



**Convention on the  
Rights of the Child**

Distr. General  
24 February 2010  
English  
Original: Arabic

---

**Committee on the rights of the Child**

**Consideration of reports submitted by States  
parties under article 44 of the Convention**

**Third and fourth periodic reports of States parties due in  
2007**

**Sudan**\* \*\*

[27 June 2008]

---

\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

\*\* The annexes may be consulted at the secretariat.

## Contents

	<i>Paragraphs</i>	<i>Page</i>
One – Introduction .....	1-11	5
Two – General measures of implementation (articles 4, 42 and 44 paragraph 6) .....	12-44	6
Three – Definition of the child (article 1) .....	45-51	17
Four – General principles (articles 2, 3, 6 and 12) .....	52-63	19
Five – Civil rights and freedoms (articles 7, 8, 13-17 and 37a).....	64-98	21
Six – Family environment and alternative care (articles 5, 9, 11, 18 paragraphs 1 and 2, 19-21, 25, 27 paragraph 4, and 39) .....	99-123	27
Seven - Basic health and welfare (articles 6, 18 paragraph 3, 23, 26, and 27 paragraphs 1-3) .....	124-202	33
Eight - Education, leisure and cultural activities (articles 28, 29 and 31) .....	203-287	60
Nine - Special protection measures (articles 22, 30, 32-36, 37(b)-(d), 38, 39 and 40) .....	288-357	76
 <b>Tables</b>		
1. Legislation on the realization of the rights of the child .....		9
2. Federal government expenditure on the health, education and social development sectors (in billions of dinars) .....		11
3. Activities on the national and state levels to disseminate the Convention on the Rights of the Child among political and society leaders, organizations, judges and teachers .....		14
4. Relative distribution of the population according to selected age groups (2006 estimates) .....		18
5. Rates of birth registration .....		23
6. Statistics on children of unknown parentage (2004-2005) .....		31
7. Health projects and programmes expenditure (in millions of dinars) .....		33
8. Health sector expenditure, 2000-2006 (in millions of dinars) .....		34
9. Development in health services institutions based on the national statistical report by the National Centre for Health Data (2001-2005) .....		38

	<i>Paragraphs</i>	<i>Page</i>
10. Development in health services institutions based on the national statistical report by the National Centre for Health Data (2001-2005) .....		38
11. Hospitals and bed capacity for 2005 .....		39
12. Rates of vaccination for children under the age of 1, (2004-2005) .....		41
13. Mother and child health services structures .....		42
14. Care for pregnant mothers .....		43
15. Most common diseases responsible for deaths in hospitals among children under the age of 5 .....		44
16. Immunization rates in 2006 .....		45
17. AIDS indicators .....		47
18. Locations of centres for voluntary testing and number of patients .....		48
19. AIDS awareness activities .....		49
20. Important sectors involved in combating AIDS .....		50
21. Rates of population health coverage at state level up to 2006 .....		54
22. Health staff .....		55
23. Social security and insurance expenditure (in millions of dinars) .....		55
24. Social support expenditure for 2005 and 2006 .....		56
25. Distribution of disability specialist centres at state level .....		60
26. Number of special needs institutions, students and teachers by category for the academic year 2005-2006 .....		60
27. Development in rates of pre-school intake .....		63
28. Development in rates of pre-school intake for the period 2001-2002 to 2005-2006, by type .....		64
29. Development in rates of basic education intake for the period 2001-2002 to 2005-2006 .....		65
30. Development in rates of intake of nomadic communities for the period 2001-2002 to 2005-2006 .....		71
31. Number of child refugees in camps up to March 2005 .....		83
32. Refugee statistics by nationality and by number of children (June 2006) .....		84

	<i>Paragraphs</i>	<i>Page</i>
33. Figures for child sentencing for the period 2002-2006 .....		87
34. Statistics of drug-related offences involving juveniles, 2002-2007 .....		88

**Diagrams**

1. Evolution of population coverage from 1997 to 2006 .....		53
2. Pre-school intake rates comparative by sex and state for the academic year 2005-2006 .....		64
3. Evolution in pupils numbers in basic education for the period 1996-2006 .....		66

## Chapter One - Introduction

1. The Sudan is the largest African country (nearly 2.5 million square kilometres in area constituting 10 per cent of the continent) and has a complex population structure. It has faced, since independence in 1956, a number of challenges to maintain its territorial integrity and to achieve a comprehensive development.

2. The period covered in this report saw a number of changes prominent among which is the signing of the Comprehensive Peace Agreement (CPA) on 9 January 2009. The (CPA) has brought to an end the longest war in Africa and has created the necessary conditions to improve children's rights. One of the outcomes of the (CPA) is the adoption of the Sudan Interim Constitution in July 2005 which includes 226 articles dealing with the structure of the state and the official bodies, their role and powers, and the relationship between them. The Constitution provides for the fundamental rights and freedoms, and their protection, under the "Charter of Rights". It also stipulates that any freedoms not mentioned in its articles but is provided for under any international convention, covenant or treaty relating to human rights ratified by Sudan, are an integral part of the Constitution which, under the federal system, guarantees the equitable distribution of power and wealth among the regions of the country. The Constitution has guaranteed Southern Sudan the right to have separate legislative, judicial and executive powers, a separate Constitution and a political and legislative role in the government of national unity.

3. The Darfur Peace Agreement, signed on 5 May 2006, and the Eastern Sudan Peace Agreement, signed on 15 October 2006, has become a landmark in the history of Sudan. They stipulate that the State is responsible for the protection of the rights of the child in accordance with the regional and international agreements ratified by the Sudan, and by doing so have created the foundation of a legislative system that guarantees the protection of human rights in general, and the rights of the child in particular.

4. That same period has been characterized by the creation of national mechanisms at State level to coordinate and follow up on various child issues. They include the National Council for Child Welfare, the Child Welfare Councils at state level and the Human Rights Advisory Council. The same period saw a marked increase in the role of civil society and international organizations active in the field of child welfare operating in Sudan. Also, the presence of an independent press has helped create the right atmosphere to tackle issues related to the rights of the child.

### Structure of the report

5. The third and fourth periodic reports by the Sudan on the Convention on the Rights of the Child are submitted in accordance with article 44, paragraphs (a) and (b), and the general principles adopted by the Committee in its 39<sup>th</sup> session in June 2005, taking into consideration the concluding observations by the Committee on the previous report.

6. The report contains nine chapters. Chapter one is an introduction to the current report and the steps for its preparation, and Chapter Two focuses on the progress made by the Sudan in the implementation of the provisions of the Convention. It also contains statistical tables and diagrams on conferences relating to the rights of the child.

7. It must be noted that some information and indicators have been difficult to obtain which explains the gaps in the data provided.

## **Preparation of the report**

8. From the beginning of the report preparation process, the Government of Sudan was fully committed to an open and frank dialogue with all parties involved in the welfare of the child, including civil society organizations. As a result, the Secretary-General of the National Council for the Child Welfare took the decision to set up a technical committee to prepare this report under his supervision and with the participation of the relevant sections at the Council; the Ministry of Social, Women and Child Welfare; the Ministry of the Interior (state of Khartoum Police); the Federal Ministry of Health; the Ministry of Public Education; the Ministry of Culture, Youth and Sport; the Ministry of Defence; the Ministry of Foreign Affairs; the Human Rights Advisory Council; the Civic Aid International Organization; the Sabah Child Welfare Association; and the Child Development Foundation (CDF). The decision stipulates that the committee may draw on the expertise of other relevant bodies. The committee held a number of consultative meetings to listen to the different views and to glean information at central government and state levels.

9. In order to expand the scope of participation, the committee requested states to provide analytical information, obtained through surveys, to help prepare the report. Moreover, announcements were placed in the local papers inviting all civil society organizations, active in child welfare, to present their contributions to the report.

10. The committee prepared the first draft of the report which was discussed in a public conference in Khartoum on 23 August 2007. The conference was attended by most of the relevant governmental institutions, civil society and international non-governmental organizations, and the various media outlets which covered the events of the conference extensively.

11. For the report to incorporate the progress achieved in the implementation of the Convention, the General Secretariat of the National Council for the Child Welfare ensured the participation of representatives of the government of Southern Sudan to have their input into the report. To that end, a number of bilateral meetings were held and two workshops for government officials and members of civil society organizations were organized in Juba under the auspices of the Minister of Gender, Social Services and Religious Affairs. Further consultations were undertaken with both UNICEF and the Swedish Child Care Organization in their capacity as observers during the preparation of the report.

## **Chapter Two - General measures of implementation**

### **Articles 4, 42 and 44 paragraph 6**

12. This part of the report outlines the developments that have taken place since the submission of the second periodic report in 2002, with special emphasis on the concluding observations of the Committee on the Rights of the Child on it, and explains the measures taken in the various regions of the Sudan to reflect the commitment to the fundamental principles of the Convention and to making children's issues top priority.

### **Follow-up of the concluding observations**

#### **The role of national human rights bodies**

13. Article 142 (1) of the 2005 Constitution of the Sudan provides for the establishment of a commission for human rights comprising 15 independent, competent, non-partisan and impartial members, and that their appointment is representative. The same article stipulates

that the commission is independent in making its decisions. Representatives of governmental bodies only participate in the commission's deliberations in a consultative role.

14. The commission is responsible for ensuring the enjoyment of the rights and freedoms provided for in the Charter of Rights as set forth in the Constitution. It is also charged with receiving complaints regarding the violation of these rights and freedoms. The role, terms of reference, procedures and conditions of service of the commission are determined by law.

15. The law of the commission was drafted, examined and submitted to the Council of Ministers which put in a number of observations before its submission to the National Assembly for ratification.

## **Declarations and reservations**

### **Reservations to the Convention**

16. The Sudan was one of the first Member States to ratify the Convention on the Rights of the Child in 1990, without any reservations.

### **Legislation**

*Measures taken to bring national legislation and practices into line with the principles and provisions of the Convention*

17. A large number of measures were adopted to ensure the alignment of legislation with the provisions of the Convention taking into consideration the concluding observations. This alignment was reflected in a number of Constitutions and agreements as follows:

*The Sudan Interim Constitution (2005)*

Article 7 (2) - Deals with Sudanese citizenship and nationality as a right accorded to "every person born to a Sudanese mother or father ».

Article 14 – Deals with children, youth and sports.

Article 32 – Deals with the death penalty whereby capital punishment shall not be imposed on a person under the age of 18 except in cases of retribution or *hudud*. In the case of pregnant or breast feeding females, a death sentence is carried out only after two years of lactation.

Article 44 - Deals with the right to education. Paragraph (2) stipulates that primary education is compulsory and is provided by the State free of charge.

### **The Constitutions of the states**

17. The states of Sudan have their own Constitutions which include provisions dealing specifically with the legislative and legal frameworks of child welfare and protection in all areas in accordance with the 2005 Sudan Interim Constitution. This applies to 13 states in north Sudan and four states in Southern Sudan.

*The peace agreements*

18. The peace agreements (Nifasha, Darfur and Eastern) contain provisions for the rights of the child and his protection in conformity with international instruments.

*The Nifasha Peace Agreement, January 2005*

19. This agreement contains a number of protocols providing protection for children and their rights. In the May 2004 protocol on Power Sharing, article 1.6 stipulates that “The Republic of the Sudan, including all levels of Government throughout the country, shall comply fully with its obligations under the international human rights treaties to which it is [...] a party”. This protocol makes specific reference to the “Convention on the Rights of the Child” as one of the main instruments ratified by Sudan.

20. Article 1.6.2.15 of the power sharing protocol under the Peace Agreement states that: “Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his/her status as a minor”. In the sixth protocol on the methods of the implementation of the Permanent Cease-fire and Security Arrangements between the Sudan Armed Forces and the Sudan People’s Liberation Army (SPLA), the recruitment of children is considered a violation of that agreement. Should this occur, the Joint Military Committee is charged with taking disciplinary measures.

*Darfur Peace Agreement (Abuja) April 2006*

21. Article 3, paragraph 28, of the Bill of Human Rights and Fundamental Freedoms states:

(a) Women and men shall enjoy all civil and political rights enshrined in the International Covenant on Civil and Political Rights, as well as all economic, social and cultural rights in the International Covenant ratified by the Government of Sudan;

(b) The family is the foundation of society and shall be protected by the law. Men and women shall enjoy the right to marry and found a family, in accordance with their respective family laws;

(c) The State shall combat harmful customs and traditions, which undermine the dignity and the status of women;

As for the child and family issues:

(d) The State shall provide maternity, child care and medical care for pregnant women, children in need, persons with special needs and the elderly, in line with regional and international instruments ratified by the Government of Sudan.

(e) The State shall protect the rights of the child, as provided for in the regional and international conventions ratified by the Government of Sudan.

(f) The State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability, as well as access to free primary health care and free and compulsory primary education.



*Eastern Sudan Peace Agreement, October 2006*

22. In the part of the agreement relating to human rights and fundamental freedoms, article 6, paragraph 13, it is stated that:

“The Parties reaffirm their commitment to respect and promote human rights and fundamental freedoms as detailed in the INC, and in international human rights covenants ratified by the Government of Sudan”.

23. The Sudan, in addition to a review of the 2004 Child Act and the publication of the 2006 draft Child Act, has enacted a number of other laws having a positive bearing on the situation of children in the country. Table 1 lists some of these acts and how they correspond to provisions of the Convention.

**Table 1**

**Legislation on the realization of the rights of the child**

<i>Legislation</i>	<i>No. of legislation</i>	<i>Provision in the Convention</i>
Child Act, 2004	Articles 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 (2), 23, 24, 25, 26, 27, 28, 29, 30 (1) (3), 33, 34, 35, 41, 44, 47 and 54	Article 19, protection of children from violence, Article 23, enjoyment of full and decent life. Article 24, enjoyment of the highest standard of health, Article 31, the right to rest and leisure. Article 27, no child shall be subjected to torture.
Civil Registry Act, 2001	Articles 7, 8, 18, 28, 29, 30, 35 and 42	Article 7, the right of a child to be registered immediately after birth
Sudanese Nationality Act, 1993 (amended 2005)	Articles 5, 6, 7, 8, 10, 11, 12, 13, and 14	Article 8, the right of the child to preserve his or her identity
Labour Code, 1997 (draft Amendment 2007)	Articles 5, from 21 to 27	Article 32, the right of the child to be protected from economic exploitation
Education Planning Act, 2001	Articles 5, 13 and 15	Article 20, the right of the child to education. Article 29, the right of the child to develop his/her personality and talents

*Source: the National Council for the Child Welfare, General-Secretariat, Legislation Committee*

24. During the period covered by the report (1998-2006), the Sudan has ratified the following conventions:

- The African Charter on the Rights and Welfare of the Child (2005).
- The general principles (2005).

- The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2005).
- The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention) (2003).
- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Part II of which has a section on the protection of women and children (2005).
- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), ratified by Sudan in 2005.
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. This instrument was reviewed and submitted to the Council of Ministers for ratification.

25. One of the important measures that have been taken is the establishment of the Legislative Review Commission in accordance with Decision No. 8 of April 2006. The commission is headed by the Secretary-General of the National Council for Child Welfare with the head of the protection section as its rapporteur. Members of the commission include the advisers to the Minister of Justice and the Human Rights Advisory Council- the former Institute for Training and Legal Reform, the legal affairs department at police headquarters, the Armed Forces (military judiciary), UNICEF (protection section) and the Ministry of Justice (Legislation Department). The commission undertook the following activities:

- A review of the Child Act of 2004 and the preparation of the draft of the 2006 Child Act with a view to overcoming the shortcomings of the 2004 Act. The draft is intended to comply with the international instruments and has been submitted to the competent authorities.
- Oversight of the review of domestic legislation, in particular the Child Act, to bring into line with the two Optional Protocols to the Convention and other relevant international instruments. The process was carried out by a legal expert with the help of UNICEF.
- The drafting of amendments or new articles to be added to the text and the selection of articles to be deleted from the current law for incompatibility with international instruments.
- The inclusion of recommendations from workshops and seminars on child legislation in draft legal text and articles with which are submitted to the executive and legislative bodies.
- Holding group consultations with official bodies and international and national organizations to discuss child protection under national legislation and legal procedure.

- Helping state parliaments in drafting laws and legislation on child welfare in Khartoum, South Kordofan, Kassala, North and South and West Darfur, Blue Nile, Red Sea and Qadarif.
- Organizing a periodic meeting with the committees of the National Assembly in charge of child welfare and the setting up of a child advocacy group at the Assembly.
- Organizing a round table for Muslim and Christian scholars and jurists to shed light on the notion of childhood in religions (puberty, legal majority, adulthood at 18, age of criminal responsibility and the minimum age for marriage).
- Holding a round table to shed light on the distinction between a perpetrator and a victim in sex crimes when one or both parties are under the age of 18.

#### Allocation of resources

26. UNICEF reports list official development assistance as follows :

<i>Year</i>	<i>Amount in million USD</i>	<i>Percentage of Gross National Income (GNI)</i>
2004	882	5%

*Source: State of the World's Children report- UNICEF 2007*

27. The Government of Sudan, despite the difficult circumstances, has put the improvement of the conditions of children at the top of its priorities with appropriate allocations in the budget intended for children's projects as part of the plans by sector. It is, however, difficult to pinpoint the exact figure or percentage of public expenditure on children's programmes for a number of reasons including decentralization which has given states the authority to set their different priorities, and the variance of standards when allocating budgets. Moreover, the fact that the Government of Southern Sudan has its own financial system makes it assess allocations at the national budget level. Table 2 shows the levels of Federal Government expenditure on the health, education, water and social development sectors, large proportions of which were directed towards children's programmes.

**Table 2**

#### **Federal Government expenditure on the health, education and social development sectors (in billions of dinars)**

<i>Sector/Year</i>	<i>2006</i>	<i>2005</i>	<i>2004</i>	<i>2003</i>	<i>2002</i>	<i>2001</i>	<i>2000</i>
Education	21.3	17.8	14.5	1.9	2.1	1.7	1.4
Health	19.9	17.9	16.8	9.8	8.5	7.1	5.4
Water	20.2	15.2	10.2	5.1	0.2	0.9	0.2
Social Development	61.4	50.9	41.5	16.7	10.7	9.7	7.0

*Source: Federal Ministry of Finance*

**Legislation for better implementation of the rights of the child**

28. Refer to table 1 for a review of the laws that contain provisions aimed at strengthening the implementation of the articles of the Convention and improving the conditions of the rights of the child in Sudan.

**Available means of recourse**

29. Means of recourse are provided under the Code of Criminal Procedure of 1991 and apply to all levels of courts, including six criminal courts starting with the popular tribunals in towns and rural areas up to the Court of Appeal and the Constitutional Court.

30. A family and child protection unit has been set up at the state of Khartoum police force to provide protection for children in contact with the law such as child victims, witnesses and juveniles. In 2007, an order was issued to introduce the practices of that unit to police forces in the states of the north (15 states). Efforts are continuing to set up courts and prosecution services to deal with children's cases to ensure their protection from abuse.

**Existing coordination mechanisms at the national level***The National Council for Child Welfare and state councils*

31. Before the preparation of this report, the National Council for Child Welfare and the state councils opted for strengthening their structures at the central level. These measures were accompanied by the adoption of an organisational chart to enable the General-Secretariat of the Council to undertake an effective role to coordinate child-related activities. It took into account the role to be played by state councils in coordinating activities at state and community levels. The Council also opted for a strong partnership with the international organizations, civil society entities and international organizations active in the field of child care. These efforts were reflected in the achievements this report lists in another part.

*The sub-committee for disarmament, demobilization and re-integration*

32. This body was created by Council of Ministers' Decision No. 375 and amendment 46 of 2004. The sub-committee has a unit responsible for children's affairs, as well as other units. The setting up of the sub-committee was complemented by the creation of the National Council for Disarmament, Demobilization and Reintegration by Presidential Decree No. 4 of 2005. The Council has the task of approving disarmament policies submitted by the competent authorities.

33. More recently, pursuant to Presidential Decree No. 5 of 2006, the north Sudan Disarmament, Demobilization and Reintegration Commission was established. Demobilization involves all troops, personnel, military groups, paramilitary units, and regular and semi-regular forces. The Commission is tasked with drawing up plans for disarmament, demobilization and re-integration, as well as conducting statistical surveys and the preparation of reports on targeted areas and children.

*The Committee on the Elimination of Women and Child Abduction (SEWAC)*

34. This committee was set up as part of Sudan's undertakings arising from the decision by the United Nations Human Rights Commission on the Sudan which was adopted by consensus in April 1999. At the time, Sudan undertook to investigate reports of abduction of women and children, determine the causes of the abduction and ensure the safe return of victims to their families. SEWAC was re-created by Presidential Decree No. 14 of January

2002. The decree is intended to provide SEWAC with greater resources and more powers to enable it carry out its functions effectively through the direct affiliation to the presidency. Further information may be obtained by referring to the special report on additional information requested by the Committee on the first preliminary report on the implementation of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, which was presented to and discussed with the Committee in 2007.

