



# Convention on the Rights of Persons with Disabilities

Distr.: General  
6 December 2017  
English  
Original: Arabic  
Arabic, English, Russian and  
Spanish only

---

## Committee on the Rights of Persons with Disabilities

### Nineteenth session

14 February–9 March 2018

Item 5 of the provisional agenda

**Consideration of reports submitted by  
parties to the Convention under article 35**

## List of issues in relation to the initial report of the Sudan

### Addendum

## Replies of the Sudan to the list of issues\*

[Date received: 3 November 2017]

---

\* The present document is being issued without formal editing.



## **List of issues in relation to the initial report of the Sudan on the rights of persons with disabilities**

### **A. Purpose and general obligations (arts. 1–4)**

1. The legal system of the Sudan provides complete protection for persons with disabilities. The National Persons with Disabilities Act 2017, which was promulgated on 24 February 2017, is fully consistent with the Convention on the Rights of Persons with Disabilities and covers the rights enshrined therein. Provisions from the Convention have also been incorporated into other laws: 23 pieces of legislation were identified, 12 of which were examined and brought into line with the provisions of the Convention.

- The enactment of the 2017 Persons with Disabilities Act was preceded by wide-ranging consultations in the form of 18 meetings with organizations of persons with disabilities, civil society groups and experts. Consultations were also held with the Committee on the Rights of Persons with Disabilities. In addition, two workshops were organized, which were attended by 120 organizations of persons with disabilities at the national and provincial level, competent ministries, activists and members of the National Assembly (parliament). Furthermore, 12 specialized workshops took place at which persons with disabilities and competent agencies examined relevant national legislation;
- Organizations of persons with disabilities participated in the national dialogue committees, and recommendations concerning the rights of persons with disabilities were included in the national dialogue document, which is the basis for the Government's programme of work.

2. Standard legislative practice in the Sudan is that, before a bill is passed through to legislative mechanisms, it is fully reviewed by the Ministry of Justice. The review includes any possible inconsistencies between the bill in question and the Constitution, other pieces of legislation or any international or regional treaty the Sudan has ratified. The sweeping mobilization aroused by the movement supporting the rights of persons with disabilities, once the Sudan had ratified the Convention, along with the broad participation of stakeholders from relevant ministries, parliamentarians and activists in the field, promoted an understanding of the human rights of persons with disabilities and helped to foster a sense of responsibility towards disability issues. The aforementioned review takes full account of the rights enshrined in the Constitution, the law and international treaties.

3. The Convention has been printed, translated into Arabic and disseminated with the help of a number of associations including the British organization Action on Disability and Development (ADD) as well as national groups such as the Jasmur Human Security Organization and the Abrar Organization for the Development and Care of Persons with Disabilities, and copies have been sent out to relevant agencies. On a different front, the National Federation of Blind Persons has made an audio recording of the Convention and efforts are still ongoing to have it translated into sign language and into Braille. In that context, the Council has been in contact with the National Standardization Agency with a view to producing the Convention and the Act in sign language and in Braille, in order to make them available to persons with sight and hearing impairments.

### **B. Specific rights (arts. 5–30)**

#### **Equality and non-discrimination (art. 5)**

4. The 2005 Interim Constitution of the Sudan and the 2017 Persons with Disabilities Act both clearly and explicitly prohibit any form of discrimination on the grounds of disability, and article 3 of the Act defines such discrimination in a manner that is entirely consistent with the Convention. Under the Act, the competent departments may not discriminate against persons with disabilities in their access to services, the environment or products. To that end, certain departments have been designated to monitor the needs of

persons with disabilities. They include: the special education department of the Ministry of Education, health departments, the Ministry of Labour, the Ministry of the Environment and Physical Planning, the Ministry of Social Security and Development, the section for persons with disabilities in the human rights department of the Ministry of Justice and the Ministry of Communications and Information Technology. In addition, there are disability sections in the parliamentary social affairs committee and in provincial legislative assemblies.

