reality.

At the initiative of the National Council for Child Welfare and under the auspices of the Global Movement for Children (GMC), a Sudanese Movement for Children has been established; this is presided over by the Council and comprises representatives of national and international voluntary organizations involved with children, civil society organizations, the

Government, young people, the media and the United Nations Children's Fund (UNICEF). The purpose is to develop child welfare action, expand the range of partners from among all actors involved in child-related issues and activities, and broaden the prospects for future cooperation so as to derive the most from everybody's efforts, competencies and resources; in this way the best interests of Sudanese children will be upheld. The aim is therefore to create a national mechanism to monitor implementation of the provisions of the Convention with a view to giving effect to the rights of the child.

## **6. The National Assembly**

The National Assembly is involved in overseeing the implementation of the Convention through its legislative functions, parliamentary scrutiny and its efforts to ensure that enacted legislation conforms with the Convention. Methods of parliamentary scrutiny such as motions and requests for explanation are used to ensure the Government's implementation of the Convention through human rights commissions and the social services.

*(o) Please indicate to the Committee whether the State party has arranged for the Convention on the Rights of the Child to be translated into all languages and local dialects and, where applicable, submit copies of these translations*

The Convention on the Rights of the Child was translated into Arabic after the representative of the Sudan on the Executive Board of UNICEF stressed how important such a translation was to enable Arab States to promote wider knowledge of this instrument and offer training to relevant personnel (see annex).

Moreover, agreement has been reached with the UNICEF office in Khartoum to print the text of this translation in the Sudan. The Sudanese Government, in cooperation with UNICEF, has started to disseminate the provisions of the Convention at local level in all areas of the country and to translate its provisions into some of the principal local dialects. This question is being kept under review.

*(p) Please report briefly (3 pages) on:*

- Enacted legislation in conformity with the Convention on the Rights of the Child;*
- New institutions responsible for implementing the Convention;*
- Newly implemented policies;*

– *Newly implemented programmes and projects.*

### **1. Enacted legislation in conformity with the Convention on the Rights of the Child**

Following the Sudan's accession to the Convention of the Rights of the Child in 1990, a number of laws have been passed. In addition, certain existing laws have been reformulated to bring them into line with the Sudan's commitments under international instruments, including the Convention. It should be noted that when the Sudan acceded to the Convention, the principles and guidelines which appear in this instrument were already contained in a number of national laws.

The adoption of the Constitution of the Republic of the Sudan in 1998 was an important milestone in upholding the rights and liberties enshrined in international human rights instruments, including the Convention on the Rights of the Child, because an entire chapter of the Constitution (arts. 20 to 34) is in effect a comprehensive statement of the rights and liberties contained in those instruments.

In order to ensure the implementation of the rights and liberties enshrined by the Constitution, a Constitutional Court was established in 1998 pursuant to article 34 of the Constitution. According to its constituent instrument, the Court's role is to protect the rights and liberties guaranteed by the Constitution; anyone who believes that his or her constitutional rights have been violated may refer the matter to the Court.

The table below shows the correspondence between articles of the 1998 Sudanese Constitution and the provisions of the Convention on the Rights of the Child.

<u>1998 Constitution of the Republic of the Sudan</u>	<u>Convention on the Rights of Child</u>
Article 11 - Justice and social assistance	Arts. 18 and 21
Article 12 - Science, arts and culture	Arts. 17 and 31
Article 13 - Public health, sports and the environment	Art. 24
Article 15 - The family and women	Art. 18
Article 16 - Values and social cohesion	Art. 2
Article 20 - Liberty and right to physical security	Arts. 6 and 19
Article 21 - Right to equality and non-discrimination	Art. 2
Article 22 - Respect for nationality and citizenship	Arts. 7 and 8

Article 23 - Right to freedom of movement	Art. 10
Article 24 - Freedom of belief and worship	Art. 14
Article 25 - Freedom of thought and expression	Arts. 12, 13 and 28
Article 28 - Protection of property	Art. 32
Article 29 - Respect for confidentiality of correspondence and privacy	Arts. 16 and 17
Article 31 - Right of legal action	Art. 40
Article 32 - Right to the presumption of innocence and to a defence	Art. 40
Article 33 - Right to life	Art. 37

Paragraph 20 of the second periodic report reviews the articles of Sudanese law that are in accordance with the provisions of the Convention.

## **2. New institutions responsible for implementing the Convention**

(a) A children's and women's rights service has been established in the following bodies and ministries:

- Legal Reform and Training Institute;
- Ministry of Foreign Affairs;
- Ministry of Social Protection and Development;
- Police College and Higher Police Institute;
- Ministry of Health.

(b) In accordance with a decree adopted in 2002, a girls' education service has been established in the Ministry of Education and Training.