35. As for the National Assembly committees in charge of the implementation of the Convention, they include the Woman and Child Affairs Committee, Human Rights and Public Duties Committee, Social Affairs Committee, Health Committee, Education Committee...etc.

#### **Comprehensive national plan/strategy**

36. The General-Secretariat of the National Council for Child Welfare has prepared a document entitled "A Sudan worthy of children" which is the national plan to combat violence, and the "Five-year national plan for child welfare 2007-2011, the national strategy for the elimination of female circumcision".

#### **Supervisory mechanisms**

##### **National human rights institutions**

37. In the Sudan there are independent and semi-independent human rights institutions. They are:

- The Human Rights Advisory Council, which was established by the 1994 presidential decree and is referred to in the previous report. In 2007, the Council created a child unit to review international and regional conventions and protocols on children, to follow up on the implementation of domestic legislation on children and to raise awareness of human rights and international humanitarian law.
- The National Committee on International Humanitarian Law, which was set up by Presidential Decree No. 48 of 2003, is chaired by the Minister of Justice and has the head of the Human Rights Division as its rapporteur. The membership comprises representatives of institutions active in areas relevant to International humanitarian law and the protection of civilians, including children, in armed conflicts. The National Committee is the official source of information when it comes to the implementation of international humanitarian law.

#### *Data and information*

38. The Sudan, starting this year, is in the process of establishing a national centre for child information within the National Council for Child Welfare in cooperation with the National Centre for Information (Council of Ministers). Early results show that a list of special indicators on the right of the child to education, health and protection are being developed. A pilot survey of these indicators is to be carried out with the help of the National Centre for Statistics and the Ministry of Health. There are plans to include other government agencies at a later stage.

#### *Measures to disseminate the principles of the Convention*

39. The National Council for Child Welfare is involved, at the national and state levels, in the promotion of the Convention. The Council's activities involve community leaders,

political organizations, judges, teachers, children and families. Table 3 outlines some of these activities.

**Table 3**

**Activities at the national and state levels to promote the Convention on the Rights of the Child**

<i>Type of activity 2002-7</i>	<i>State</i>	<i>Targeted group</i>
Workshops on the rights of the child and discussions on the situation of children in the respective States	1. White Nile 2. River Nile 3. North Kordofan 4. Bahr El-Jabal 5. Blue Nile 6. South Darfur	- Government agencies and voluntary organizations active in child welfare  - The governor and ministers of the State - Mothers and children
Strategic meeting to train assistant Secretary-General of the National Council on planning strategies at State level	Khartoum, April 2007	- Assistant Secretary-General and State planning directors
Joint coordination meetings with the relevant ministries and organizations involved in child welfare in accordance with the provisions of the Convention	Khartoum, June 2004	- General Secretariat, National Council
Joint coordination meetings with the relevant ministries and organizations involved in child welfare in accordance with the provisions of the Convention	Khartoum, June 2004	- General Secretariat, National Council - Government agencies - Child welfare organizations
Workshop on Juvenile Justice	Khartoum, July 2005	Judges, police officers, civil society organizations, Armed Forces, advisers to the prosecution and lawyers
Workshop on Children in Armed Conflict	Khartoum – Central Command Khartoum – Jabal Awliya Hall	Armed Forces
Workshop on the Alignment of National Legislation with the Convention	Khartoum	Members of Parliament
Workshop on International Humanitarian Law and Protection During Armed Conflict	Wau, Juba	Administrators, non-governmental organizations and decision makers
Meeting to exchange views on proposed amendments to the Child Act of 2004 with a view to introducing new provisions in line with the two protocols	Khartoum, December 2005	Jurists, civil society organizations and government agencies
Social and psychological field survey for camel jockeys returning from Qatar	- Kassala - River Nile	Camel jockeys returning from Qatar

<i>Type of activity 2002-7</i>	<i>State</i>	<i>Targeted group</i>
Awareness campaign for nomadic tribes on the dangers of the use of children as camel jockeys	Kassala, June 2004	Nomadic tribes, Kassala
Workshop for Government Agencies on Camel Jockeys	- Kassala, September 2005 - Khartoum, October 2005	Government agencies, voluntary organizations and community leaders at State level
Field survey on child labour with special emphasis on camel jockeys	- Kassala, November 2004 - Khartoum, September 2004	Working children in the States of Kassala and Khartoum
First National Seminar on the Protection of Children from all Forms of Violence	Khartoum	Governmental and non-governmental bodies, and civil society organizations
Workshop for State Secretary-Generals for Child Welfare	Khartoum, May 2005	Secretary-Generals at State level
School Violence Workshop for Teachers, Canar	Sanja, November 2005	Primary education teachers, political and legislative and executive leaders, civil society
Workshop on the Review of Protection Legislation in Sudanese Law and a Comparison with the Two Optional Protocols	- Khartoum, March 2005 - Kadugli, December 2005 - Niyala, September 2005	Interested Government and civil society bodies, justice and legislative entities
Workshop on the Convention and the Two Optional Protocols	Kassala, Qadarif, Kosti, Madani and Port Sudan	Governmental and non-governmental bodies, community leaders, and executives
Workshop on Re-integration of Camel Jockeys Returning from the United Arab Emirates	Kassala, June 2006	Governmental and non-governmental bodies
Participation in drafting the Arab strategy on the elimination of child labour	Cairo, October 2004	Child care specialists
Workshops for Judges, Prosecutors and Police Officers on Juvenile Justice	Khartoum, October 2005	Judges, prosecutors and police officers

*Source: National Council for Child Welfare- General-Secretariat*

40. The plans of the various Government sectors such as health, education, social care, justice and finance contain references to the provisions of the Convention, and the objectives and procedures of the document entitled "A World Worthy of Children", as well as the objectives and declaration of the third millennium.

41. The National Council for Child Welfare, in association with other partners, has organized awareness and advocacy campaigns to give effect to the right to be registered at birth paving the way for the adoption of a strategic plan with a view to the full implementation of the Civil Register Act of 2001.

42. The Council also embarked on the following activities:

- Launching intensive campaigns to organize advocacy forums and seminars in the capital and the states to discuss the rights of the child with emphasis on care and protection.
- The publication of legal and judicial circulars to introduce children's courts, children's prosecution service and children's police force in all states.
- Organizing the first national conference to combat violence against children in 2005. Participants included national entities as well as United Nations bodies and the League of Arab States.
- Organizing the fourth coordination and consultative meeting (May 2007) for the General-Secretaries of child welfare, woman and child advisers, and the heads of the legislative and legal bodies at state level. The meeting had the aim of strengthening child protection legislation and planning prerequisites.
- The setting up of additional woman and child affairs units at ministries and government bodies with a view to developing the rights of the child in all areas.
- Holding the "Protecting the Children of Darfur" workshop in collaboration with UNICEF and the three states of Darfur. The workshop took place in South Darfur and came up with an action plan on how to protect the children of Darfur.
- Organizing a workshop to bring national legislation into line with the international instruments on human rights. The event was sponsored by the United Nations Mission in Sudan in cooperation with the human rights committee at the National Assembly. One full day was allocated to childcare legislation.
- Conducting a review of childcare legislation through the Council's legislation committee. The review led to the preparation of the 2006 draft Child Act and the introduction of a number of amendments to laws relevant to childcare.

#### **Factors and challenges**

43. Despite the progress achieved in several indicators relating to child care in the Sudan, a number of challenges remain. They include the development of a comprehensive database and the implementation of the Child Act in relation to the setting up of mechanisms to provide legal protection for children. In this regard, it is imperative to complete the establishment of children's courts, children's prosecution service and children's police force, and to press ahead with the implementation of the circular on the creation of family, women and children protection units within all police forces at state level.

44. The allocation of greater financial resources and the development of skills, particularly at state level, combined with the abovementioned factors, constitute critical elements in the drive to improve the conditions of children all over the country.



## Chapter Three- Definition of the child

### Article 1

45. Sudanese legislation contains a range of provisions pertaining to the child, depending on the rights to be protected under Sudanese laws.

46. The 2004 Child Act defines a child as “any male or female under the age of 18 unless they attain puberty in accordance with the applicable law”. The proposed draft child act of 2006, which is due for ratification, defines a child as “any individual under the age of 18” and the legal age of criminal responsibility as 12 years.

47. The Interim Constitution of Southern Sudan, state Constitutions and the draft Child Act of Southern Sudan define a child as any person under the age of 18. The legislative system of Southern Sudan, however, is still in its early stages because of the overlap in the implementation of laws. This is clearly reflected in the implementation by jurists, members of the judiciary and some members of parliament, of the 1974, 1992 and 2003 acts, as well as sharia law and more recent legislation. All of this has contributed to confusion in legal standards. As a result, the head of the judiciary has recently issued a directive clearly stipulating that all courts in Southern Sudan should implement the laws of the Sudan People’s Liberation Movement (SPLM), an example of which is the 2003 Criminal Code.

48. To overcome this discrepancy in Sudanese laws, it is permitted to apply the 1974 interpretation of the law and the general provisions, and articles 3, 4 and 6, which state:

(3) “The provisions of a law succeeding a previous law shall have precedence to the extent that they eliminate any conflict between the two”.

(4) “Any special law or special provision on any subject contained in any law shall be taken as an exception to any general law or general provision of any law regulating the said subject”.

49. Article 3 of the Child Act states: “The provisions of this Act shall take precedence over any conflicting provision in any other law in order to serve the child’s best interests and to the extent that the conflict is thereby eliminated.”

50. Table 4 hereunder lists the numbers and percentages of children under the age of 18 by age group based on the relative distribution of the population (2006 estimates). Available information cover the age group 5-14years.

**Table 4****Relative distribution of the population, selected age groups (2006 estimates)**

Year	2006		
	Age group		
States	Over 60	15-59 years	01-14 years
Sudan	4.08%	54.67%	41.25%
Northern States	5.76%	55.07%	39.1%
Northern	6.09%	55.25%	38.66%
Nile River	5.54%	54.96%	39.50%
Red Sea	5.89%	58.33%	35.78%
Kassala	4.57%	54.72%	40.71%
Qadarif	3.80%	54.68%	41.52%
Khartoum	3.76%	59.92%	36.32%
Al-Jazeera	4.46%	54.16%	41.38%
Canar	4.06%	53.32%	42.62%
White Nile	4.05%	52.34%	43.61%
Blue Nile	3.87%	55.86%	40.27%
North Kordofan	4.37%	50.61%	45.02%
South Kordofan	4.49%	50.69%	44.82%
North Darfur	4.13%	51.92%	43.95%
West Darfur	3.72%	53.40%	42.88%
South Darfur	3.70%	53.02%	43.28%
Southern Regions	3.49%	55.16%	41.53%
Upper Nile	3.49%	53.37%	43.14%
Bahr el Ghazal	3.37%	54.09%	42.54%
Equatorial	3.33%	55.95%	40.72%

*Source: Central Statistics Office (2006)*

51. The last population census to be conducted in the Sudan goes back to 1993. It is expected that the fifth census will take place in February 2007. According to the last census, the population of the Sudan stood at 25.6 million with a rate of growth of 2.63%. Rates of birth and mortality were 37.8 and 11.5 per thousand, respectively. The table above shows that the population pyramid is dominated, like many developing countries, by youth.

The population of urban areas rose from 29 per cent in 1993 to 34.8 per cent in 2004. This movement is attributed to migration and displacement from rural areas affected by the war, drought and desertification to urban areas leading to the creation of population concentrations on the peripheries of cities (Federal Ministry of Health 2005).

## **Chapter Four - General principles**

### **Articles 2, 3, 6 and 12**

52. Sudan has made every possible effort to strengthen the above articles of the Convention on the Rights of the Child. This was reflected in several legislation, laws, and programmes adopted in recent times. The same principles have been applied in the development of the Constitution and the political evolution in the country which included the peace agreements, the 2005 Constitution and other provisions mentioned earlier. They all guarantee the principle of non-discrimination, the interests of the child and the right to life, survival and development.

### **Follow-up of the concluding observations**

#### **Non-discrimination**

53. Non-discrimination is one of the basic and binding principles in Sudanese legislation. They are enshrined in the fundamental rights of enjoying health care and education for all children, all over the Sudan. The same principles are also enshrined in the Southern Sudan Constitution and the Constitutions of other states.

#### *The Transitional Constitution of the Republic of the Sudan, 2005*

54. Hereunder are some of the provisions of the Constitution:

##### Article 7

“Citizenship shall be the basis for equal rights and duties for all Sudanese. Every person born to a Sudanese mother or father shall have an inalienable right to enjoy Sudanese nationality and citizenship”.

##### Article 27 (3)

“All rights and freedoms enshrined in international human rights treaties, covenants and instruments ratified by the Republic of the Sudan shall be an integral part of this Bill”.

##### Article 32 (5)

“The State shall protect the rights of the child as provided in the international and regional conventions ratified by the Sudan”.

##### Articles 13 (1a) and 44 (2)

“Primary education is compulsory and the State shall provide it free.”.

Article 45

“The State shall guarantee to persons with special needs the enjoyment of all the rights and freedoms set out in this Constitution”.

Articles 32 (4) and 46

Both articles deal with public health and the provision of free primary health care and emergency services for all citizens.

Article 47

This article makes reference to ethnic and cultural communities’ rights to raise their children within the framework of their respective cultures and customs.

Article 48

This article deals with the sanctity of the rights and freedoms upheld by this document and their protection by the Constitutional Court and other competent courts.

55. A special law governing the status of individuals affected by the AIDS virus has been developed and is in its final stages. It guarantees all those suffering from the syndrome and their families their rights and protection.

- Provisions in the 2004 Children’s Act emphasize the principle of non-discrimination in relation to the rights of the child as a general principle of law.
- An important study has been conducted to determine the trends and behaviour in teaching young girls (2004) in a number of selected states. The State adopted the recommendations of the study to quickly close the gap in education between boys and girls. Equally, girls’ education units were set up at the Federal Ministry of Education and Ministries of Education at state level.
- A set of measures has been put in place to provide protection for children born out of marriage. They include awareness-raising programmes and the introduction of temporary and permanent Kafalah programmes where by the government ensures that foster families are found within the community, that a newly-born child is registered under a special civil record, and that he is issued a family card and a national number.

*The best interests of the child*

56. The 2004 Children’s Act contains provisions on taking into consideration the best interests of a child in all procedures and other national laws. The 2006 draft Child Act also provides for the respect of the best interests of the child in line with article 3 of the Convention. Direct and indirect reference is also made to the best interests of the child in the 1997 Labour Code and its proposed amendments, as well as in the Criminal Code of 1991.

57. All activities and programmes on children’s protection undertaken by the National Council for Child Welfare, in cooperation with other partners, take into account the best interests of the child.

58. The State, on its part, has adopted a policy for the classification of publications and works of art to ensure the best interests of the child. The policy is intended to protect children from exposure to works deemed unsuitable for their age.

#### **The right to life, survival and development**

59. The 2005 Transitional Constitution contains provisions for the protection of the rights of the child to survival and developments in line with the international instruments ratified by the Sudan. Articles 14, 27 and 36 are an integral part of such rights. Moreover, the same principles are included in the Constitutions of Southern Sudan and the other states. This also applies to the 2004 Children's Act, the 1974 Health Act, the 2001 Education Planning Act, the 2001 Civil Records Act and the 1993 Sudanese Nationality Act (amended in 2005). Further information is available in the section on national programmes on survival and development in the chapter on basic health and welfare (see chapter seven).

#### **Children's participation and respect for their opinion**

60. The 2006 draft Children's Act includes provisions aimed at the implementation of article 23 of the Convention. The same can be said of the 1993 Civil Procedures Act which gives the child the right to have access to the courts through his legal guardian. Under the Rules of Procedure and Evidence Act, a child may appear as a witness.

61. Over the past few years, the National Council for Child Welfare has implemented several programmes aimed at strengthening the participation of children in national, regional and international activities including the participation in the legal review of national legislation and their compatibility with the provisions of the Convention and the preparation of the preliminary reports in accordance with the requirements of the two optional protocols. Children were also involved in a number of studies including that by the Secretary-General of the United Nations on Violence against Children. Two studies, with children's participation, are currently underway. The first deals with AIDS among children, while the other tackles children and youth participation in children's issues in the Sudan. The latter is being conducted with the technical assistance of UNICEF.

62. In addition to the abovementioned activities, a series of youth forums at state and national levels have been organized with several partners. A number of children's parliaments have been established in Khartoum and other states for both boys and girls. Some of them, though, require further support. In Southern Sudan, Children have been involved in sessions intended to discuss protection and other issues.

63. Article 29 of the Interim Constitution of the government of Southern Sudan guarantees the right to peaceful assembly and the right to organize societies.

## **Chapter Five- Civil rights and freedoms**

### **Articles 7, 8, 13-17 and 37 (a)**

64. Since the submission of the second periodic report and the special report containing Sudan's responses to the additional observations, a series of developments regarding the civil rights and freedoms enshrined in the articles of the Constitution, the Constitution of the government of Southern Sudan, the Constitutions of the states, and several legislation and national laws, have taken place.

65. The Constitution guarantees and provides for, in chapter II entitled "the Charter of Rights", all fundamental rights and freedoms (articles 28-42 and 44).

## **Follow-up of the Concluding observations**

### **Name and nationality**

66. The Interim Constitution of the Republic of the Sudan states that any person born to a Sudanese mother or father has the inalienable right to nationality and citizenship. The Nationality Act was amended in accordance with the Constitution whereby offspring have the right to obtain the Sudanese nationality even if the mother is Sudanese and the father is not.

67. The Interim Constitution for Southern Sudan states the following: "For the purposes of the referendum, a southern Sudanese is:

any person whose parent or grandparent is or was a member of any of the indigenous communities existing in Southern Sudan before or on January 1, 1956; or whose ancestry can be traced through agnatic or male line to any one of the ethnic communities of Southern Sudan; or any person who has been permanently residing or whose mother and/or father or any grandparent has been permanently residing in Southern Sudan as of January 1, 1956, without prejudice to article 48 (2) of the Interim Constitution. Therefore, all Sudanese in Southern Sudan enjoy equal rights under article 21 of the Interim Constitution and every child has the right to a name and nationality.

### **Birth registration**

68. Article 28 of the Civil Register Act of 2001 provides the legal guarantees for the immediate registration of a newly-born child. Article 29 makes it mandatory by law to report the birth and lists the individuals responsible for the reporting. Article 42 prescribes penalties for any violation of the above. The Act also lists in detail the institutions to be set up to oversee the registration process. Table 5 includes the rates of birth registration in Sudan.

69. The civil register regulations contain specific procedures for registering those who do not have a record entry. In areas where there are no medical services, the civil registration administration appoints individuals, according to set rules, to register births in their location and in their personal capacity. There are also regulations for the registration of births on board ships and aircraft, children of unknown parentage, births abroad and births of foreigners.

70. Following the ratification of the 2001 Civil Register Act and its regulations, new forms for the registration of births were designed to include the basic elements to identify the child without stigma or discrimination. Children of unknown parentage are entered into the civil register separately as a new family and are issued with a family card and a national number.

71. According to the regulations of the civil register, if there is a claim of parentage for a child at a later stage and that claim has been confirmed by a judicial order, a settlement of the case is reached as the situation warrants. The Sudanese Civil Status Act compels a father to look after his children until they become independent. There have been important developments in regard to access to nationality since the Nationality Act was amended in accordance with the Constitution.

72. The range of measures taken by the government includes the elaboration of a national plan to improve the registration of births and to improve the existing system at the national and state levels. The government is also considering the abolition or reduction of fees for

birth certificates as well as providing the registration service to communities and remote areas. All this comes as part of the five-year strategic plan for children's welfare, 2007-2011. Table 5 below lists the rates of birth registration in Sudan.

**Table 5**

**Rates of birth registration in Sudan**

<i>State</i>	<i>Rate</i>	<i>Female</i>	<i>Male</i>
North Sudan	58.5%	58.1%	58.9%
Northern	92%		
Nile River	83.3%		
Red Sea	76.4%		
Kassala	52.4%		
Qadarif	65.1%		
Al-Jazeera	57.0%		
Canar	54.7%		
White Nile	68.2%		
Blue Nile	48.2%		
Khartoum	85.1%		
North Kordofan	48%		
South Kordofan	56.9%		
West Kordofan	45.1%		
North Darfur	51.1%		
South Darfur	48.7%		
West Darfur	32.4%		
Al-Hasher	82.7%		
Rural Areas	45.4%		
Southern Sudan	56.8%	58.6%	55.2%
Juba	79.6%		
Wau	43.9%		
Melaka	35.5%		

*Source: Central Statistics Office - Multi-indicator survey (2000)*

**Preserving the identity*****Measures to preserve the identity of a child and the prohibition of illegal interference***

73. The 2001 Civil Register Act makes it mandatory on the head of the family to have a family card which provides proof of the information contained in it. The Act provide for strict measures prohibiting the illegal change of elements in the child's identity card in the civil register. The same regulations govern the registration of children without a record entry and provides for issuing them a national number. The civil register regulations also provide for the requirements for registering children of unknown parentage without stigma or discrimination.

***Freedom of expression***

74. School regulations underscore the importance of school activities such as literary and cultural societies and sport, all of which provide the child with a platform for expressing his views. A student activities administration is in charge of the overall supervision of school activities. There exists also a child cultural centre and a child theatre serving as a platform for children to express their opinion. This right is granted, subject to restrictions imposed in regard to decent behaviour and the moral values with a view to preventing child delinquency and serving the best interests of the child.

75. According to the Constitution of Southern Sudan, every person has the freedom of expression, reception and emission of information, and access to the press without contravening public order and security and public morality as determined by the law. The government of Southern Sudan is committed to guaranteeing the freedom of the press and all media outlets in return for respect for the ethics of the profession.

***Freedom of thought, belief and religion***

76. The Constitution of Sudan guarantees every citizen, regardless of origin or age, the right of belief and religion. The right of the child to adopt a religion of his choice is not subject to any restriction. Article 6 of the Constitution provides for the respect of the state for a set of rights in relation to freedom of religion. They include:

- worship or assemble in connection with any religion or belief and to establish and maintain places for these purposes (article 6 (a)),
- acquire and possess movable and immovable property and make, acquire and use the necessary articles and materials related to the rites or customs of a religion or belief (article 6 (c)),
- teach religion or belief in places suitable for these purposes (article 6 (e)).

77. As regards languages, article 8 (1) of the Constitution states: "All indigenous languages of the Sudan are national languages and shall be respected, developed and promoted". Article 8 (4) authorizes the legislature in any state to adopt any other national language as an additional official working language in addition to Arabic and English.

78. To emphasize the commitment to multilingualism by region, article 8 (5) of the Constitution prohibits discrimination against the use of either Arabic or English at any level of government or stage of education.



79. The Ministry of Education provides schools with both Christian and Islamic education material and it is left to the child to choose the curriculum that suits his beliefs. This freedom of choice has no restrictions while respecting the beliefs of others. It is also worthwhile comparing the provisions of the Interim Constitution of Southern Sudan with those of the Interim National Constitution. In the south, children and youth groups have been set up in almost all states with the help of UNICEF.

***Freedom of association and peaceful assembly***

80. School regulations guarantee children the right to form literary, cultural and sport associations. One of the most important achievements in this area is the children's parliament. Work has started to select groups of children from nine schools in the states of Khartoum and Al-Jazeera to become the nucleus of a children's parliament. Other children's parliaments were created in the states of Kassala, White Nile, Nile River, Blue Nile, North Kordofan and Red Sea in the period from 1998 to 2002. The Khartoum children's parliament is already functioning. This experiment is to be introduced to all states in the Sudan by next year with a view to selecting members of a national parliament from all states. The process comes as a confirmation of children's right to participation in and training for democratic and political life, freedom of expression and respect for the views of others.

***Protection of privacy***

81. The 2005 Constitution of the Sudan contains a number of articles that guarantee the protection of privacy as mentioned earlier. The Criminal Code of 1991 governs the protection of children against violations and prescribes punishment for such offences (see further details in the previous report).

***Obtaining appropriate information***

82. Although a reasonable number of children's books are published, there is a need for further and more diverse publications. To address this need, the Council, as part of its media-oriented activities, has trained 350 journalists representing the various media outlets over the period from 2004 to 2007. The group included 30 programme producers, producers and directors from national television, 30 radio journalists and 25 press journalists in cooperation with the National Council for Printed Press. The training focused on how to tackle children's issues from a child's perspective. At present, work continues to implement a child protection awareness-raising campaign, which was launched in South Darfur in July 2007 to commemorate the African Child's Day. The drive is intended to raise the level of awareness among parents, society and children themselves in cooperation with UNICEF. The campaign deals with 10 issues: Children of unknown parentage, child soldiers, children versus the law, female circumcision, race and gender related violence, the risk of mines and unexploded ordinance, birth registration, mistreatment at home, corporal punishment in schools and educational institutions, and trafficking in children. As far as television and radio is concerned, there are regular children's programmes that are broadcast at specific times.

***The right not to be subjected to torture, cruel, inhuman or degrading treatment***

83. The national Constitution, the Southern Sudan Constitution, northern and southern states Constitutions, and the 1991 Criminal Code guarantee the right against torture. School regulations abolished corporal punishment in schools. The 2006 draft Children's Act provides for comprehensive remedies to deal with the mistreatment of and violence against children.

84. Several activities in the field of combating violence have been undertaken. They include the creation of a database on the causes of violence and how to deal with them. In this regard also, a review of all studies relating to violence conducted in the Sudan was carried out and the outcome and conclusions reached have been widely disseminated. In 2005, the Swedish child welfare organization, on its part, conducted a study on corporal punishment in schools in the state of Khartoum. In 2006, a national plan against violence was launched and is now in the process of being approved by the executive (referred to in the May 2005 report on the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography).

85. A family and child unit has been set up to provide protection to children and women victims of acts of violence, mistreatment, sexual exploitation and all other forms of violence.

86. In Southern Sudan, children enjoy protection from corporal punishment, and cruel and inhuman treatment, even when meted out by parents, schools and other institutions. This right is guaranteed by the Constitution. The draft Children's Act of Southern Sudan stipulates that every child has the right to be protected from torture, punishment or cruel, inhuman and degrading treatment, regardless of who the perpetrator is. This right is now guaranteed by the Constitution.

87. By law, no child can be sentenced to death or to life imprisonment, or be subjected to corporal or collective punishment by leaders, police, teachers, prison guards and borstal officials.

88. The draft Children's Act of Southern Sudan prescribes criminal punishment for anyone acting contrary to its provisions. In reality, corporal punishment remains one of the most controversial issues in Southern Sudan where children continue to be subjected to such treatment at schools, homes, courts and prisons at the hands of police officers and community leaders.

89. The alternative report by the Sudan People's Liberation Movement (SPLM) shows that corporal punishment in Southern Sudan has been commonplace in schools and at home. In reality, there is very little that can be done to limit parent's practices when it comes to disciplining children, except in the cases when the community is involved. Although disciplinary practices are seen in a negative light, perceptions vary from one community to the other. Equally, the civil war has created severe imbalances, displacement and instability in most communities leading to weaker traditional practices that can provide protection for children.

90. A study by the Swedish child welfare organization in Southern Sudan has found that the overwhelming majority of the school children surveyed mentioned being subjected to punishment on a regular basis and that the most common method used by teachers has been caning. Other forms of punishment include jumping up and down on the spot, cleaning the school yard and toilets, pruning shrubs, crawling, carrying rocks for hours under the sun, in addition to verbal abuse and neglect. The most common forms of punishment in the home mentioned by children include food deprivation, verbal abuse, pursuit, as well as caning and flogging.

91. The same study looked at the psychological impact of corporal punishment. It found that the majority of teachers surveyed had used punishment and that the most common forms resorted to had been caning, keeping children in a bending position, running, cleaning, digging toilets, carrying water and cutting the grass. The government of Southern Sudan will use the recommendations of the study to adopt measures to eliminate such practices.

***Camp children and programmes available to them***

92. A child protection network in camps for the displaced in the state of Khartoum has been set up with the help of and partnership with UNICEF and other voluntary organizations. The network covers women, youth and children, with 230 staff receiving training in child protection. The network ensures, among other things, enrolling children in schools and vocational training courses. The programme has benefited 15,000 children.

93. This programme has also led to the setting up of a working group involving representatives from the National Council for Child Welfare, UNICEF, five non-governmental organizations and five government bodies to oversee child protection in the camps. A forum for voluntary organizations working in those camps was also created for the same purpose. Training in child protection and reuniting children with their families also covered 219 government officials and staff of non-governmental organizations, in addition to 80 school teachers.

94. In this regard, support has been provided to 6,265 returning children, 262 of whom had been separated from their families as a result of the repatriation journey from the city of Kosti in the White Nile state to the south. Close monitoring was provided during such repatriation. The support also covered 1,007 unaccompanied women.

95. The National Council for Child Welfare has also set up a committee in collaboration with other partners to deal with the situation of displaced children within the framework of voluntary repatriation. A training package for officials and staff of organizations working in the field of the protection of displaced children has been prepared. Thirty government officials and repatriation monitors from the International Organisation for Migration (IOM) have benefited from this package.

96. As regards article 26, please refer to the sections on basic health and welfare, Family environment and alternative care, and special protection measures (chapters six, seven and nine).

***Factors and challenges***

97. Studies on measuring knowledge, trends and behaviour in relation to child protection and related practices in the states of Khartoum, Kassala and Niyala in South Darfur, have shown that from a family and institution perspective, practices such as corporal punishment at home and educational institutions is necessary to rectify behaviour and discipline children. This perception requires intensive campaigns to raise awareness and to change behaviour among families and persons dealing with children in various capacities.

98. Corporal punishment has been commonplace in schools and at home in Southern Sudan. In reality there is very little control on how parents discipline their children except in the cases where the community becomes involved to stem such negative practices. Standards, however, vary from one community to the other. Equally, the civil war has created severe imbalances, displacement and instability in most communities leading to weaker traditional practices that can provide protection for children.

**Chapter Six - Family environment and alternative care****Articles 5, 9, 11, 18 (1) and (2), 19 to 21, 25 and 27 (4) and (39)**

99. The Government of Sudan has made every possible effort to implement the provisions of the Convention on the family environment and alternative care out of the conviction that

every child has the right to live and grow up in a caring family environment regardless of the prevailing circumstances. However, the challenges Sudan had to face as a result of the wars, conflicts and natural disasters have been an obstacle to the achievement of the designated objectives. Despite all these difficulties, considerable efforts have been made on the official and popular fronts.

#### **Follow-up of concluding observations**

##### **Studies and research**

100. A number of studies have been and are being conducted to determine the scope of the problems affecting children denied family care or are susceptible to losing family care. These studies include:

(a) Disabled children in the states of Khartoum and Blue Nile, the cases of disability, trends, behaviour and knowledge of cases documented;

(b) A field survey on camel racing children returning from the Gulf States and the negative consequences of the phenomenon. This survey was conducted in cooperation with UNICEF in 2006, in addition to the 2005 survey carried out with the help of the Qatar Charity Foundation;

(c) A research on street children in the state of Khartoum entitled "Causes and consequences of the phenomenon, 2007";

(d) A knowledge, trends and practices study (KAP) on child protection from parental abuse covering Khartoum, Kassala and Niyala. Data analysis is yet to be published in conjunction with the national campaign on child protection awareness, 2007;

(e) A knowledge, trends and practice study on female circumcision. The research covered mothers of kindergarten children in the state of Khartoum, 2007;

(f) Analytical study on child labour in the states of Khartoum and Kassala-causes, motives and social situation, 2004;

(g) Analysis of the situation of children and women in Sudan, 2007-In collaboration with UNICEF.

101. In the south, the British Save the Children Fund completed a study on separated children after consultations with three orphanages in West Equatorial. The study concluded that several children had been placed in the care of homes by parents or relatives to spare them the impact of poverty or to give them the opportunity to obtain an education. Care levels at these institutions proved to be very poor. Conclusions from the study are in the process of being finalized to be included in the Southern Sudan action plan.

##### ***The Sudan Interim Constitution, 2005***

102. The 2005 Sudan Interim Constitution and state Constitutions identify the family as the nucleus of society and provide for the care to be provided for children by parents.

***Southern Sudan Constitution***

103. Article 21 states:

Every child has the right to life, to a family and to be cared for by his parents or legal guardians.

***Children's Act, 2004, article 5 (f), Chapter Two (child protection- General principles)***

104. Parents have the primary responsibility for raising children. The State is responsible for providing whatever appropriate assistance it can offer and ensuring the development of child welfare institutions.

105. This Act shall not prejudice the child's right to enjoy all the rights, public freedoms and forms of protection and care guaranteed to the human person in general and the child in particular by any other law in force, without prejudice to the rules on guardianship of person and property.

106. Alternative care is to be provided for children facing difficult family situations preventing them from being raised by their natural families through the following:

- Kafalah family care in accordance with article 22.
- Social care homes in accordance with article 23.

***Social security institutions (social solidarity)***

107. The family Kafalah care system provides social, psychological and health care for children not raised by their natural families. These institutions determine the regulations, conditions and rules governing the role of Kafalah families and other similar entities. Care homes are to be established to provide shelter for children denied family care as a result of failure to provide such care or as a result of broken families. This role is determined by regulations.

***Draft Children's Act, 2006******Parental responsibility***

108. Article 26 (1) of the 2006 draft Children's Act states:

- Each father shall undertake parental responsibility for his child.
- If the father of a child dies, parental responsibility shall revert to the person appointed by the Civil Status Act, which shall determine the situation of the child, or to a care home designated by this Act.

Article 24 (1)

- Under the Kafalah system, families shall provide social, psychological and health care for children whose circumstances prevent them from living with their natural families, with a view to ensuring their healthy upbringing.
- The Kafalah family care and those benefiting from the system shall be governed by the regulations and conditions.

## Article 23 (1)

Alternative care to children denied natural family care, temporarily or permanently, is provided in the following order:

- Care by the parents' next of kin.
- The family Kafalah care system in accordance with Islamic Law or adoption in accordance with civil status laws, for non-Muslims.
- Care by a suitable institution, if necessary, in accordance with article 23.

109. The draft Children's Act (Southern Sudan) clearly spells out the provisions that govern alternative care and adoption, as well as the rights and obligations of a guardian. It also prescribes the penalty to be imposed on the guardian for the failure in fulfilling his role.

110. Paternal kinship is commonplace in the tribal regions of Southern Sudan. The responsibility of looking after orphaned children or those who lost close relatives falls on the extended family, mainly on the mother's side (despite the paternal lineage tradition). However, after two decades of war, families and communities continue to cope with the increasing number of orphans and children separated from their families but in conditions where basic services and infrastructure are lacking. In many cases where contact with the extended family is ruptured and options become scarce, children flee and end up living on the streets. Moreover, children returning from displaced camps and refugee camps in neighbouring countries come to a different way of life from their native villages and start congregating in town centres in Southern Sudan.

***Shelters***

111. In Khartoum state, shelter homes receive 700 children every year. Similar homes exist in the states of Al-Jazeera, Nile River, Red Sea and South Darfur, which receive 130 children. Two families in the state of White Nile provide Kafalah for all children. In the state of Kassala, children are received by the hospital.

***Measures and national programmes******Alternative family care programme (state of Khartoum)***

112. The state, in cooperation with a number of international and national organizations, has implemented a non-institutional programme (Kafalah through alternative families) to provide protection for children born out of wedlock or of unknown parentage. The number of children taken into care by families under this regime in 2006 is estimated to be 1,400. Table 6 below provides statistics on children of unknown parentage for 2005-2006.

**Table 6****Figures of children of unknown parentage (2004-2005)**

<i>Year</i>	<i>Intake</i>	<i>Alternative Care (Kafalah)</i>	<i>Family Integration</i>	<i>Protection From Separation</i>
2004	695	245	37	50
2005	651	296	58	65

*Source: Ministry of Social Care-state of Khartoum*

113. A working group comprising UNICEF, Hope and Shelter organization, *Medcin sans Frontieres*, Ministry of Social Care in the state of Khartoum, Child Welfare Administration-Khartoum, the Centre for Criminal Research-University of Rabat, Society Security Administration and the General-Secretariat of the National Council for Child Welfare has been established to deal with the situation of childcare homes and to find alternative institutional solutions leading to the alternative family project. The project aims to provide a family environment for children of unknown parentage, to reintegrate them into society and to change society's view of their status through the following measures:

***Protection services***

114. This is a package of services aimed at youth, unmarried mothers and families to raise the level of awareness.

***Protection for children against separation from their families***

115. Such services are provided immediately after pregnancy and continue until after birth. They are intended to protect the child and prevent termination. The services aim, principally, to reintegrate every child separated from his natural family through religious and psychological guidance, and to provide practical and technical assistance to ensure the return of the child to his family. The objective is to reunite the child with his natural parents when possible or, failing that, to put him in the care of the extended family.

***Kafalah services (permanent alternative care)***

116. This type of services has two elements:

***Family Kafalah***

117. This service provides for the care and integration of a child into a family on permanent basis in accordance with the 1971 Child Welfare Act. In the process, the child becomes a member of the family as a natural offspring.

***Financial Kafalah***

118. This is a financial guarantee (in-kind or cash) given by certain individuals who do not wish to offer family care for the child for various reasons but have the means to provide the financial support to others who are willing to assume the role.

*Hosting services (temporary alternative care)*

119. The basic objective of this service is to avoid sending children to institutions that have proved to be psychologically and socially detrimental to the bringing up of children. In this case, a child is taken into the care of a family over a period of time, until a lasting solution is found. The host families receive training and the child's needs. The child and host family are kept under continued and intensive supervision until the time has come to reunite the child with his natural or extended family, or he is taken in by another family on a permanent basis. A new child is then put into the care of the host family. There are 515 such families in the state of Khartoum.

*Specialist care*

120. Such services cover children with special needs including those who are mentally or physically handicapped, making it difficult to find families willing to accommodate them. The services are provided by specially trained staff in areas such as physiotherapy, psychology, social care and education. They provide assistance through a rotation system with small groups of children in small family homes. The programme also trains families willing to take charge of children with special needs and whose disability does not pose a major problem, for short periods. The programme has achieved the following:

- A reduction in the annual number of intake year on year because of the efforts made within the protection from separation and the awareness-raising media campaign.
- An increase in the annual permanent Kafalah intake year on year as a result of the media and awareness programmes.
- A drop in mortality rates from 82 per cent in 2003 to six deaths only out of 619 cases of alternative care with families in 2006. This represents less than 1 per cent of the 194 children rolled over from 2005 as well as the 425 children recorded in 2006.

121. The special report containing Sudan's responses to the additional information requested by the Committee in relation to the first report on the Sale of Children, Child Prostitution and Child Pornography is worth noting. The report lists the agreements signed with the United Arab Emirates and Qatar concerning the return and rehabilitation of children used in camel racing, an issue that was discussed before the Committee in May 2007.

122. Child care agencies in southern Sudan have registered an increase in the number of sheltering institutions for children, which are normally called orphanages. Also, organizations, like Save the Children USA, have put the system of societal care for children without families to the test. The Ministry of Gender, Social and Religious Affairs, on its part, is in the process of establishing standards governing the minimum care to be provided by such institutions. As such, the state is exploring other options while at the same time is working to further develop alternative care patterns.

*Factors and difficulties*

123. Paternal kinship is commonplace in the tribal regions in the Sudan and in the south. The responsibility of looking after orphaned children or those who lost close relatives falls on the extended family, mainly on the mother's side (despite the paternal lineage tradition). However, after two decades of war, families and communities continued to cope with the increasing number of orphans and children separated from their families but in conditions



where basic services and infrastructure is lacking. In many cases where contact with the extended family is ruptured and options become scarce, children flee and end up living on the streets. Moreover, children returning from displaced camps and refugee camps in neighbouring countries come to a different way of life from their native villages and start congregating in town centres in southern Sudan. This is posing a serious challenge because of the limited resources.

## Chapter Seven- Basic health and welfare

### Articles 6, 18 (3), 23, 26, and 27 (1), (2) and (3)

124. The Government of the Sudan has made every endeavour over the past 10 years to strengthen and develop the health sector and to provide the best possible child and mother care. Stability resulting from the peace process over the past few years has contributed to the process as a result of lower military expenditure and the expansion of the oil industry, which has had a positive economic effect.<sup>1</sup>

#### Follow-up of concluding observations

##### *Urgent and quick measures to reduce infant, child and mother mortality*

125. The health sector in Sudan, like many other sectors, has been affected over the past 10 years by a number of changing factors as was mentioned in the Sudan strategic report of 1998, by drought and desertification, floods and rain, war and armed conflict, and the negative impact of the expansion of the agriculture sector on public health. Despite all this, the government has been able to post significant improvements in terms of allocation of resources to the health sector as shown in tables 7, 8 and 9. Table 7 shows expenditure in the health sector in millions of dinars.