(c) A National Children's Cultural Centre has been established, with responsibility for a number of aspects of this question. It has branches in all the States.

(d) A Commission on Human Rights and Public Obligations has been established in the National Assembly: it deals with all human rights issues, including the rights of the child.

(e) A juvenile court has been established in the State of Khartoum and all States have been given instructions to establish similar courts.

### **3. Newly implemented policies**

(a) The President adopted a decision on 19 June 1999 to deal with the problem of street children, entrusting this task to the National Council for Child Welfare.

(b) In the framework of development and reconstruction efforts, the President promulgated a series of decisions in May 2000 laying the groundwork for implementation of policies to promote women's and children's rights. The policies included:

- Releasing female prisoners who have children;
- Not enforcing prison sentences for pregnant or nursing women where the sentences have been rendered under emergency legislation and, where they have been passed under criminal legislation, postponing execution of such sentences until the child reaches the age of 2;
- Establishing a girls' basic education service;
- Establishing an education service for nomad children.

(c) The General Education Act of 2000 has been adopted. This Act incorporates all the changes that occurred at the national level following the entry into force of the Constitution and the Autonomy Act and the establishment of the federal regime. It defines the powers of the federal and local authorities and permits the Minister of Education to adopt regulations implementing the Act.

(d) A draft children's code has been prepared by a committee of experts specializing in legislative issues and children's affairs. The draft is currently the subject of broad debate involving the various public institutions and civil society, and will shortly be submitted to the authorities for consideration and adoption.

### **4. Newly implemented programmes and projects**

(a) Programmes and projects on partnerships for children

- (i) As part of the international partnership for children, the Sudan organized a national youth symposium in October 2000, in which 58 young people from 21 States took part. The aim of the symposium was to enable participants to:

- (a) Familiarize themselves with the Convention on the Rights of the Child and the international partnership for children;
- (b) Identify and analyse the concerns and problems relating to young people;
- (c) Present their vision for the future.

The symposium issued important recommendations on peace, health and the environment. Youth representatives were elected to take part in regional symposiums and the children's summit. Those elected then attended meetings in Canada, Egypt, Jordan, Lebanon and the United States (New York). A booklet was published summarizing the work of the symposium (a copy of which is attached as an annex).

- (ii) Children's Parliament project
  - (a) Groups of children were first selected from nine schools in the States of Khartoum and Gezira and asked to form the kernel of a Children's Parliament. Similar Parliaments were then established in the States of Kassala, White Nile, Nile, Blue Nile, North Kordafan and Red Sea between 1998 and 2002. The experiment will be extended countrywide by the end of 2003 and will form the basis for elections to the National Children's Parliament in all States, thereby ensuring children's right to participate and their preparation for democratic and political action, the exercise of the right to freedom of opinion and respect for other people's views.

## **2. Project on partnership with civil society**

The following projects have been carried out by the Sudanese Movement for Children:

- Preparation of a manifesto for the Movement;
- "Yes to Children" campaign in the various sectors of society, with members of the Federal Council of Ministers, led by the President of the Republic, speaking on children's behalf;
- Children's rally at the Presidential Palace, with a speech by the President;
- Walk by artists in support of children, from the State of Gezira to the State of Khartoum; the President gave an address.



### **3. Project on street children and children with special needs**

- A study of the problem of street children was carried out in the State of Khartoum, in cooperation with international children's organizations, UNICEF, Oxfam and the State of Khartoum. The aim of the study, which was directed by a Tanzanian expert and involved street children themselves, was to take a census of such children and classify them according to their characteristics and the factors behind their living on the street, whether they are completely or only partly homeless. This study was then discussed at a workshop involving all parties concerned with children, at both the national and the international levels, as well as civil society organizations, public bodies and ministries working with children. The study was authorized by the Khartoum State Ministry of Social Affairs and Culture.
- As part of the national project to combat the problem of street children, a national commission has been established to coordinate the activities of the National Council for Child Welfare, the relevant ministries, children's charities, civil society organizations, the States and the Arab Council for Childhood and Development. The commission has carried out the following activities:
  - (a) A study of national strategies adopted in efforts to combat the problem of street children;
  - (b) Preparation of a national project to combat the problem of street children, including preventive and remedial measures, to be financed initially (2003-2007) by the Arab Council for Childhood and Development and the Sudanese Government.
- Training project to enable teachers to deal with children having special needs. The aim is to meet these children's educational needs. Thirty primary school teachers were trained at the Ministry of Education and 50 others in Khartoum State.

### **4. Juvenile court project**

Juvenile courts are an important mechanism for implementation of the provisions of the Convention because they give special attention to child offenders. The juvenile court project was carried out in Bahri province and similar projects are currently being implemented in the other States.