**Table 7**

#### **Expenditure on health projects and programmes (in millions of dinars)**

<i>Development Projects</i>	2005		<i>Total</i>
	<i>Local</i>	<i>Foreign</i>	
Rehabilitation of specialist hospitals	584,203,440	2,706,408	586,909,920
Expansion of and equipping the National Centre for Nuclear Medicine	132,338,750	149,483,600	281,822,350
Rehabilitation of the National Health Laboratory	270,524,730		270,524,730
The National Laboratory for the Diagnosis of Tuberculosis and AIDS	68,000,000	164,000,000	232,000,000

<sup>1</sup> Ministry of Finance, Poverty Eradication Unit, 2007

<i>Development Projects</i>	<i>2005</i>		
	<i>Local</i>	<i>Foreign</i>	<i>Total</i>
Primary health services	1,414,030,950		1,414,030,950
Malaria elimination projects		132,848,750	132,848,750
Total by health Project	2,469,097,870	449,038,830	2,918,136,700

*Source: Federal Ministry of Health, 2005*

**Table 8**

**Expenditure in the health sector (2000-6), in millions of dinars**

<i>Year</i>	<i>2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Salaries	1.3	3.3	3.7	4.3	7.2	9.0
Services	2.2	2.0	2.4	3.5	3.7	4.0
Health Development	1.9	1.8	2.4	2.0	5.9	4.9
Total	5.4	7.1	8.5	9.8	16.8	17.9

*Source: Federal Ministry of Health, 2007*

126. The state has adopted a series of policies, strategies and laws proposed by the Ministry of Health over the past 10 years. They can be summarized as follows:

***Strategies***

- (a) The 1998-2002 health development strategy;
- (b) The 25-year strategic plan;
- (c) The 25-year pharmaceutical strategic plan, 2005-29;
- (d) The 10-year plan for human resources in the health sector, 2004-13;
- (e) The strategic plan for the elimination of AIDS and sector plans, 2004-9;
- (f) The strategic plan for the elimination of malaria, 2002-5;
- (g) The joint mission to determine Sudan's needs (basic social services), 2006-10;
- (h) The second five-year plan for the expanded immunization programme, 2006-10;

- (i) The treated mosquito net strategy, 2004-8;
- (j) The strategy for the elimination of malaria during pregnancy, 2004-8;
- (k) The five-year reproductive health plan, 2006-11.

***Measures and policies***

- (a) The policy of basic health packages for primary health;
- (b) The Sudan policy on the development of nursing and ancillary work;
- (c) The policy on doctors' career path;
- (d) The policy on ancillary workers' career path;
- (e) The health sector human resources development policy, a sustained drive to ensure a balance between supply and demand (set of policies);
- (f) The national policy for the elimination of AIDS;
- (g) The reproductive health policy;
- (h) The child health policy;
- (i) The national policy for nutrition;
- (j) The national policy for clinical medicine and the higher council for hospitals (set of policies);
- (k) The national pharmaceutical policy;
- (l) The national policy for the pharmaceutical industry;
- (m) The policy on hospital pharmacy;
- (n) The national health policy;
- (o) The implementation of free treatment policy in cases of accidents, emergency and caesarean birth;
- (p) The implementation of the free treatment system for children in all paediatric hospitals;
- (q) The implementation of the free malaria treatment system in all northern states and one southern state.

***Legislation and laws***

127. The 2005 Sudan Interim Constitution provides for the following:

- The State shall protect motherhood and women from injustice, and promote gender equality.

- The State shall promote public health and guarantee equal access to free primary health care for all citizens.
- The State shall provide maternity and child care and medical care for pregnant women.

128. In the Sudan, laws guarantee the right of a child to primary health care. Prominent among these laws is the 2004 Children's Act promulgated by the National Council for Child Welfare. Chapter IV of the Act deals with health care to be provided to children. These can be summarized as follows:

Article 9- The right of a child to breast feeding.

Article 10- Immunization and vaccination.

Article 11- A health card for every child.

Article 14- Periodic medical examination for all children.

Article 15- The prohibition of using non-compliant additives in children's food.

Article 16- The obligation to keep children's food free from bacteria and harmful substances.

129. The 2005 Constitution of Sudan and articles 30 and 31 of the Constitution of Southern Sudan guarantee the child's right to survive and to develop, as well as the right to alternative care.

130. The Federal Ministry of Health, in line with these strategies, policies and laws, and in compliance with the concluding observations on the section of health and basic care, adopted the 1998-2002 strategy which, under the section on maternity and childhood, includes the following:

- (a) The main objective of the health development strategy: the development of Mother, child and family health services with programmes to cover the whole of Sudan;
- (b) Programmes in line with the Millennium Development Goals,
  - Immunization programmes to cover all children under the age of 5.
  - The reduction of child mortality from 123 to 45 per 1000 among children under the age of 5.
  - The reduction of pregnant women's deaths from 552 to 225 per 100,000.
  - Dissemination of school health programmes to cover the whole of the Sudan.
  - The elimination of all malnutrition morbidity through health awareness-raising programs, in general, and nutrition education, in particular.
  - Strengthening central and regional administrations and structures to enhance immunization programs and to eliminate diarrhoea and chest diseases.
  - Updating data gathering systems.

131. A number of political decisions intended to ensure children's survival and developments have been taken. They are:

- Freeing all female prisoners accompanied by children in prisons.
- Increasing routine immunization.
- The prohibition of the detention of pregnant and breast-feeding women implicated in civil cases for two years, and the suspension of sentencing in criminal cases until birth and the end of breast feeding.
- Free treatment for children accidents.
- Two-year maternity leave.

***Services provided in the health sector***

*Development of health units*

132. The total number of hospitals rose from 315 in 2001 to 357 in 2005 while bed capacity saw an increase from 23,168 to 260,094 in the same period. In 2001 there were 966 health clinics. By 2005, the numbers went up to 1,043. By contrast, dispenser units dropped from 1,423 to 1,226 during the same period. This is attributed mainly to dispensers and dressing stations in the state of Al-Jazeera becoming health units providing services to 5,000 citizens in line with the definition of a unit. A number of dispensers in other states have been upgraded to health units. Rural hospitals saw an increase from 203 in 2001 to 223 in 2005. Tables 9, 10 and 11 show the development witnessed by health services institutions as provided by the national health report of the National Centre for Health Data.

**Table 9****Development of health institutions (2001-5)**

<i>Health Units</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Teaching hospitals with specialist Services	30	38	41	45	45
Specialist teaching hospitals	35	38	4	43	44
Specialist services hospitals	35	30	25	26	37
Specialist hospitals	12	13	10	8	8
Rural hospitals	203	213	215	229	223
Total hospitals	315	332	334	351	357
Beds	23,168	23,820	23,976	24,785	26,094
Health centres	969	1,012	964	1,009	1,043
Dispensers	1,489	1,489	1,612	1,423*	1,226
Dressing Stations	1,243	1,270	1,129	771*	762
Primary health units	2,438	2,518	2,401	2,679	3,044
Blood banks	53	61	58	69	93
X-ray units	90	101	105	111	144

**Table 10****Development of health institutions (2001-5)**

<i>Year</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Beds per 100,000 inhabitants	73	72.6	71.3	72	73.7
Hospitals per 100,000 inhabitants	1	1	1	1	1

*Source: Federal Ministry of Health*

**Table 11****Ratio of hospitals to bed capacity, 2005**

	<i>Northern States</i>	<i>Southern States</i>	<i>Sudan</i>
Beds per 100,000	76.7	57	73.7
Hospitals per 100,000	1	0.7	0.7

*Source: Federal Ministry of Health*

***National measures and programmes******Primary health care***

133. The following steps have been taken in the field of primary health care:

- The adoption of a health zones policy as a national approach in providing primary health care.
- The implementation of a local health system using 10 zones.
- The implementation of an integral treatment regime for child morbidity. The Sudan is the first country in the Mediterranean basin to adopt this system.
- The introduction of 15 model projects for meeting basic development needs in eight states.
- The introduction of the safe maternity programme, the safer pregnancy initiative and the child emergency delivery standard.

***The Integrated Management for Child Illnesses (IMCI)***

134. The Integrated Management of Child Illnesses strategy was first introduced in 1996. Its aim has been to focus on the most common illnesses affecting children based on the frequency of visits to out-patient clinics. They include diarrhoea, respiratory infections, malaria, measles and malnutrition-related diseases. To that end, eight training centres have been set up in several states and the strategy has become part of the teaching curriculum at medical schools. This measure has helped in reviewing and developing special approaches to training health personnel. The programme is also intended to deal with causes of morbidity among children and mortality for those under the age of 5. The programme, which was launched with the technical assistance of the World Health Organisation, has proved to be a success since 1997 and has been implemented in 15 states (14 in the north and one in the south) through 1,422 health institutions. Over the years, it has led to changes attributed to the training of volunteers on how to stay in contact with families. It also served as a means of monitoring performances, measuring levels of knowledge and trends among families before and after intervention. Data, however, remain insufficient to carry out a comprehensive analysis of the outcome of such interventions. Important results of the IMCI programme include:

- Integrated management training during crises and an expansion of geographical coverage of implementation. This is combined with strengthening information systems and supervision at state level, through the surveying of health institutions involved. Components cover pre-service training and societal elements in 23 local communities.

135. The programme, though, requires some improvements. A survey conducted by the Federal Ministry of Health on the quality of services provided to children in out-patient clinics in March 2003 showed that the majority of children suffered from acute respiratory infections, fever for one reason or another, while others suffered from diarrhoea or other infections requiring treatment and a specific diet. The majority of rural areas are run by medical assistants, which means that special attention must be given to this level of care including human resources development, a better pre-service and on-the-job training.

136. The same study points out that staff who had received IMCI training performed better than those who did not. The movement of trained staff has proved to be a major challenge, though. Another challenge facing the programme is the sustainability of resources. The number of staff trained is 2,367 in all categories.

137. The number of pregnant women who received antenatal care reached 71.1 per cent, while the percentage of women being supervised by trained staff during delivery reached 58.1 per cent. Children delivered in hospitals accounted for 19.7 per cent of all births. Mothers breast feeding their children up to the age of five months accounted for 33.7 per cent. Births in health institutions reached 1,243,259 in 2005 with surviving infants numbering 1,109,481.

#### *The Expanded Programme for Immunization (EPI)*

138. This programme, which dates back to 1976, provides immunization against PCE exposure, measles, DPT3 and polio. Immunization services have been hampered by the difficulty in accessing certain areas, the erratic mobility of teams in remote areas and harsh weather conditions during the rainy season. Travelling long distances in a vast country also affected the refrigeration of vaccines. All this has resulted in variations in levels of immunization in different parts of the country.

139. The five-year plan (2001-2005), which was prepared in cooperation with the World Health Organisation (WHO) and other partners, aimed at extending the scope of coverage to reach all targeted children through overcoming the problems that had faced the programme. The main elements of the plan included raising all levels of the administrative capacity, the rehabilitation of the infrastructure with special emphasis on refrigeration and mobility, paying attention to training and quality and safety of vaccinations, and strengthening inter-agency coordination ordered by a ministerial decision. Immunization rates against diphtheria, pertussis and tetanus (DPT3) in north Sudan rose from 64 per cent in 2002 to 84 per cent in 2005 and in Southern Sudan from 5 per cent to 11 percent. In Darfur, the rate rose from 50 per cent in 2004 to 80 per cent in 2005. In north Sudan, DPT3 coverage reached 74 per cent by April 2006 compared to 72 per cent for the same period in 2005. Measles coverage increased from 62 per cent to 69 per cent over the same period. Two tetanus campaigns were also launched in eight of the most vulnerable communities in north Sudan targeting 80 per cent of 245,000 women of child-bearing age. A national campaign against polio targeted eight million children. Ninety per cent of children aged between six and 59 months received a dose of vitamin A during the national campaign for immunization (UNICEF report, 2006). Table 12 provides the rates of vaccination for children under the age of 1 (2004-5).



**Table 12****Rates of vaccination for children under the age of 1 (2004-2005)**

Year	Measles %	Tuberculosis BCG %	Hepatitis Hep (8) %			DPT 3 %			Polio OPV %	
			1	2	3	1	2	3	1	2
2004	73	77	41.8	30.3	23	94.7	85.6	83	94.7	85.6
2005	71.9	71.2				88	80.2	78.8	88	80.2

*Source: Federal Ministry of Health*

*National Nutrition Directorate (NND)*

140. This institution comprises 22 units in as many states. It employs 83 staff members with university degrees. Forty-five of them are based in the state of Khartoum and cover the various areas of nutrition.

141. Specifications for table salt have been adopted by the specifications and standards administration requiring the inclusion of iodine. This was followed by a ministerial decision in 2003 which prohibited the production of table salt without iodine in five states. Steps have also been taken to improve the administrative skills of the 110 nutrition staff to deal with acute and moderate cases among children for referral to various centres and to provide them with food supplements and iodine. Moreover, a national guide on how to deal with acute and moderate cases of malnutrition has been developed and adopted in May 2004. Hundreds of copies of the guides have been distributed to several institutions and partners in the voluntary sector.

142. Despite the continued efforts in this area, circumstances ranging from natural disasters to wars and civil strife contributed to levels of malnutrition in excess of 15 per cent with rates varying from one region to the other and one conflict zone to the other.

*Mother and child care*

143. Because of the situation in Sudan and its vast territories, health services provided to mother and child through qualified staff (medical assistants, rural midwife, sister midwife, midwife nurse, health worker and assistant health worker) suffer from a shortage in staff, lack of training and weak data systems. Table 13 sheds more light on these problems.

**Table 13****Health staff ratios in mother and child services**

<i>Indicator</i>	<i>Rate/average</i>
Midwives in villages	43%
Villages with a health unit supervised by a medical assistant providing pregnancy care and family planning advice	6%
Women enjoying pregnancy care in the north regardless of the quality of the service	71%
Hospitals with basic requirement (equipment, staff and emergency services)	47%
Births supervised by training staff	57%
Mothers provided with postnatal care	13%

*Source: Federal Ministry of Health*

*Mother mortality rates*

144. Mother mortality is attributed mainly to haemorrhages, infections, hypertension during pregnancy, abortion, anaemia and late responses to cases of emergency due to the lack of ambulance services, while malnutrition, diarrhoea, respiratory infections and malaria have been found to be responsible for child mortality. In the case of newly-born children, suffocation, premature births and infections are the main causes of death. Effective midwifery services have been provided in a number of states with improvements to emergency responses in main hospitals to cases of pregnancy or newly-born children. Pregnancy control and supervision clinics also play a role in raising the level of awareness in areas related to mother and child care.

145. No annual statistics on mother mortality are available. The only source for such data continues to be the 1999 Safe Maternity Survey which puts maternity mortality at 509 per 100,000 live births compared to 537 according to the 1989-1990 health demographic survey. The former figure puts the average rate of female deaths at 3.3 per cent.

146. Maternity deaths are attributed to poverty, wars and armed conflict, all of which leading to a decline in economic, social and health services, a fall in education levels among mothers, and a shortage in qualified staff and health institutions especially in rural and remote area. These problems are compounded by female circumcision and early marriages.

*Health care for pregnant women*

147. UNICEF's State of the World's Children reports point to a development in mothers' health care. Levels of tetanus immunization among pregnant women rose from 47 per cent in the period 1990-1997 to 60 per cent for the period 1990-2005. The rate of presence of trained staff at births increased from 69 per cent in the period 1990-1999 to 87 per cent in the period 1999-2005, as shown in table 14 below.

**Table 14****Care for pregnant mothers**

<i>Year</i>	<i>Use of contraception %</i>	<i>Pregnancy care and tetanus immunization %</i>	<i>Presence of trained staff at births %</i>	<i>Source (National Census)</i>
1990-2005	7	60	87	2007
1990-2004	7	60	87	2006
1995-2003	7	60	86	2005
1985-2002	7	60	86	2004
1985-2001	10	75	86	2003
1980-2000	8	62	86	2001
1980-1999	8	55	69	2000
1980-1998-	8	46	69	1999
1990-1997	8	44	69	1998

*Source: Federal Ministry of Health*

*Breast-feeding*

148. According to UNICEF's State of the World's Children reports, the ratio of children under the age of six months who depend solely on breast-feeding rose from 14 per cent in the period 1990-1997 to 16 per cent in the period 1997-2005, while Children between the age of 6-12 months who rely on supplements in addition to breast feeding saw an increase from 45 per cent to 47 per cent, and the ratio of children between the age of 12-23 months who are still on breast feeding declined from 44 per cent to 40 per cent over the same period.

*Child mortality rate*

149. Mortality rates for children under the age of 5 declined from 120 in 1990 to 90 in 2005, while infant mortality fell from 74 per cent to 62 per cent during the same period.<sup>2</sup>

150. The lack of basic data and health statistics remain the main challenges facing the government of Southern Sudan and relief agencies in assessing the general conditions of children in the south. Mortality rates among infants and children under the age of 5 in 2001 were put at 150 and 250 for live births, respectively. These figures are one of the highest in the world. This means that 25 per cent of children in Southern Sudan face potential death before reaching the age of 5, while only 25 per cent of the population receive primary health services.

151. The lack of safe drinking water, the absence of sanitary disposal services and a weak health environment are considered the main reasons for child mortality caused by diarrhoea,

<sup>2</sup> UNICEF, the World's State of Children report, 2007

malaria and severe respiratory infections. More than 10 diseases have been identified as the main causes of death among children under the age of 5 in hospitals during the period 2002-2005, as shown in table 15 below.

**Table 15**

**Most common diseases responsible for under-5 children's deaths in hospitals**

<i>Disease</i>	<i>2005</i>		<i>2002</i>	
	<i>Deaths</i>	<i>Percentage of total mortality rate</i>	<i>Deaths</i>	<i>Percentage of total mortality rate</i>
Pulmonary infection	915	15	798	23.3
Malnutrition	780	13	479	14
Septic shock	648	11	349	10.2
Dehydration	511	8	256	7.5
Diarrhea and intestinal infections	402	7	193	5.6
Respiratory infections	270	4	186	5.4
Anaemia	257	4	152	4.4
Meningitis	253	4	64	1.9
Heart disease complications	167	3	61	1.8
Total deaths by 10 diseases	4,776	78	2,832	82.8
Other deaths among children	1,340	22	587	17.2
Total deaths among children	6,116	100	3,419	100

*Source: Annual statistical report, 2002-5, Federal Ministry of Health*

*Underweight children at birth*

152. Statistics indicate that the rates of underweight children at birth have risen from 15 per cent in 1997 to 31 per cent in 2005. UNICEF's State of the World's Children report for the period 1997-2007 shows an erratic change in percentages among the various categories. Children under the age of 5 suffering from moderate weight loss accounted for 34 per cent in the period 1985-2000. This figure fell to 17 per cent during the period 1995-2004, only to rise again to 41 per cent between 1998 and 2005. In the same category, those suffering from severe weight loss accounted for 11 per cent during the period 1985 - 2000. The rate dropped to 7 per cent from 1995 to 2004 before rising to 15 per cent from 1998 to 2005.

153. The rate of children under the age of 5 suffering from weight loss stood at 13 per cent during the period 1985-1996. It fell again before rising to 16 per cent in the period 1998-2005. No figures are available for 1995-2004.

154. As regards undersized children in the same age group, figures for 1985-2000 stood at 34 per cent before falling to 33 per cent in the period 1990-2000, before rising again to 43 per cent during the years 1998-2005. No percentages are available for the period 1995-2004.

#### *Immunization*

155. The situation of immunization of children aged one has improved as a result of the attention given by the state with the help of international organizations and UNICEF to the national programme. Table 16 outlines the rate of immunization for 2006.

**Table 16**

#### **Rates of Immunization, 2006**

Tuberculosis BCG	78%
DPT 3	85%
Polio OPV	85%
Measles	76%
Hepatitis B	68%

*Source: Federal Ministry of Health*

#### *School health project*

156. The school health project was launched in 2005 thanks to the collaboration between the Federal Ministries of Health and Education. An executive plan was prepared for all states to carry out medical examinations on all pupils at the primary levels (first, fourth and seventh grades) in the states of Al-Jazeera, Kassala, Khartoum and the Red Sea.

#### *Specialist national centres*

157. Seven specialist national centres have been set up to deal with renal and heart diseases, cerebral and neurological surgery, digestive system problems, radiotherapy, and eye, ear, nose and throat surgery.

#### *Sanitation and drinking water*

158. Thanks to the efforts by the government and international organizations, there is a noticeable progress in the availability of safe drinking water and sanitary water disposal

services. Statistics for 2006 show that 2.4 million inhabitants have access to safe drinking water. Sanitary water disposal services, however, continue to experience gaps due to<sup>3</sup> :

- (a) The lack of community awareness of the importance of sanitary water disposal.
- (b) A weak infrastructure.
- (c) Shortage of financing.

159. The average rate of access to safe drinking water in north Sudan is 58.7 per cent (69.9 and 51.6 per cent in urban and rural areas, respectively), while the average rate for access to sanitary water disposal services stands at 39.9 per cent (63.2 and 23.6 per cent in urban and rural areas, respectively).

160. At state level, there are variations in both elements between one state and the other, on the one hand, and between urban and rural areas within each state, on the other. The northern states of Canar, Northern and Khartoum enjoy the highest level of safe drinking water coverage ( 80.7 per cent, 80.3 per cent and 79.4 per cent, respectively). By contrast, Red Sea, Qadarif and Kassala have the lowest coverage rate (33.1 per cent, 37.3 per cent and 38.7 per cent, respectively). Al-Jazeera retains the highest rate for urban areas with 95.2 per cent compared to the Red Sea's 38.1 per cent at the other end of the spectrum. When it comes to rural areas, the northern state has the highest rate at 82.5 percent while Kassala has the lowest percentage of 12.8.

*Acquired Immune Deficiency Syndrome (AIDS)*

161. There are no statistics for the number of children affected by AIDS (HIV positive, infections, deaths and services and treatment). There is, however, a survey that has been carried out by the National Programme for AIDS in collaboration with UNICEF and other organizations to create a comprehensive database. The project is to be completed by the end of 2008.

---

<sup>3</sup> Source: National Water Authority

**Table 17****AIDS indicators**

<i>Activity</i>	<i>Target No. %</i>
Detection points in accordance with the directives of the National Protocol	32
Service points for sexually transmitted diseases	140
Condoms distributed to targeted groups	1000000
Inhabitants reached through the media	5000000
ARV recipients	2000
HIV positive patients receiving treatment with the support of the Global Fund	2200
CD4 examination units at centres	10
Persons tested and given counseling	20000
Pregnant women tested and given counseling	3000
Tuberculosis patients receiving AIDS treatment	200
AIDS service points run by HIV infected managers	8
Rate of availability of medication and treatment at centres	100
Youth who had received AIDS education inside and outside schools	200000
Street children who have benefited from care	10000
Training courses provided by peers	12000
Regular forces institutions providing continued AIDS services	50
Covered hospitals	50
States with AIDS programmes in local communities	(pilot) 5

*Source: Federal Ministry of Health*

162. The following AIDS activities have been undertaken:

- The 2002 epidemiological and behavioural survey putting the level of AIDS infections at 1.6 per cent.
- Preparation of a national AIDS policy.
- The creation of a national and state councils and an executive council for AIDS.

- Obtaining Global Fund support for R3 and R5 AIDS programmes at 24 and 122 million, respectively.

*Supporting patients and infected persons*

163. To support patients and infected persons, the following measures have been taken:

(a) The development of a special law for HIV positive and AIDS patients. The legislation is in the final stages of preparation and provides for support to AIDS patients and their families;

(b) Training 200 patients and their families on communication, advocacy, home care and continued treatment;

(c) The Construction of buildings for the association of AIDS patients;

(d) The creation of support societies and training staff in all states;

(e) Supporting the participation of AIDS patients in international conferences;

(f) Increasing the number of voluntary testing and counselling centres. The figure stands at 47, of which 30 are in Khartoum. The centres were accessed by 8,793 persons by the end of 2006. Table 18 lists the centres and the number of persons that have used them.

**Table 18**

**Location of and number of users of testing centres**

<i>Number</i>	<i>Testing Centre</i>	<i>Number of users</i>
1	Khartoum	4322
2	Qadarif	524
3	Kassala	259
4	North Kordofan	253
5	Canar	184
6	South Darfur	141
7	Blue Nile	111
8	Red Sea	109
9	West Darfur	105
10	White Nile	97
11	North Darfur	61
12	Al-Jazeera	54



<i>Number</i>	<i>Testing Centre</i>	<i>Number of users</i>
13	Nile River	34
14	South Kordofan	32
15	Northern	4

*Source: Federal Ministry of Health*

**Table 19**

**AIDS awareness-raising activities**

<i>Change of behaviour and communication (BCC +PE) in targeted groups</i>	<i>2005</i>	<i>2006</i>	<i>Total</i>
Health education and guidance sessions	319	70,581	70,900
Individuals reached through education sessions	379,450	949,611	1,329,061
Information, education and communication packages distributed to targeted groups	47,330	71,947	119,277
Peer educators participating in the project	2,613	3,033	5,676
Awareness-raising sessions (TV and video shows)	471	804	1,275
HIV/AIDS health education sessions	37,092	72,207	109,299
Information, education and communication packages distributed to the population	234,947	222,923	457,870

*Source: Federal Ministry of Health*

**Table 20****Sectors participating in responding to the epidemic**

<i>Area of activity</i>	<i>Sector</i>
Continued media campaigns	Ministry of Culture, Information and Culture
Combating AIDS through students' societies	Ministry of Education
Supporting patients and orphans	Ministry of Social Affairs
Training of imams, preachers and priests	Ministry of Guidance
Patients rights	Ministry of Justice
Raising awareness and advocacy	Women and youth societies
Prevention among students through teacher training and the development of curriculums	Public education
Treatment, care and education in the regular forces (army)	Ministry of Defence
Treatment, care and education in the regular forces (police)	Ministry of the Interior
Prevention among youth	Ministry of Youth

*Source: Federal Ministry of Health*

*Support for the AIDS programme in Southern Sudan*

164. The following activities have been undertaken in support of the AIDS programme:

- Setting up testing and treatment centres in Juba, Wau and Malakal.
- Preparation of a consolidated United Nations General Assembly Special Session, UNGASS, report.
- Coordination for the Universal Access road map.
- Provision of work requirements (vehicles, audio-visual aids).
- Provision of medicine and testing equipment.
- Strengthening coordination efforts between the north and south of the Sudan.
- Training health staff, locally and abroad.

*Dealing with tuberculosis*

165. Treatment and diagnosis has been expanded to make the Sudan the first country in the region to provide the comprehensive short-term Direct Observe Therapy (DOT) in 2001. The service covers all states in the north and six states in the south.

166. The rate of speedy diagnoses has also seen major improvements. The numbers of cases detected rose from 1,273 in 1993 to 25,024 in 2006.

167. Treatment for patients all over the Sudan is free, and a programme for dispensing medicine and controlling stocks has been put in place. The rate of successful treatment of diagnosed cases has risen from 40.5 per cent in 1996 to 81 per cent in 2005. Equally, the switch from positive to negative has reached 80 per cent of all diagnosed cases. Recovery rates, meanwhile, jumped from 27.7 per cent in 1996 to 61.4 per cent in 2005.

168. The tuberculosis laboratory has been bolstered by trained staff and the necessary equipment. State programmes for training staff have also been strengthened. Various segments of society have been incorporated into the tuberculosis network to include 17 universities, primary schools and the journalists' association. DOT committees have also been set up to provide scientific support to the treatment of AIDS, tuberculosis and malaria (GFR5). Support from partners such as the World Health Organisation (WHO), the United Nations Development Programme, the Norwegian organization for cardio-vascular diseases and the German organization GLRA. A five-year plan to eliminate tuberculosis has also been put in place.

*The elimination of malaria*

169. In dealing with malaria, the following measures have been adopted:

- The preparation of the 2002 strategic plan.
- Obtaining three million dollars from the Global Fund for the second cycle, GFR2, for the elimination of AIDS, tuberculosis and malaria, over a period of five years starting from 2002.
- The prohibition of all harmful traditional practices. This has led to the gradual disappearance of most of the harmful traditional practices, except for smaller communities. As regards female circumcision, this practice continues to be prevalent in Sudanese society.

***Female Genital Mutilation (FGM)***

170. Female circumcision continues to be practiced reaching levels as high as 90 per cent by 1999 (Safe Maternity Survey). The Sudan has a long history with civil society organizations in terms of raising awareness on the need to stem the practice, with special emphasis on highlighting the psychological and health risks. Attempts to influence public opinion focus on the harmful consequences and the inutility of the practice. This process, however, still requires a shift in approaches and methods whereby change is brought about collectively in line with the moral values of Sudanese society. Similar approaches proved successful as the case is with face-scarring and tattooing.

171. Intensive efforts in this regard are continuing and are expected to yield positive results in reducing resorting to the practice. Efforts in that direction have reversed the trend because of raising awareness and breaking the wall of silence. Partners in

the process have agreed on the need for a national strategy to eliminate the practice within one generation.

The following measures have been adopted to eliminate female circumcision:

- The 1999 Sudan declaration for safe maternity.
- Decision No. 366 of 27 August 2003, by the Medical Council which states:  
“Doctors shall refrain from any act that may wholly or partially harm a human being including female circumcision in all its forms”.
- National Assembly Decision No. 29 of 20 June 2007, on:
  - Promulgation of legislation banning female circumcision and other harmful practices, and mobilizing the efforts of all relevant institutions to that end.

*The decision by the National Council for Child Welfare*

172. The third meeting of the National Council for Child Welfare held on Thursday, 6 September 2007, adopted the following recommendations regarding female circumcision:

- Approval of the document entitled “Landmarks on the Path of Protecting and Caring for Children”, which provides for the adoption of the strategic framework for the elimination of female circumcision within one generation.
- The implementation of National Assembly recommendations in its Decision No. 29 of 20 June 2007, which states:
  - Promulgation of legislation banning female circumcision and other harmful practices, and mobilizing the efforts of all relevant institutions to that end.

173. A review of the successful experiences of other nations’ attempts to eliminate similar harmful practices, and based on the Millennium Development Goals, leads to the conclusion that a positive social shift to accelerate the elimination of this tradition within one generation is possible. This objective of the strategy to eliminate female circumcision is to be included in the five-year child welfare strategy. The final touches to a draft law considering female circumcision as an offence is to be submitted to the executive and legislative branches. This step is part of the programme to eliminate female circumcision launched by the National Council for Child Welfare in cooperation with UNICEF and other civil society organizations. The programme has enhanced the role of the government and further strengthened coordination, follow-up and partnership with the Federal Ministries of Public Education and Health, and other governmental institutions. The programme has also carried out several activities in cooperation with the Ministry of Public Education and UNICEF to target pre-school education as a means of eliminating female circumcision by protecting young girls through:

- (a) Training of kindergarten teachers to convey a positive message to families and children;
- (b) Raising the level of awareness about the risks associated with female circumcision through educational pamphlets at pre-school level;
- (c) The creation of coordination committees at state level in conjunction with civil society and international organizations.

174. As the current situation stands and in light of the strategy adopted by the various partners to eliminate female circumcision within one generation, there is a need for:

- (a) Developing coordination among the partners;
- (b) Attracting new interlocutors;
- (c) Increasing the financial and technical support from the international community.

### *Social security*

### *Health insurance*

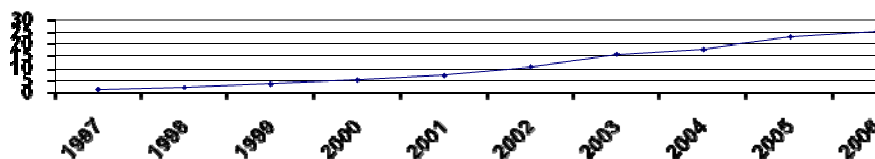
175. Following the publication of the 2001 Health Insurance Act (1994 amendment), coverage of the population rose from 1.5 per cent in 1997 to 25.5 per cent in 2006.

176. Diagram 1 shows the development in population coverage for the period 1997-2007. Table 21 outlines health insurance coverage by state up to 2006, while table 22 lists medical staff.

### Diagram 1

#### Development of coverage, 1997-2005

#### تطور التغطية التأمينية من 1997 حتى 2006



**Table 21****Rates of health insurance coverage at state level up to 2006**

<i>State</i>	<i>Rate of coverage</i>
Carnar	24.5
Khartoum	36.5
Al-Jazeera	32.5
Qadarif	17.7
Red Sea	29
Nile River	29
White Nile	22.1
North Darfur	32
Blue Nile	24.7
West Darfur	15.5
North Kordofan	23.3
Northern	23
Kassala	19.3
South Kordofan	14.3
South Darfur	18.1
Equatorial	12.6
Upper Nile	23
West Bahr El-Ghazal	25.9

**Table 22****Medical staff**

<i>Date</i>	<i>General Practitioner</i>	<i>Dentist</i>	<i>Specialist</i>	<i>Pharmacist</i>	<i>X-ray Technician</i>	<i>Laboratory Technician</i>	<i>Other</i>
1995	8	2	4	3		6	6
1997	85	8	56	11		12	18
1999	95	10	91	15		87	96
2001	502	16	200	26	2	116	211
2003	716	22	302	41	8	211	301
2005	1,020	41	400	61	31	300	480

177. The number of institutions providing health insurance services stands at 779, of which 275 providing direct services and account for 35.3 per cent. The remaining 504 facilities provide indirect services and account for 64.7 per cent.

***Social insurance***

178. Total expenditure on social security and insurance is explained in table 23 below:

**Table 23****Social security and insurance (million Dinars)**

<i>Public Expenditure</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>
<i>Zaka</i> (alms)	221	249	290
The poor	134	155	187
Percentage of expenditure for the poor	60.6	62	64.5

*Source: Ministry of Social Care and Women and Children Affairs*

179. The table above shows the progression in expenditure on the poor. The number of families benefiting from this expenditure item rose from 1,763,403 in 2005 to 1,894,452 in 2006.

180. The National Fund for Social Security contributed 525 million dinars to 81,527 salaried individuals in 2006, in addition to two billion dinars as soft loans to be paid back over a period of 12 years.

#### *Salaries*

181. Salaries increased by 25 per cent in 2006 with the minimum wage reaching 11,250 dinars. Total contributions for salaried individuals amounted to 20.3 billion dinars for the same year, representing 66.7 per cent of collected contributions.

182. Social subsidies for the National Fund for Salaries have reached 489.7 million dinars to cover 18,561 salary earners and unemployed members of their families. Subsidies included medical treatment, education fees, university guarantees, orphans Kafalah, excelling students and other social support. Table 24 lists social subsidies for 2005-2006.

**Table 24**

#### **Social subsidies, 2005-6**

<i>Institution</i>	<i>Expenditure in millions of dinars</i>		<i>Number of families receiving subsidies</i>		<i>Remarks</i>
	<i>2005</i>	<i>2006</i>	<i>2005</i>	<i>2006</i>	
<i>Zakat (alms) office</i>	1320.4	156,000	874,822	1,423,295	- Health expenditure and health insurance
<i>National Fund for Salaries</i>	426.1	489.0	16,157	18,651	- University guarantee - Orphans kafalah
<i>National Fund for Social Insurance</i>	355.47	525.0	38,293	81,527	- Education fees - Other subsidies
<b>Total</b>	<b>13983.38</b>	<b>16614.0</b>	<b>929,272</b>	<b>1,533,743</b>	

#### *Standard of living*

183. The state has been involved in all areas of development mechanisms at both the federal and state levels to realize the objectives of the National Plan for Child Welfare in line with the overall national strategic directives. This involvement is manifested in the activities of social development institutions and civil society organizations.

184. Social care centres are charged with dealing with the consequences of war and natural disasters on society, with special emphasis on the poor and women.

185. As part of its policy to reduce poverty, to ensure social development and to provide acceptable standards of living for a child's upbringing, the State has increased salaries on an annual basis. The last of such increases was in 2006 where wages went up by 20 per cent.



186. The minimum wage has risen by 25 per cent and the salaries and social funds have been consolidated to eliminate differences between workers and employees.

187. The state has created 17,000 jobs to accommodate university graduates. The number of self-employed university graduates rose from 9,000 in 2005 to 15,000 in 2006.

188. Additional resources have been allocated to the strategic food reserves to ensure plugging the gaps in food availability while taking into account the improved production and productivity during 2005 and 2006. Measures have been put in place for strategic food procurement to strike a balance between stimulating production and keeping prices within the reach of consumers.

189. Social subsidies have been extended to 400,000 families as part of a policy to eliminate hunger in line with the Millennium Development Goals. The state has also provided higher education guarantees, in the centre and at state level, to 120,000 students.

190. Allocations for social development accounted for 2.6 per cent of the total development expenditure in 2002 and represented 0.3 per cent the Gross Domestic Product (GDP). By 2005, the figures reached 7.7 per cent and 1.2 per cent, respectively (source: Ministry of social and Women and Children Affairs).

### ***Concluding observations***

#### ***Disabled children***

191. Care for disabled children comes under the umbrella of the 1984 Care and Rehabilitation of Disabled Children Act. Steps are taken to amend this law to bring it under the projected amendment of the 2007 Rehabilitation of the Disabled Act. According to this change, a national council for the care and rehabilitation of disabled children is envisaged.

192. This sector suffers from a weak infrastructure and the quality of services provided, all of which has led to a continued increase in the number of disabled children as a result of the following: (Source: Ministry of social and Women and Children Affairs).

- Lack of information due to the absence of statistics and sufficient studies. The 1993 census is the most recent source of data.
- Shortage of early intervention tools and lack of trained staff.
- Weakness of available disabled programmes and health care.
- Insufficient health insurance coverage for the disabled.

#### ***Policies and laws governing the rights of disabled children***

193. Articles 12, 44 and 45 of the 2005 Sudan Interim Constitution provide for the rights of disabled persons at work, social justice, education and health.

- The national policy for disability, 2003.
- The 2007 Public Service Act. Two per cent of jobs are allocated to qualified disabled persons.
- The White Baton regulation, 2003.

- The Children's Welfare Act, 2004.
- The Convention on the Rights of Persons with Disabilities.
- The National Covenant for Disability, 2007 (under consideration).

194. The Ministry for Social, Women and Children Affairs has issued the national policy for disability which includes the integration of persons with special needs into the education system in cooperation with the Ministry of Education.

#### ***Programmes and projects***

195. The following administrations and units have been set up: a special needs unit at the consultative council of the Ministry of Justice; specialist needs faculty at the College of Education, Khartoum University; specialist education administrations at the Ministry of Public Education and the Ministry of Social Care (2004); administrations at state level to provide rehabilitation programmes; a therapeutic shelter; and a school integration programme.

#### ***Scale of disability in Sudan***

196. It is difficult to quantify the scale of disability in terms of type and age group at state level due to the lack of data and studies. The most recent statistics available which dates back to 2003 show the following:

- The rate of disability in the northern states is 1.5 per cent.
- Rural areas, 51.3 per cent. Urban areas, 48.7 per cent.
- Male disability, 53 per cent. Female disability, 47 per cent.
- Blind, 24 per cent.
- Deaf and dumb, 14.5 percent.
- Physical disability, 38.3 per cent.
- Mental disability, 9.7 per cent.
- Multiple disability, 3 per cent.
- Other disabilities, 10.01 per cent.

197. There are high expectations for the outcome of the research being undertaken by the National Council for Child Welfare in association with the Swedish child welfare organization, entitled "A survey of children with disability, 2007". The study covers the states of Khartoum and Blue Nile. Preliminary results show:

##### ***1. Khartoum state***

198. The total number of children hosted by the various institutions in the state is 5,513 including 3,264 boys (59.2 per cent) and 2,249 girls (40.8 per cent). The 29 children institutions involved deal with the deaf, visually impaired, mentally handicapped, and children with elocution problems and learning difficulties.

199. With regards to integration institutions, the number of children recorded in them is 5,118. They suffer mainly from mobility problems, mental disorders and learning difficulties. "Ministry of Education figures do not detail the number of boys and girls".

200. As for children in hospitals such as Soba Teaching Hospital, Jaafar bin Aouf, Bin Sina, the ENT Hospital, Armed Services Hospital, Al-Ballak, Al-Ameen Hamid, Ali Fadhl and Ahmed Qassim, the figure stands at 359, both resident and out-patient.

## 2. Blue Nile state

- (a) Children in four institutions for the disabled stand at 175.
- (b) Children integrated into schools by type of disability are as follows:
  - Deaf: 38 (60.5 per cent boys and 39.5 per cent girls).
  - Physical disability: 54 (61.1 per cent boys and 38.9 per cent girls).
  - Blind: 10 (70 per cent boys and 30 per cent girls).
  - Mental disability: 31 (41.9 boys and 58.1 girls).

(c) At Damazeen Hospital there are 1,432 children of whom 103 resident representing 7.2 per cent while the remaining 1,329, accounting for 92.8 per cent, are out-patients. Children with hearing difficulties number 768 and account for the highest percentage of 53.6 per cent. Visually impaired children number 586. They represent 40.9 per cent followed by those with physical disability at 75, making 5.2 per cent of the total. Children suffering from epilepsy account for 0.3 per cent.

201. There is an increase in the levels of disability ranging from 5 per cent to 7 per cent due to:

- Wars and armed conflicts.
- Land mines.
- Traffic accidents.
- Lack of awareness of the causes of disability.

202. Table 25 lists the distribution of the specialized institutions in the states, while table 26 shows figures for institutions, pupils and teachers at special needs schools by area of specialization for the school year 2005-2006.

**Table 25****Distribution of specialist disability centres in the states**

<i>Disability</i>	<i>Number of centres</i>	<i>Location</i>
Mental	7	Khartoum, Kassala, Red Sea, Al-Jazeera, White Nile, Northern, Qadarif, Nile River
Visual	6	Khartoum, Nile River, Qadarif, Red Sea, Al-Jazeera, White Nile
Physical	1	Khartoum
Multiple	1	Khartoum
Deaf	8	Khartoum, Al-Jazeera, Red Sea, Kassala, White Nile, North Kordofan, North Darfur
Total	23	

*Source: Ministry of social Care and Women and Children Affairs*

**Table 26****Figures for institutions, pupils and teachers at special needs schools by area of specialization for the school year 2005-6**

<i>Number of institutions</i>			<i>Pupils in-take</i>						<i>Teachers</i>
<i>Public</i>	<i>Private</i>	<i>Total</i>	<i>Visual</i>	<i>Hearing</i>	<i>Mental</i>	<i>Physical</i>	<i>Other</i>	<i>Total</i>	
14	39	53	2782	2413	959	226	458	9966	210

*Source: Ministry of Public Education- Statistics Year Book, 2005-6*

## **Chapter Eight - Education, leisure time and cultural activities**

### **(Articles 28, 29 and 31)**

203. Sudan's education policy is committed to the principles of providing an opportunity for all, gender equality, geographical balance of educational inputs and the recognition of

the principle of patriotism in setting and reviewing curriculums in terms of objectives, content, methods and supervision. Public education, as set out in the 2001 Public Education Planning Act, aims to strengthen the collective spirit and allegiance to the nation, develop the spirit of cooperation, disseminate the culture of peace, respect diversity, encourage innovation and develop skills, through providing optimal training and employment opportunities with a view to achieving comprehensive development and cultural awareness among the adolescent.

***Follow-up of the concluding observations***

***Legislation and laws governing basic education (article 29)***

204. Article 22 of the 2005 Interim Constitution stipulates that primary and secondary schools and educational authorities fall under the competence of the states. Article 13 (1) (a) stipulates that the State shall ensure free and compulsory education at the primary level and in illiteracy eradication programmes. Accordingly, a ministerial decision creating a committee to review enacted laws was taken in 2005 to ensure that the educational process is in line with the provisions of the Constitution and the Peace Agreement.

205. The Ministry of Education, Science and Technology in Southern Sudan has decreed that the right to primary and secondary education is guaranteed to all citizens of Southern Sudan, and that primary education is free. It has also decreed that boys and girls from minorities and marginalized groups, the rural and urban population, the displaced and the returnees from refugee camps have the right to education.

206. The Interim Constitution of Southern Sudan states that education is a right for every citizen and all levels of government in Southern Sudan shall provide access to education without discrimination as to religion, race, ethnicity, HIV status, gender or disability. It also stipulates that all levels of government in Southern Sudan shall promote education at all levels and shall ensure free and compulsory education at the primary level; they shall also provide free illiteracy eradication programmes.

207. Despite these guarantees at the Constitutional and policy making levels, it is generally accepted that the majority of children in Southern Sudan do not get basic and secondary education opportunities. According to the 2006 Rapid Assessment for Learning Space (RALS) study, of the 758,207 students under the 2,922 learning spaces surveyed only 700,488 were registered at the basic education level, including 236,434 girls and 464,054 boys. This goes to show that girls account for 34 per cent of the total number.

208. The number of children with an opportunity to get into schools remains low despite the efforts by the Ministry of Education, Science and Technology in Southern Sudan and UNICEF to improve basic education and to provide a place for every child. Levels of registration at lower classes remain relatively low while in upper classes girls are under-represented. There are growing concerns also about the low levels of continued education at both basic and secondary education, and the shortage of opportunities in rural areas because of the low number of schools, the weak infrastructure and the shortage of trained staff. This situation is compounded by the lack of security as a result of tribal feuds and the long distances between homes and schools. Also, schools are built in open areas leaving them exposed to the elements.

209. The ministry in the south has created administrations to deal with social change, special needs and rights. Efforts are being made to deal with discrimination in education through the building of more than 1000 schools for basic education in rural areas. It is also building boarding schools for girls who cannot enrol in normal basic education schools. The

ministry has undertaken to provide schools for learning English in mainly Arabic-speaking areas in response to the needs of returning children who can only speak English.

210. Efforts are ongoing to provide rapid training for teachers in Southern Sudan through the use of a participatory training methodology and other teacher training methods. One of the achievements of the ministry in 2006 has been the fast track approach and the development of a new training guide to be used for qualifying nearly 1,200 new teachers in the first course of 2007.

211. The guide was prepared by a team from the Mraidi Institute in Southern Sudan and was improved on by a team from the ministry. The three preliminary stages of preparation were completed in 2006 with the first phase to be launched in 2007. The time frame for the programme points to:

- The production of and publication of the teaching material for the fast track method (October-November 2007).
- Phase one: The selection and training of 31 teacher trainers from 10 states and from Abyei at the Mraidi Institute (January).
- Phase two: The selection and training of 120 trainers from 10 states and Abyei, at Wau, Yau and Malakal (February).
- Phase three: This part is divided into (1) the appointment of two CECs in every state through the government, and (2) the selection of 60 trained teachers to train 1,200 candidates in 20 centres for five weeks (implementation to start in April 2007).

### ***Expansion of the public education sector***

#### *Pre-school education*

212. The average annual growth in Sudan reached 6.9 percent for both sexes, with girls registering a 7.2 per cent compared to the boys 6.7 percent for the school years 2001-2002 to 2005-2006.

213. Intake rates for pre-school education for the same period rose from 22.2 per cent to 25.3 per cent. The increase among boys stood at 3.3 per cent compared to 2.9 per cent for girls.

214. In 2005-2006, the intake gap between boys and girls was narrowed with rates of 25.5 per cent and 25 per cent, respectively.

215. Despite ambitious plans to raise the national levels of intake to 35 per cent by 2007, the levels achieved remain below the desired target. This is attributed mainly to the emphasis by the State on expanding regular basic education, leaving pre-school education to civil society and the private sector. Table 27 shows the development of intake levels.

**Table 27****Development in pre-school education intake levels**

<i>Year</i>	<i>Number of children</i>			<i>Age group 4-5 years</i>			<i>Rate of in-take</i>		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
2001-2	183372	173934	357306	825702	785702	1611404	22.2	22.1	22.2
2002-3	213748	221842	435590			1908085			23
2003-4	223865	221898	445763			1982439			22
2004-5	228944	221188	450132			2038390			22
2005-6	253100	246381	499481	1051216	993833	2045049	25	24.8	24.9
Annual growth rate	6.7%	7.2%	6.9%						

*Source: Ministry of Public Education*

216. The table above shows that the number of pre-school education institutions has reached 9,415 crèches and retreats by 2005-2006, recording an annual growth of 2.8 per cent for the same period. The number of female and male (sheikh) supervisors reached 17,839.

217. The ratio of pupil to teacher fell from 1:40 to 1:28 in the years 2001-2002 to 2005-2006 which gives an indication of the improvement in education standards at this level.

218. Most pre-school education institutions are run by the private sector but fall under the supervision of the ministries of education in the states. In 2001, ninety per cent of the pupils benefited from enrolling in private kindergartens and retreats. This rate fell to 71 per cent by 2005-2006 with the larger intake by government institutions. Table 28 shows the development in in-take levels from 2001-2002 to 2005-2006.

**Table 28**

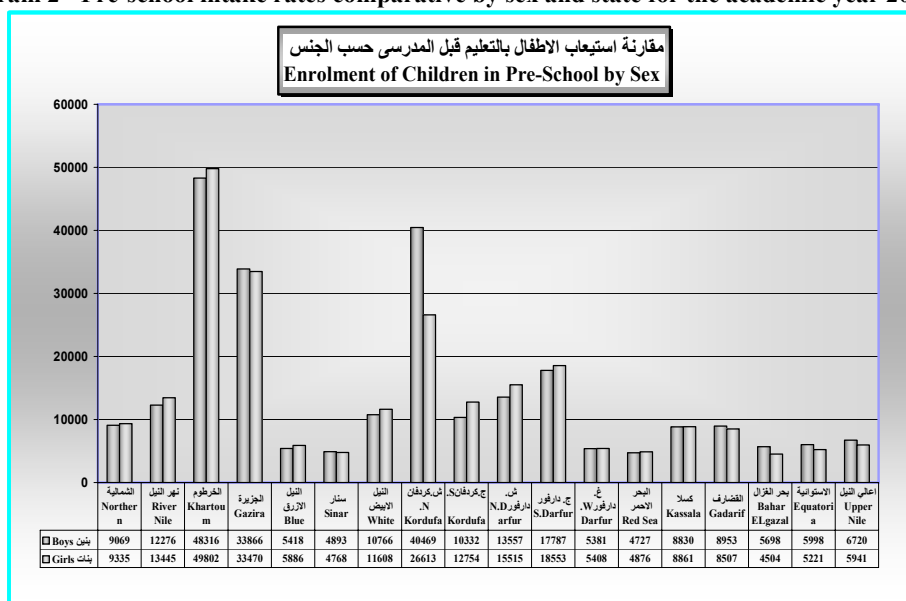
**Development in intake levels at pre-school level, 2001-2002 to 2005-2006**

Year	Number of students			Number of supervisors			Number of institutions	Ratio of student/teacher
	Male	Female	Total	Male	Female	Total		
2001-2	183372	173934	357306	948	8062	8946	8062	40
2002-3	213748	221842	435590	2444	11790	14234	9833	31
2003-4	223865	221898	445763	598	13018	13616	10257	33
2004-5	228944	221188	450132	327	14637	14964	8648	30
2005-6	2531	246381	499481	652	11025	17839	9415	28
Annual growth rate	7.2%	6.9%	6.9%					

Source: Ministry of Public Education

219. To encourage enrolment in kindergartens and schools, measures have been put in place to register children without birth certificates in collaboration with the Federal Ministry of Health, which takes charge of issuing them with birth certificates. Diagram 2 compares intake levels for pre-school education by gender and state for 2005-2006.

**Diagram 2 - Pre-school intake rates comparative by sex and state for the academic year 2005-2006**



Source: Ministry of Public Education



**Basic education***Development of actual admission rates*

220. The average annual growth rate in the first grade of school years 2001-2002 to 2005-2006 reached 3.1 per cent for boys and girls. With individual figure standing at 3 per cent and 3.1 per cent respectively, the gap is likely to continue for some time.

221. Levels of admission for the same period grew from 67.5 to 68.2 per cent for boys and girls with boys' admission rising from 72.9 per cent to 73.2 per cent in comparison with the increase from 61.9 per cent to 63.1 per cent to girls.

222. In spite of this expansion, admission levels remain below the 90 per cent target set for 2007. This shortfall is due to a vast territory and the inability of some communities to meet basic education requirements because of the economic and security conditions.

223. The index for gender equality is 0.95 in favour of male students despite the fact that legislation is intended to encourage both sexes to make use of basic education opportunities. The gap remains negligible, however, which is an indication of progress at the national level. Table 29 shows the rates of intake for the period 2001-2002 to 2005-2006.

**Table 29****Development in basic education intake rates, 2001-2002 to 2005-2006**

Year	Number of students			Age group 6-13 years			In-take ratio %		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
2001-2	1942465	1594813	3537278	3141094	2996868	6137962	61.8	53.2	57.6
2002-3	2040360	1718334	3758694	3244516	3065601	6310126	62.9	56.1	59.6
2003-4	2158057	18106701	3968727	3285350	3153295	6438645	65.7	57.4	61.6
2004-5	2332612	1967125	4299737	3402261	3348946	6751207	68.6	58.7	63.7
2005-6	2607883	2123607	4731490	3660765	3696933	7357698	71.2	57.4	64.3
Annual growth rate	6.1%	5.1%	6%						

Source: Ministry of Public Education

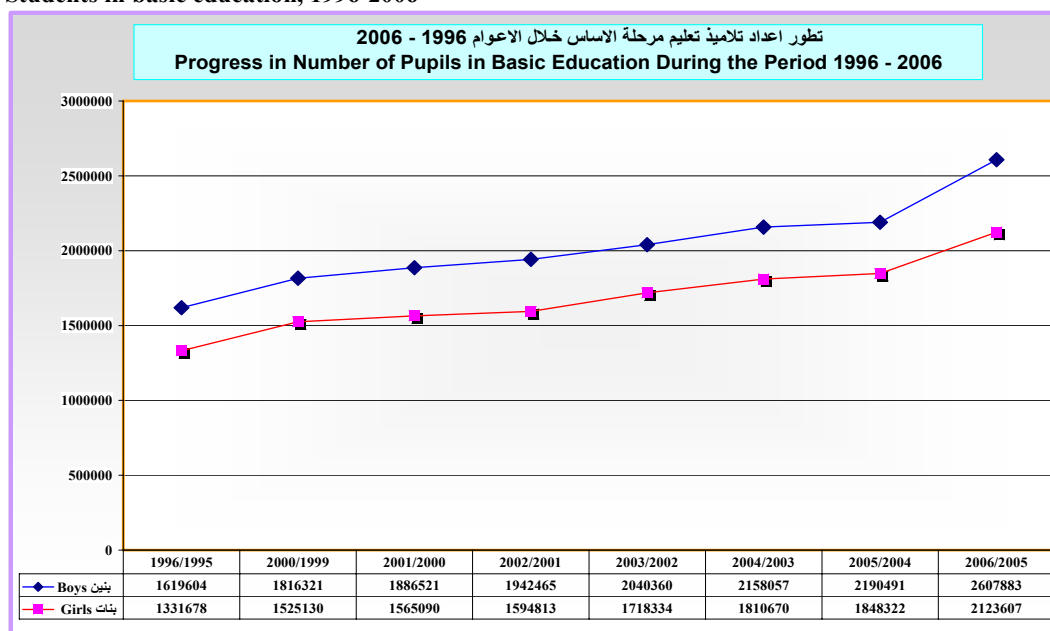
224. The average annual growth rate for the actual intake into basic education for the period 2001-2002 to 2005-2006 reached 6 per cent for both sexes- 6.1per cent for boys and 5.9 per cent for girls.

225. For the same period, actual intake rates rose from 57.6 per cent to 64.3 per cent. Figures for girls show a rise from 53.2 per cent to 57.4 per cent compared to a rise from 61.8per cent to 71.2 per cent.

226. Although education is free and compulsory, the relevant decision is yet to be fully implemented. Private basic education schools are widespread and account for 6.9 per cent of students from both sexes. The declared policy for the sector is to reach a 10 per cent share by 2015. The private sector, however, is holding back on investing in basic education and is opting for secondary education instead.

227. Extensive efforts have been made to improve water supplies and sanitary water disposal systems in schools helping to bring stability to attendance and to reducing dropping out. Additional efforts are still needed, though. Diagram 3 illustrates the numbers of students in basic education from 1996 to 2006.

**Diagram 3**  
**Students in basic education, 1996-2006**



Source: Ministry of Public Education

#### ***Dropping out and re-sitting exams***

228. One of the outcomes of the studies and researches conducted to determine the scale of dropping out of school and to find the appropriate solutions, is that pass levels up to fifth grade have reached 86.8 per cent while re-sitting the same year accounted for 5.5 per cent for both sexes. It has also been noted that dropping out levels are high among boys and girls with rates averaging 7.7 per cent. The highest rates have been recorded for students in the fifth grade at 7.9 per cent. Those in the second grade recorded the lowest rate at 1.6 per cent. Percentages for dropping out vary from 8.3 per cent for boys to 6.9 per cent for girls. This is attributed to the instability in the security situation in parts of Sudan and the absence of a database.

229. In order to reduce dropping out rates, the Ministry of Public Education, in cooperation with the World Food Programme (WFP), has been providing school breakfasts and subsidies for schools in rural areas, in particular to less fortunate girls' schools. This measure is complemented by contributions from states to the schools nutrition project to provide breakfast to students. Civil society organizations and the *Zakat (alms)* office contribute uniforms to girls' schools.

230. To reduce dropping out in rural and impoverished areas, several states, like the Red Sea, opted for a subsidies project for boarding school and for students at both levels.

*Gender equality in education*

231. Averages for students in basic education from both sexes in the school year 2001-2 and 2005-6 reached 0.82 for boys and 0.81 for girls, which reflect a good standard. There are, however, considerable differences between some areas with gaps reaching 0.6, as the case is with remote states where girls' education requires additional efforts and better coordination between the state and popular organizations to encourage families to admit girls into schools and ensure their continued education.

232. As regards teachers, averages in basic education for 2001-2002 and 2005-2006 reached 1.49 and 1.61 for male and female teachers, respectively.

233. There is a noticeable difference between states when it comes to actual in-take rates. States such as Nile River recorded 97 per cent in comparison with the 43.8 per cent achieved in southern states, Darfur and other remote states.

234. Children education in Southern Sudan requires special measures to provide basic and secondary education to all. Special measures in relation to girls' education, taken last year, were behind the progress achieved in dealing with the problem.

*Teacher training*

235. Out of the 142,041 male and female teachers in the profession in 2005-2006, sixty five per cent received training with females accounting for 64 per cent and males for 66.5 per cent. Training varied from two-week courses to six months in education sciences and methodology.

236. In spite of this increase in training levels, reaching 3.4 per cent for 2001-2002, the projected target to train 80 per cent of all teachers by 2007 was not met. The lack of resources, greater emphasis on shorter training courses as a priority and the difficulty of ensuring university qualifications for teachers as envisaged in the education policy contributed to failing to meet the target.

237. Efforts are being made now to benefit from the Open University to ensure teachers qualification while on the job. Teachers' institutes in the states are also making the most of a UNESCO initiative enabling teachers to obtain a two-year diploma.

238. Studies and research show that the teaching environment needs further improvement. This has warranted the State's intervention by creating an education fund to support the states and the education sector with large portions being spent on education in the local communities. Loans are being used by these communities to meet maintenance and renovation costs. Civil society represented on education councils, friends of schools, and national societies and organizations play an important role in running schools. Foreign organizations, on their part, contribute as partners to the development of the sector in remote areas. The State has ensured that a healthy environment is created in schools through improving water supplies and sanitary water disposal.

239. In Southern Sudan, nearly 900 teachers received training in 2006 as part of a programme by a voluntary organization. At present, there is no periodic reporting process for voluntary organizations and ministries at state level to the Ministry of Education,

Science and Technology on the number of training courses, the number of teachers trained and the content of training programmes.

240. The teacher training institute in Mraidi is responsible for the preparation of training material on the job and provides English language courses for the Arabic language stream. The centre is also in charge of the following activities:

- The provision of teaching/training material for courses.
- Training 600 teachers from the Arabic language stream in 10 states.
- The preparation of teaching and training aides.
- The completion of admission and graduation tests at the teacher institute.
- Conducting interviews for 240 applicants for intern teachers before admission in 2006 into the institutes in Arrabi, Al-Lamoier and Mraidi (completed).
- The preparation of test papers for 160 teachers in the Arrabi and Mraidi institutes (work is underway).
- The preparation of admission tests into all six institutes for 280 candidates.

#### *Secondary education*

241. The actual average annual intake of students for the period 2001-2002 to 2005-2006 amounted to 7 per cent for boys and 4 per cent for girls (5.5 percent for both sexes). Total actual intake for both sexes has increased from 21.7 per cent to 26.5 per cent. Girls actual intake has risen from 23 per cent to 26.6 percent in comparison with the rise in boys levels, which has increased from 20.3 per cent to 26.5 per cent. The intake mean for admission into secondary education for both sexes was balanced at 0.9 in 2005-2006.

242. There is an evident drop in intake rates for both sexes, but the close margin between boys and girls goes to show that girls, if given the opportunity and the right conditions, have the incentive to continue with their education. The education strategy aims to provide the opportunity to all students who pass their basic education to find a place at the secondary level.

243. In the school years from 2001-2002 to 2005-2006, the rates of success at the academic branch of secondary education vary between 70.2 per cent and 74.3 per cent compared to 47 per cent to 63.8 per cent in the technical branch, while rates for the private certificate stood between 82 to 100 per cent.

244. For the same period, the rates of success for students who sat the final exams in the academic branch reached 70.7 per cent. In the technical branch, which covers commercial, industrial and agricultural studies, 47 per cent passed the finals. Those in the private certificate branch recorded a 100 per cent success rate.

#### *Educating children in difficult conditions*

##### *Girls education*

245. Problems facing girls education range from social difficulties such as the lack of awareness of the importance of education and early marriage in remote areas, to economic problems at the forefront of which is poverty. These issues have led to a serious re-thinking

of providing aide and school uniforms in several states. The government is making every effort to strengthen programmes that are intended to increase girls enrolment into education.

246. Girls education programmes have been based on the outcomes of studies and research conducted in the early nineties of the last century to determine the reasons preventing girls from enrolling in schools (such as economic and social factors). A roundtable has been organized to discuss the points of departure such as the expansion of basic education, raising awareness through the popular media, alternative education outside schools and the provision of resources.

247. These ideas were translated into a strategy to accelerate girls education in 2004. It included the implementation of an awareness campaign to register children in schools on national registration day, encouraging parents to send their children, girls in particular, to school and the provision of meals and uniform, especially in rural and remote areas.

248. As regards girls education in the south, the issue has not been one of the top priorities. Estimates indicate that only one girl in every 100 has finished basic education during the civil war.

249. During the civil war, girls were not allowed to go to school. The same pattern, based on the same previous beliefs, seem to persist. Southern Sudan has the lowest levels of education indicators in the world when it comes to girls' education. The trend contentious there, especially in rural areas.

250. In the culture of many societies there, a girl is viewed as a source of fortune when she is married. To deal with this practice, the government has embarked on the promotion of girls education. In 2001, Doctor John Garang de Mabior declared the month of July of every year a day for girls education.

251. The Federal Ministry of Public Education has undertaken a number of activities and programmes which include:

- An annual training course for the heads of girls' schools.
- A yearly national conference on girls education to review achievements.
- A national day for child registration with emphasis on girls enrolment and the distribution of school uniforms.
- The publication of a quarterly magazine to follow up achievements and to raise issues relating to obstacles facing the process.

252. UNICEF provides support to girls education programmes at the rate of 60 per cent in the north and 80 per cent in the south.

253. In June 2000, the presidency decreed the creation of an administration to manage the education of nomadic children. It has the following objectives:

- The creation of education opportunities for nomadic boys and girls.
- Improving the quality of life for nomadic societies without affecting their life style.
- Enabling nomads to acquire information and knowledge needed for the social, political and economic development of their societies.

254. The project has the objective of targeting nomadic children in the learning age groups with a pioneering idea of mobile schools. This approach is a reflection of the partnership between the state and the nomadic society to raise intake levels, with special emphasis on girls education. Although nomads inhabit vast areas covering 14 states, education among their children has seen a clear rise in intake levels from 15.9 per cent for both sexes with girls recording 15.1 per cent to the boys 16.4 per cent. The proportional index however remains in the boys favour at 5.0. The number of mobile schools up to fourth grade reached 1,285 in 2005-2006. The schools are a one-teacher entity with teachers receiving special training for the job.

255. The teacher of nomadic children has the following qualifications:

- To be a nomad, when possible, dedicated to nomad schools.
- Well trained to work under all conditions.
- Aware of the customs and traditions of nomads.
- Impeccable reputation.
- Trained in First Aid.

256. Nomads benefit from two types of schools:

(a) Independent, with eight grades and more than one teacher and is located in areas inhabited by nomads. This type of school suits 50 per cent of the men who own villages sheltering the elderly, children, women and the disabled, while younger men are herding cattle. In these schools, the Sudanese national curriculum is taught and is subject to the rules and regulations of the Ministry of Public Education. They are financed by the state, local communities and organizations (partnership).

(b) Mobile schools, with four grades and one teacher. This type suits nomads who are on the all year round. Students who finish this type of school are then moved to the independent school. The rules and regulations of the national basic education system are applied in these schools.

257. Providing education for nomads requires the redoubling of efforts in this important sector of the Sudan economic infrastructure. Problems arise from the fact that mobile schools go as far as the fourth grade only, while completing primary education goes to the eighth grade. It is also important to provide boarding schools for students to continue their education when the families are on the move. There is also the challenge of training teachers. Table 30 shows the evolution in nomadic education over the period from 2001-2002 to 2005-2006.

**Table 30****Nomadic students in-take, 2001-2 to 2005-6**

Year	Number of Schools	Number of students		Total Ratio of sexes	
		Boys	Girls		
2002-3	762	41,690	22,427	64,117	0.5
2003-4	712	63,892	32,820	96,712	0.51
2004-5	880	51,347	27,684	79,058	0.54
2005-6	1285	88,921	45,214	134,138	0.5
Annual growth rate		15.9%	15.1%	16.4%	11%

Source: Ministry of Public Education, Nomadic Education Administration, 2006

#### *Educating the displaced and returnees*

258. Providing education for the displaced is one of the main challenges facing the education sector. The number of schools stands at 320. The number of students from both sexes has reached 179,444 (98,283 boys and 81,161 girls) with class sizes averaging between 23 students and 35 students depending on the density of the population of the area. In several states, schools for the displaced operate in tandem with other normal schools. They are staffed by teachers whose salaries are subsidized by civil society organizations. These schools suffer from an acute shortage of books. The ratio of participation is 5:1 and most of the buildings are not fixed structures.

259. Following the signing of the Peace Agreement, large numbers of returning children have not had any form of education. This has prompted the Ministry of Public Education, in cooperation with UNICEF, to consider a compact curriculum to reduce the normal programme to four years for four grades to allow students to move onto the next education level. The programme is still in the process of implementation and is dedicated to returning children aged between 14 and 18 years. As part of the plan, teacher training has already started to meet staff requirements.

#### *Illiteracy eradication for adolescents, age group 9-14 years*

260. Illiteracy levels among adolescents between the age of 9 and 14 years has been 47 per cent for both sexes with a total figure of 2,513,278. Males constitute 33 per cent (901,296) while females account for 61 per cent (1,611,982).

261. University graduates have been deployed to teach illiteracy classes *in lieu* of military service after undergoing special training. The measure has had a positive impact on expanding illiteracy classes.

262. The education system has been marred by the number of children outside the school regime. For this reason an education and rehabilitation programme for the adolescent in their local environment has been launched to introduce a flexible education system for the 9 to 14 year old who have not enrolled in schools or who enrolled and have dropped out

before finishing an education level. The programme has targeted 60 per cent of the girls. The number of adolescents from both sexes benefiting from this regime has reached 188,666 including 39,750 boys and 148,916 girls. The ratio of the sexes stood at 3.7 in the girls' favour. The number of centres has reached 5,042 employing 6,021 staff. The centres suffer from a host of problems such as being located in impoverished areas where funding is lacking and structural difficulties persist.

### ***Strengthening partnerships***

#### *Popular councils*

263. Popular contributions play a significant role in supporting schools through the education councils which help in providing school requirements and the running costs of the education process. Local councils only cover teachers' salaries (first semester) while the education councils and other organizations take care of running and maintenance costs. Popular contributions account for 52.7 per cent of expenditure of basic education covering the second and third semesters (running costs, maintenance, daily services and meals for students...etc).

### ***Contributions by international organizations***

264. The basic education sector has benefited from the assistance provided by United Nations organizations, banks and funds. This has helped develop and stabilize the sector especially in remote areas. Total assistance provided has reached USD 52,592,331. This cooperation can be summarized as follows:

#### *First: United Nations organizations*

265. UNICEF is one of the biggest contributors to the basic education programme in Sudan within an agreement running until 2006. This programme aims to increase intake levels by 25 per cent and improve rates of continued education in "friendly" schools by 20 per cent in nine states: Blue Nile, Kassala, Qadarif, Greater Kordofan, and Greater Darfur and in the southern states, by 2006.

### ***Integration and dissemination of the culture of peace, protection from AIDS, Realization of human rights and equality in education***

#### *World Food Programme (WFP)*

266. The Programme's contribution has the objective of helping to implement education policies through increasing intake levels by providing breakfast meals to children in difficult circumstance, with special emphasis on girls. It also attracts the support of local communities and tackles hunger in rural areas.

267. By 2006, the number of children who have benefited from such assistance reached 412,189 including 389,480 in basic education, 13,709 in the secondary level (boarding schools in the local communities in the states of Niyala, Al-Jnaina, and El-Fasher in Darfur, Kassala, North Kordofan, Blue Nile and Red Sea) and 9,000 in pre-school education.

#### *UNESCO*

268. UNESCO provides support to the education sector as a whole, public and higher. Projects include training education planners, developing early childhood centres, teacher training at basic education level (four courses) and the development of illiteracy eradication programmes.



*United Nations Population Fund*

269. The role of the Fund is limited to financing demographic education programmes in the public education sector in both formal and informal branches. The project introduced the principles of demographic education into basic education curriculums and the publication of a reference book and other training material.

***Preparation of booklets on the elimination of AIDS to accompany curriculum material for basic and secondary education****European Union*

270. The European Union (EU) has only recently started cooperating with the Ministry of Public Education in implementing a survey project on basic education. The survey is important for the future development of the European Management Information System (EMIS) and is to be financed by the EU.

***Second: International voluntary organizations****Oxfam*

271. Oxfam is one of the oldest organizations involved in the education sector. It provides support to church education in areas for the displaced and marginalized zones. Khartoum and Port Sudan are the main areas of operation.

272. The organization provides teaching material, builds schools, trains local teachers and helps strengthen the role of civil society through the acquisition of basic skills and enhancing their role in education councils.

273. Since 2003, Oxfam has been participating in celebrating the national celebration commemorating the "Education for All" week in cooperation with the Ministry of Public Education. This celebration is attended by the President of the Republic.

274. It also finances several training courses which are part of the school chart for staff in the Khartoum council schools. The organization plays a significant role, with the Swedish child welfare organization and the Education Planning Administration, in financing pilot projects for basic education. Oxfam has contributed USD 472,705 between 2003 and 2006.

*Swedish child welfare organization*

275. Adolescent education in the state of Khartoum is one of the main areas of activity of this organization. It provides support for 11 local centres in the local councils of Jabal Awlia, Karrari and Bahri in conjunction with the state council. The project helps displaced children in difficult situations through adolescent education programmes and protection from discrimination, isolation and exploitation. As a result, 55 children have received vocational education, fourteen of whom have gone on to pursue advanced training. Another 125 children have been taken in to undergo similar vocational training. The organization has other education activities in the state of North Darfur such as building schools, kindergartens, providing books, stationary, uniforms and teacher training.

***The right of a child to rest and leisure and recreational activity******Enhancing the child's cultural rights***

276. Curriculums include the latest contemporary developments with all its requirements. They incorporate computer sciences into the secondary education level, and have been recently introduced to basic education from fourth grade.

277. An experiment to introduce the English language has been undertaken with the Garnett Foundation and is financed by the State of Qatar. It covers 100 schools for basic education in the state of Khartoum and involves 7,000 students from sexes, one thousand teachers and 21 instructors. An evaluation of the experiment based on 97 interviews with participants indicates the need to expand the programme to other states. A similar Malaysian programme has been introduced in six schools in Khartoum for testing.

278. The National Centre for Curriculums and Scientific Research is working on developing a programme for talented students within the framework of the national curriculum (fourth to eighth grades). A related experiment has already started in the three major cities in the state of Khartoum under the supervision of the National Commission for Talented Children.

279. Several lists for updating curriculums on the culture of peace and human rights, health education and protection from AIDS, demographic education and teaching requirements have been also prepared. Teachers have been receiving training on these curriculums through on-the-job courses.

280. National curriculums at all education levels have attached special attention to children's activities and recreation to ensure a healthy mind and body through knowledge and sport. Activities account for 40 per cent of the content of curriculum with extra-curricular activities ranging from theatre to sport competitions and societies. The main difficulty in this area lies in the shortage of trained staff.

281. Competitions between schools at state level have a positive impact on eliminating barriers between citizens of the same nation under the supervision of the Ministry of Public Education and decision makers at the highest echelons.

***Child culture***

282. The National Centre for Child Culture was established in 1976 under the umbrella of the National Commission for Culture and Arts. The Centre oversees:

(a) The development of potential talent in areas such as music, theatre, fine arts, physical education, swimming and literature;

(b) Organizing competitions for drawings and story-writing;

(c) Participation in conferences, festivals, and national, regional and international competitions;

(d) The holding of celebrations to mark national, regional and international events such as Orphan's Day, African Child's Day, Independence Day and other celebrations.

(e) Organizing special events for disabled children.

283. There are four cultural centres for children in Madani, Damazeen, Port Sudan and Fashir. Television and radio, including private broadcasters, have special children's programmes covering a host of cultural activities.

284. A number of civil society organizations are involved, with 30 in Khartoum alone and 75 percent of them in other states.

***Future prospects (2007-2011)***

285. The ultimate strategic objective is to create an educational system that can contribute to national unity and peace and security through an enlightened society. Objectives in the interim include:

- Improving enrolment opportunities, coverage, efficiency and quality to guarantee education to all and to realize the Millennium Development Goals.
- Reviewing and developing basic education in terms of cost and financing.
- Reforming and improving curriculums and teaching aids with special emphasis on science and technology.
- Expanding and enhancing the quality of teacher training to meet requirements.
- Developing and expanding alternative education systems characterized by flexibility and high quality for adolescent and adult alike, and can contribute to economic development.
- Improving basic skills in arts and traditional professions.
- Building expertise to strengthen the administration of the education system.
- Ensuring effective coordination, monitoring, follow-up and evaluation of the programme.
- Reconstructing the schools destroyed by the war, providing civil services for education staff, and providing psychological and social rehabilitation for students and teachers on the path to welfare.

***Factors and difficulties***

286. One of the most important difficulties facing the dissemination of basic education is the shifting of responsibility to local authorities with limited resources creating clear gaps between the regions. This has led the central government to extend direct support to states with councils unable to pay teachers' salaries. The support is provided through strengthening the development fund and partnerships with local and international organizations. Other problems are:

- The population movement inside and outside the territories of Sudan, the high levels of subsidies and a weak reading ability rates for children aged 15 or above.
- The absence of an education information system, which is negatively affecting the putting in place of an evaluation system.

- The inability to provide equal quality education opportunity to all under civil strife conditions. This is compounded by the lack of financial and technical resources, and a limited foreign aid.
- The weakness of overall statistics making it difficult to measure achievements and determine remedies. There is also a shortfall in analytical and planning capacity at state level exacerbated by the movement of staff.

287. In addition to the obstacles affecting education in the south, there is also the problem of the teaching language which is posing a major challenge. English is the language selected for teaching in most areas of education under the control of the Sudan People's Liberation Movement (SPLM), while Arabic is the official language in areas under government control. With the signing of the Comprehensive Peace Agreement and the handover of areas that had been under government control, a major challenge has come to the fore with both Arabic and English being used at the same time. Local languages are also used, up to the third grade, with English coming in from fourth grade.

## **Chapter Nine - Special protection measures**

### **Articles 22, 30, 32-36, 37 (b) to (d), 38, 39 and 40**

#### *Concluding observations*

##### *Refugee children (article 22)*

288. As regards the recommendation by the Committee on the Rights of the Child on strengthening efforts for ensuring the voluntary and safe return of refugee children and their families, the Sudan has signed tripartite agreements with Ethiopia, Eritrea, Chad and Central Africa for the return of Sudanese refugees. Following the conclusion of the peace agreements for Southern Sudan ((Nifasha), West Sudan (Abuja) and Eastern Sudan, efforts are continuing to ensure the completion of the return of other Sudanese refugees in neighbouring countries.

289. The Sudan has also adopted the 1974 Asylum Act in line with the 1951 Geneva Convention, the 1967 Protocol and the 1969 African Unity Organisation Convention. The Act provides a wider coverage by guaranteeing unaccompanied refugee children, and their families, protection, shelter, food, health services and immunization. It also ensures a reduction in child mortality, treatment and care for disabled children, non-recruitment of children as soldiers, the provision of drinking water and family reunification (see the second report, the section on Special Protection Measures, Paragraph 119).

290. The United Nations High Commissioner for Refugees (UNHCR) provides the required support for the resettlement activities and family reunification in coordination with the Refugees Commission and other voluntary organizations.

291. The government has made it mandatory for the oil companies, through a signed agreement, to rebuild the areas used for the resettlement of citizens. Families are moved to these new areas where they can find health services, education, water, electricity and security. Better economic activity is also available and all human rights, including the rights of the child, are guaranteed.

##### *Children in armed conflicts*

292. With regard to the recommendation by the Committee on putting an end to the recruitment and use of child soldiers in line with international instruments, as well as the return of child soldiers and their rehabilitation in accordance with human rights conventions, the Nifasha peace agreement stipulates that a national commission for disarmament, demobilization and reintegration must be set up with two sub-commissions for both the north and south of the Sudan. Presidential Decree No. 5 of 2006 ensures that the mechanisms called for by the agreement are put in place, while Presidential Decree No. 4 has provided for the creation of the National Council for Disarmament, Demobilization and Reintegration. A special unit dedicated to children's cases has been set up and is functioning very well. The Abuja and Eastern Sudan peace agreements also have provisions for similar mechanisms. As such, the question of child soldiers has been dealt with fully in cooperation with UNICEF and the United Nations Development Programme (UNDP) as far as the Eastern Peace Agreement is concerned, and as was explained earlier in this report.

293. As for the recommendation regarding the elimination of the military use of civilians to work with children as teachers, it must be noted that there is a national military service for all graduates. Training is provided for this group involves lectures and awareness campaigns of patriotic nature with the military component constituting a small part only. The group is then given employment until they are discharged from the national service. Practical experience has shown that there has been no hostile reaction towards the children as a result of this form of recruitment.

294. As for the inclusion of provisions related to commitments to the rights of the child in all negotiations to end armed conflicts, whole paragraphs to that effect have been included in the Nifasha, Abuja and Eastern peace agreements.

295. With regard to the 1997 Convention on the Prohibition of the Use, Stockpiling, production and Transfer of Anti-Personnel Mines and on Their Destruction, Sudan has adopted and ratified the instrument.

296. When it comes to article 38 of the Convention and any other provisions related to humanitarian law, especially the protection of civilians including children during armed conflict, the State has fully adhered to the said article and all other relevant provisions of international law. All such provisions have been incorporated into the Armed Forces Act of 2006 and were approved by the Council of Ministers. The Act, which includes all the provisions of international humanitarian law, has been sent to the National Assembly for ratification.

297. The state is committed to ensuring the delivery of all forms of humanitarian assistance to the population affected by conflict in all areas. The Sudan has signed an agreement with the United Nations on the organization of humanitarian relief convoys to those affected.

298. As regards cooperation with the United Nations bodies in charge of investigating civilians' human rights violations, Sudan has always fully cooperated by allowing United Nations' officials to visit conflict zones to listen to, consult with and obtain information from all sources on the ground. The last of such arrangements were accorded for the February 2006 mission by the Secretary-General's Special Representative for Children and Armed Conflict, Radica Kumaraswami.

#### ***Slavery and abduction (SEWAC)***

299. As regards the recommendation by the Committee on the prohibition of child slavery in national laws in line with international law on the rights of the child, Sudan's Constitution prohibits slavery and slave trade as is clearly stated in article 30. The provision

is a manifestation of Sudan's commitment to the relevant international instruments and the religious and moral values which uphold human freedom and dignity. The various United Nations bodies have confirmed this commitment by the Sudan when they removed terms such as slave trade or slavery from their vocabulary admitting that what has been happening was cases of abduction, and has called on the international community to help eradicate the phenomenon.

300. In relation to the recommendation by the Committee on the elimination of all forms of slavery and the abduction of children, and the implementation of the recommendations by the Commission on Human Rights, the Sudan has, as part of its fulfilment of its obligations to the Commission on Human Rights in 1999, made relentless efforts to deal with abductions. The SEWAC commission has been set up with the full financial and material support of the state. Staff, premises and powers have been made available in accordance with the recent presidential decree. The special report on the additional information requested by the Committee on the first report concerning the implementation of the Optional Protocol on the Sale of Children, Child Pornography and the Sexual Exploitation of Children, which was discussed in May 2007, contains details that can be referred to.

301. When it comes to the recommendation on finding social support for these commitments, the Sudan sees such a recommendation in a positive light. SEWAC has taken this view on board and has set up the Centre for Peace-Building and has set itself the task of researching abduction cases by sociologists. It also has several projects in relation to sociological studies aimed at the elimination of the practice and the re-integration of victims. The Sudan is waiting for donor support.

302. The Disarmament, Demobilization and Reintegration Commission have launched several projects with UNICEF on rehabilitation and reintegration. It has also set up a children's unit to provide protection to demobilized children.

303. Communities resources and access to services in Southern Sudan remains a cause for concern. However, since 1995, the Sudan People's Liberation Army (SPLA) has been able to determine the number of child soldiers within its ranks and has taken steps to address the issue with the help of UNICEF. The political wing of the Sudan People's Liberation Army (SPLA), the Sudan People's Liberation Movement (SPLM), has agreed to commit to the international instruments which prohibit the recruitment of fighters under the age of 18. It has taken measures to facilitate the demobilization of 1,640 children connected with the Sudan People's Liberation Army (SPLA) inside the Sudan. The British Save the Children Fund is the leading organization, with a group of 15 others, is active in tracking the families of those children through a family re-unification network. Other organizations such as the Swedish child welfare organization, World Grecian, The International Committee for Salvation, the International Islamic Relief Organisation and the Committee for the Elderly provide re-unification assistance, revenue-generating activities, illiteracy-eradication programmes, learning mathematics and other youth activities.

#### *Economic exploitation*

304. The state has taken a number of measures to reduce the number of children under regular employment, especially younger children. The measures include the following:

- A continued revision of education curriculums, teacher training, school environment, the expansion of the education sector and ensuring free education with a view to reducing the number of drop-out students who find their way to the labour market (see the report of the education committee in a later part).

- The implementation of poverty reduction programmes and supporting poor families because of the close link between the needs of a family and sending children to work to help with the upkeep of the household.
- Exerting every possible effort to ensure that children are not employed in harsh or dangerous work, and that they earn the appropriate wage when employed, with all the other benefits. The State has made considerable efforts in putting into place legislation for the creation of a suitable working environment for children through emphasizing occupational health and safety. Agreement has been reached to draw up a list for the worst forms of child labour. It will be included in the amendments intended for the 1997 Labour Code.

305. The 2004 Children's Act and the 1997 Labour Code contain a series of provisions on the protection of children taking into account international conventions. Efforts are being made to increase the effectiveness of Labour inspectorates using improved methodology and better training for inspectors in charge of tackling child labour and the implementation of the relevant legislation. They are responsible for ensuring better working conditions for children, raising awareness of the dangers of child labour and the prevention of night work for children. All these issues have been dealt with in the peace agreements. In 2003, the Sudan signed the Minimum Age Convention No.138 (1973) and the Worst Forms of Child Labour Convention No. 182 (1999) of the International Labour Organisation (ILO).

306. With regards to the recommendation on making every effort to ensure that working children receive non-formal education, the State has introduced industrial, vocational and an adolescent (9-14 years age group) education systems. The draft Children's Act stipulates that children must enjoy protection from physical, mental or moral exploitation and must not be denied education. According to this draft law the minimum age for paid work is 14 years and the minimum age for engaging a child in light work is 12 years. This covers employment that does not put the child's health and development at risk, and does not affect his school attendance and education.

307. In Southern Sudan, children are expected to contribute to looking after the family through earning an income or engaging in work that supports the daily livelihood of the family. Areas of work include agriculture, herding, cooking, collecting fire wood and sand, water carrying, house work, working in barns and restaurants, selling tea, milling grain and domestic work. More often than not, domestic work comes at the expense of attending school.

#### *Sexual exploitation*

308. Sudanese legislation makes it clear that all sex offences are punished with the maximum penalties. The 2004 Children's Act and the 2006 draft Children's Act also prescribe sanctions for such crimes. The Sudan has also ratified the two optional protocols to the Convention on the Rights of the Child relating to the recruitment of children and their exploitation in prostitution and pornography, and has already submitted its first report on the Optional Protocol on the Sale of Children, Child Prostitution and Child pornography, as well as the report on the additional information requested by the Committee which was discussed in May 2007.

309. The state has paid special attention to raising awareness levels with regards to protecting children from all forms of violence and has put in place mechanisms within public institutions to confront such offences. A family and child protection unit has been set up within the Khartoum police force in cooperation with UNICEF. The unit is charged with protecting children who are victims of violence, abuse, sexual exploitation, and children

who find themselves on the wrong side of the law. This experiment is being replicated in the 15 northern states.

310. The unit organizes internal and external training courses for its officers. Equally, the role of non-governmental organizations has been strengthened in this area (The role of the family and child unit has been dealt with in detail in the additional remarks made by the Committee on the implementation of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography).

311. A study conducted by the British Save the Children Fund shows that traditional practices such as early and forced marriages remain one of the main problems facing children in Southern Sudan, according to children interviewed. They point out that girls are ready to enter into marriage once they have attained puberty and families are dependent on the dowry they receive. Many girls marry before they can finish basic education. Children who participated in the study have expressed satisfaction with being in education and their disapproval of early and forced marriages because they deny girls the opportunity to finish basic education.

312. There are indications that the projection of adult movies has become common in unlicensed venues in Southern Sudan with children being exposed to such material. In response to cases of sexual exploitation by a number of relief workers, the United Nations has adopted a code of conduct to be signed by staff members and staff working for contractors. The United Nations has set up an inter-agency communications centre to receive reports of violations and to deal with them. The United Nations and the movement have also created a task force to monitor and follow up these efforts.

313. The Ministry of Gender, Social Care and Religious Affairs has adopted a similar code of conduct for its staff. Other ministries such as Education, Sport and Technology have expressed a desire to adopt similar procedures on the conduct of staff towards citizens.

### ***Street children***

314. Regarding the recommendation by the Committee to amend the definition of and policies for street children to be seen as victims and not criminals, a workshop has been organized with the participation of several interested parties to discuss the definition. The workshop has recommended that this category of children should be called “unprotected children”. Under the 2004 Children’s Act, they have been defined as “children susceptible to delinquency”, while under the 2006 draft Children’s Act they are described as homeless and not vagrant. The use of the term homeless goes to indicate that the child faces circumstances beyond his control. In other words, a child has been put in this situation as a result of the failure of other parties, such as the State or society, to shoulder their responsibility. The use of the term “vagrant” gives the impression that the child has made his own decision to lead such a life which is not compatible with the philosophy that a homeless child is a victim and not a wilful offender. The approach adopted by Sudanese legislation does not view punishment as a means of dealing with homeless children and does not view homelessness as an offence. Measures have been taken to place such children in care and under protection. Government policies have been adapted to deal with them whereby police campaigns have been replaced by reception centres. Children report to these centres on a voluntary basis where their behaviour comes under the supervision of sociologists and psychologists before an appropriate solution is prescribed. They include reunification with the family, providing economic support, reintegration into education or placing them in children’s homes or shelters. The re-education and reform of street children passes through a channel of rehabilitation programmes and activities designed to help them socially, psychologically and professionally in order to return as good members of society.



The National Council for Child Welfare, in conjunction with UNICEF, has launched a project to gather information on and analyze the situation of street children in several states.

315. As regards the project to deal with cases of street children, the state has prepared the National Strategy for the Elimination of Homelessness, which is a two pronged approach aimed at prevention and remedial action. There is also the Child Protection Initiative which is financed by the Arab Urban Development Institute with the support of the World Bank. A Memorandum of Understanding (MoU) has been signed with the *Wali* of Khartoum for a programme for the protection of children, raising awareness levels of the needs of children in cities, the creation of a database and strengthening local administrations' capacities to improve children's welfare, and to deal with their issues through local committees.

316. The National Council for Child Welfare, in cooperation with the Arab Council for Childhood and Development, is implementing a project on street children comprising four major elements. The first, deals with the change of attitudes towards street children through the training of journalists from the different media outlets. The second, revolves around the production of television and radio material that can carry the message of change. The third element brings 500 street children under a vocational training programme. The fourth, relates to telling the success stories among street children.

### *Juvenile justice*

317. With regard to raising the minimum age for criminal responsibility, the 2006 draft Children's Act has put the minimum age at 12 years.

318. As far as the creation of juvenile courts is concerned, the 2004 Children's Act has provided for such courts and the state has started building these specialized courts, training judges socially and psychologically and helping them acquire the skills and knowledge on how to apply juvenile justice standards and instruments. A special police unit for family and child protection has been set up to ensure the proper application of procedures when dealing with children.

319. When it comes to ensuring that all children under the age of 18 years benefit from the protection of juvenile justice legislation in accordance with international instruments, three full chapters in the 2004 Children's Act deal with this issue, while the 2006 draft Children's Act is more objective and provides greater protection for children.

320. As regards the guarantee not to impose maximum punishment on children under the age of 18 years and the guarantee not to serve the sentence and be released, the 2004 Children's Act provides for correctional and care measures allowing a judge to reconsider a decision in cases where a juvenile has responded favourably to reformatory measures.

321. Neither the 2004 Children's Act, nor the 2006 draft Children's Act provide for flogging as a form of punishment.

322. Children's legislation state that homeless children, children without a family, child beggars and those in similar situations are victims and should be treated as such. No punishment is handed down to them. By contrast, punishment is given to adults who shirk their responsibility of looking after a child.

323. Juvenile justice in Southern Sudan relies on customary law and lends more weight to the role of society than to that of the child. This approach is often marred by discrimination. Moreover, the system is fraught with a number of problems.

324. These problems include:

- The failure to protect the rights of the child at all juvenile justice levels.
- The absence of a juvenile court system.
- A low criminal responsibility age.
- Excesses in the detention of children before and after sentencing.
- Holding children with adults in some cases.
- Holding children in detention as a form of punishment.
- The lack of alternative methods in dealing with children who find themselves on the wrong side of the law.
- The lack of qualified staff in key positions in the police, the judiciary, social services and other institutions.
- The excessive use of corporal punishment including flogging.
- Handing down capital punishment to children in some cases.
- Considering street children and children without family as offenders.
- Conditions of detention in solitary confinement, police cells or borstals.
- The lack of legal aid for children despite provisions for such assistance in the legislation.

#### *Children in emergency cases*

325. Traditions and custom in the Sudan makes society open and welcoming to an outsider. Sudan also cooperates with the United Nations High Commissioner for Refugees (UNHCR) in organizing the voluntary return of refugees to their countries. Article 2 of the 1974 Sudan Refugees Act deals with the situation of child refugees and was referred to in the previous report.

326. In the area of mechanisms put in place by government institutions to monitor progress, the Sudan has created a refugees office within the Ministry of the Interior, with branches in the areas of presence of refugees. The office coordinates activities with the United Nations High Commissioner for Refugees (UNHCR).

327. The Ministry of International Cooperation and the Ministry of Humanitarian affairs play a major role in providing services to refugees through agreements with international, regional and national organizations. Other ministries and bodies associated with child welfare play a similar role. They do not make a distinction between the conditions of children and their peers whether in normal circumstances or in emergencies. The main legislative steps taken in this regard include:

#### *Legislation on the protection of child refugees*

328. In accordance with the provisions of the 1974 Refugees Act, the term “refugee” also covers unaccompanied children, orphans and children whose parents have disappeared, and who live outside the country of their nationality. The Children’s Act provides protection and refugee status to such children.

329. As regards judicial issues relating to the status of child refugees, Sudan's judiciary does not differentiate between a refugee and a national when it comes to adjudication and recourse. A child refugee, therefore, enjoys legal protection like any other Sudanese child in line with the principle of non-discrimination in the Convention on the Rights of the Child.

330. Several administrative measures also provide child refugees with the opportunity to lead a dignified life. They benefit from the various education and health programmes dedicated to refugees. The government has facilitated the voluntary return of refugees and has furnished child refugees with identity cards to obtain legal status as refugees. This issue was dealt with in the second report.

331. There are 110,000 refugees in camps in the eastern states including 10,090 children, forty percent of them are boys and 60 per cent are girls. There are 9,553 under the age of five. Table 31 gives the numbers of children in refugee camps up to March 2005.

**Table 31**

**Children in refugee camps up to March 2005**

<i>State</i>	<i>Number of children</i>
Eastern States	10,090
Darfur (inside and outside camps)	63,000
Khartoum	14,000
Middle States	5,000
Equatorial	3,600
Total	222,400

**Table 32****Refugees by nationality and numbers including children, June 2006**

<i>Nationality</i>	<i>Estimated Number</i>	<i>Children</i>
Ethiopian	92,462	36,984
Eritrean	406,314	162,525
Chadian	6,400	42,800
Ugandan	5,992	2,560
Congolese	5,992	2,396
Asylum seekers at the time of preparing this report	921	368
Total	669,089	267,635

*Source: Refugees Commission*

***Children in armed conflicts******Comprehensive national programmes (monitoring)***

332. The civil strife has led to the collapse of infrastructure and has forced whole communities to flee their territories to safe havens inside and outside their countries. Children and women constitute a large proportion of these groups.

333. In 2005, Sudan signed the Nifasha Peace Agreement which brought to an end a 20-year-long war. The Agreement includes a number of provisions on the protection of children in armed conflicts. The same principle applies to the Eastern and Abuja Peace Agreements (mentioned earlier in the report). All the mentioned agreements have set a new framework for dealing with the question of children in armed conflicts. This new reality provides better protection for children affected by armed conflicts in line with international instruments.

334. The Commission for Disarmament, Demobilization, Reintegration and Rehabilitation remain one of the most important government bodies charged with monitoring the progress achieved in the area of children in armed conflicts as was stipulated for in the Comprehensive Peace Agreement signed in Abuja in 2005. The northern branch of the Commission has focused, in particular, on child soldiers who had been recruited by the warring factions before the signing of the Peace Agreement.

335. Work is currently underway to set up child units within the Armed Forces' military judiciary to oversee the implementation of international law in armed conflicts. Training courses have been started to help acquaint the military with issues relating to the rights of the child and his protection with special emphasis on children affected by armed conflicts.

***Legislative measures concerning children in armed conflicts***

336. Sudan has ratified the following international instruments intended to provide protection for children in armed conflicts:

- The general principles, on 26 July, 2005.
- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), on 20 June, 2005.
- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), on 20 June, 2005.

***The People's Armed Forces Act***

337. The 1986 People's Armed Forces Act contains the conditions for joining the Armed Forces. The regulations have set the age of conscription at 18. The Police Forces Act does not stipulate a minimum age but the regulations have set the age of joining the force at 18. When it comes to the Popular Defence Act of 1989, article 11 (b) sets the minimum age for volunteers as 16.

338. Work is ongoing to adopt the 2006 draft Armed Forces Act which includes articles derived from the provisions of the International Humanitarian Law. It sets the age of 18 as the minimum for conscription and provides for punishment for the violation of the minimum age rule.

339. The sixth protocol to the 2005 Nifasha agreement on the permanent ceasefire and security arrangements between the Armed Forces and the popular army set out in paragraph 10.1.9 considers the recruitment of child soldiers a violation of the agreement and that should such an act occur the case is to be referred to the Joint Military Committee to determine the appropriate disciplinary measures.

***Offenders***

***Administration of juvenile cases***

***Comprehensive national programmes***

340. Administration of juvenile cases in the Sudan precedes the drafting of the Convention on the Rights of the Child. Juvenile courts date back to 1948 and involve social workers. Among the measures prescribed by these courts is social parole which is implemented by offices in several cities. The offices are manned by parole officers. Within the prison administration there exists an administration for juvenile affairs and another for social services. There is also a separate prison establishments for sentenced children. The Prison Officers College, founded in 1953 and merged with the Police Academy in 1991, provides training in all these areas. The Sudan, therefore, has a long tradition in the administration of juvenile justice that has served as a solid foundation for a development that takes into account modern national and international legislation.

341. Recent institutions in this regard include child courts in several states and the directives issued by the head of the judiciary for the creation of such courts and the appointment of specialized judges.

342. Several child prosecution services have been set up to investigate children-related cases. The Minister of Justice issued an order to create these services in all cities to ensure that children's cases are investigated by specialized prosecutors. Another measure taken in relation to juvenile cases is the formation of a children-dedicated police force. The experiment started in Khartoum state with the creation of a family and child police unit. Similar units have been introduced in the states of West Darfur, Kassala, Qadarif and South Kordofan. These units have been provided with all the necessary operational requirements such as internal and external training for officers in cooperation with UNICEF. The Chief of Police has given instructions that these units be introduced to all states.

#### *Judicial measures in relation to the administration of juvenile cases*

343. These measures include the creation of juvenile courts, the training of judges and court staff in juvenile justice, and the setting up of a juvenile affairs unit at the High Court to review sentences handed down by juvenile courts and appeals decisions, and to provide these courts with social and psychological expertise.

#### *Administrative measures in relation to the administration of juvenile cases*

344. This is reflected in the creation of courts, prosecution services and police units, and providing financial and administrative support. Other measures include the setting up of a juvenile affairs unit at the prisons administration and the creation of borstals to oversee the physical, social and psychological rehabilitation of child offenders.

#### *The impact of legislative and judicial measures on the economic, political, social and general situation in the country*

345. The presence of a legislative, judicial and administrative system for the administration of juvenile justice requires economic support. Politically, its presence reflects the attention given by the state to children issues on the national and international levels. From a social perspective, the measures adopted contribute to reforming delinquent children and to reintegrating them into society as good citizens.

#### *Children deprived of liberty*

346. Children deprived of liberty include those who are under arrest, detention or imprisonment in a penitentiary (article 37 paragraphs (b), (c) and (d)). Reference is made to this topic in more detail in the previous report.

347. In Southern Sudan, the Legislative Assembly is yet to ratify the draft Children's Act. The first reading has been completed and the second is scheduled for the end of 2007. Until the Act is adopted it is difficult to envisage a child-friendly legal system. The 2003 Southern Sudan Criminal Code has set the age of criminal responsibility as 10. By contrast, the Children's Act has set it as 12. The Code falls in line with the Act by the prohibition of handing down capital punishment or life imprisonment to children under the age of 18.

348. Court procedures under sub-paragraphs (1) and (4) continue to decide on children's cases until such time that family and child courts are created. The procedures include:

- (a) Procedural and other guarantees in accordance with the draft law;

- (b) Court sittings, when necessary;
- (c) Hearings at court room;
- (d) Hearings are ordinary/not strict, when possible.

349. As there are no separate children's courts at the present time, their cases come under the Criminal Code. The adoption of the draft Children's Act will provide for the creation of children's courts and child-friendly procedures.

350. Although the prisons administration in Southern Sudan is fully aware of the need to hold children separately from adult inmates, some children continue to be imprisoned with adults. Also, children are held in police stations without any consideration for their basic human rights, detention conditions, legal representation and legal aid with the problems that led them to becoming offenders. In many cases those children are destitute, homeless or displaced caught by police in the streets or in markets. Families and children are often not aware of their rights. The prisons administration, however, is fully aware of the problem of detained children and despite the lack of resources, there is an attempt to hold children in separate cells. There are some cases where no children quarters were available. The United Nations Mission in Sudan and INTERPOL conduct visits to prisons and cases of children in prison have been reported to the Prosecutor-General.

351. More recently, the Ministry of Legal Affairs and Constitutional Development has created a youth and women justice administration with the help of a UNICEF consultant.

#### *Children of unknown parentage*

352. There is a lack of precise statistics on the phenomenon of children of unknown parentage. The state of Khartoum has the highest figures (reference was made to the phenomenon in the section on family environment and alternative care).

353. As regards sentences handed down to children, and in particular the death penalty and life imprisonment (article 37 paragraph (a)), reference has been made to them in the previous report.

**Table 33**

#### **Children sentencing, 2002-6**

<i>Year</i>	<i>Total of sequences</i>	<i>Guarantee of good care</i>	<i>Acquittal</i>	<i>Re-offending</i>	<i>Borstal</i>
2002	224	60.3%	28.1%	8.9%	11.6%
2003	266	55.33%	31.65%	9.45%	13.2%
2004	270	56.35%	33%	8.1%	10.75%
2005	233	59.7%	28.8%	8.65%	11.65%

*Source: Children's court, Bahri.*

**Table 34****Juvenile drugs crime cases, 2002-7**

<i>Year</i>	<i>Reported cases</i>	<i>Number of accused</i>	<i>Grams</i>	<i>Kilograms</i>	<i>Ton</i>	<i>Other drugs</i>
2002	36	40	930	1		
2003						
2004	14	14	820	12		
2005						
2006	55	86	473	10		
July 2007	6	6	380			

*Source: Criminal Statistics, Ministry of the Interior, 2006.*

***Physical and psychological rehabilitation and social reintegration (article 39)***

354. Prison regulations provide for programmes for physical and psychological rehabilitation, and social reintegration, all of which have been referred to in the previous report. The family and child protection unit also provides psychological and social rehabilitation services (see Sudan's replies to the additional observations by the Committee on the special report on the implementation of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography).

***Physical and psychological rehabilitation and social reintegration for exploited children***

355. Reference has been made earlier to the issue of drug addiction, sale, trade and abduction in the previous report. As for sexual exploitation and assault, they were referred to earlier in this report.

356. The National Council for Child Welfare, in cooperation with the other competent authorities and UNICEF and other voluntary organizations, has put in place a programme to eliminate the use of children in camel racing in the Gulf States. The programme covers travel regulations for children (see the first report on the optional protocol and the additional observations), awareness-raising campaigns and the improvement of basic services in areas of communities affected by this problem. A memorandum of Understanding (MoU) has been signed with the Qatar Foundation to help develop pre-school and basic education, and health services in the areas in eastern Sudan. Projects are currently under implementation.

357. A similar Memorandum of Understanding (MoU) has been signed between the Ministry of the Interior and its counterpart in the United Arab Emirates to set up a joint committee to settle compensation claims for children from that region. A committee has also been set up at the Council to deal with cases of the economic exploitation of children with the participation of several governmental bodies and international organizations.

***Factors and difficulties***

(a) Traditions and custom condoned by local culture which require raising awareness to deal with them;



(b) Civil wars, tribal conflicts and natural disasters which undermine a stable environment for children and their families;

(c) A weakened information system hampering monitoring and follow-up.

---