5. Equal opportunity is one of the fundamental principles provided for in the Constitution and laws. In pursuit of that goal, the State has set about amending several laws. The Persons with Disabilities Act provides that all relevant actors are required to give effect to rights, privileges, facilities and exemptions; in addition, certain discriminatory conditions for access to public service have been removed, such as the medical fitness requirement. In order to address and modify practices and customs that serve as a framework for discrimination, numerous workshops and seminars have been organized and the media has been mobilized in order to educate the public on the rights of persons with disabilities and reflect their creative abilities. This has had a positive impact with respect to matters of early upbringing and acceptance of others. The State annually observes the commemoration of the International Day of Persons with Disabilities, routinely focusing on the challenges facing persons with disabilities and highlighting the artistic and sporting talents of such persons.

6. Article 35 of the 2005 Interim Constitution of the Sudan states that access to justice is a universal and inalienable right. In order to promote human rights and in particular the rights of persons with disabilities, the Sudan has taken steps to ensure that statements and court proceedings are translated by court-appointed translators or assistants and is paying the costs associated with protecting the rights of persons with disabilities.

7. Redress may be sought through the National Supreme Court, the national courts of appeal or any other domestic court. Together, those courts constitute the principal national mechanism for the protection of human rights. They enjoy complete independence from the legislature and the executive and are both financially and administratively autonomous. The Constitution stipulates that judges are independent in the performance of their duties and they have complete judicial jurisdiction within the terms of their mandate. No one may seek to influence judges when making their rulings. Redress may also be sought through the Office of the Public Prosecutor, at all levels.

8. A legal aid department exists within the Ministry of Justice to provide free assistance to the poor and disadvantaged in both civil and criminal cases. Alongside State-sponsored legal aid, the principle of legal assistance in civil and criminal cases was established in the 1983 Act regulating the legal profession according to which a lawyer is to be delegated to perform that duty at the expense of either the Lawyers' Federation or the Ministry of Justice. In that context, the legal aid department of the Ministry of Justice signed a memorandum of understanding with the Council for Persons with Disabilities in Khartoum province, and with the Bar Association, for the provision of legal aid to persons with disabilities for a period of three years, subject to renewal.

9. The National Human Rights Commission receives complaints of violations of human rights and freedoms from individuals and groups. It then investigates those complaints, takes the necessary steps and makes the relevant recommendations to the competent authorities in order to resolve the situation appropriately.

10. The Advisory Council on Human Rights also has a mechanism that receives complaints, urgent appeals, correspondence and inquiries about human rights violations from individuals and local and international organizations. It conducts investigations and publishes recommendations for the promotion and protection of human rights in the Sudan.

11. One practical example of this is to be seen in the justifications given by the Constitutional Court in its ruling on constitutional case No. D/Q D/118/2015, *Al-Radi Hassan Al-Radi et al. v. the Ministry of Justice*. The plaintiffs had filed an appeal against a decision made by the Ministry of Justice not to employ them as assistant legal advisers in the Ministry, a decision which deprived them of their right to be considered for publically announced posts on the grounds of the visual disability, despite the fact that they fulfilled

all the necessary conditions and had passed the relevant tests. The Court ruled that article 24 of the Act regulating the Ministry of Justice was unconstitutional and ordered that it be abrogated.

12. In order to combat intersectional discrimination, a draft national policy to combat violence against women and children has been drawn up for the period 2016–2031, and a five-year national plan to combat violence against women 2017–2022 has been adopted. The unit for combating violence against women and children follows up on the implementation of the plan by acting as a coordination mechanism between ministries, the provinces, civil society groups and United Nations organizations. Protection for women with disabilities has been included in a raft of interrelated policies that are part of the national strategy document on violence against women, which is currently before the Council of Ministers for approval.

#### **Women with disabilities (art. 6)**

13. The State seeks to protect and safeguard women, and grants them rights equal to those of men in many areas of life, without discrimination, particularly with regard to civil, political, economic, social and cultural rights and freedoms. In order to promote the rights of women, the State has adopted a policy of positive discrimination under which women are given priority with respect to many rights, including the right to work and others. The national policy for the empowerment of women — which was adopted by the Council of Ministers in 2007 and has been used as a reference for the Constitution, national laws and regional and international treaties — was updated for the period 2015–2016, with the help of development partners. Projects included in the policy address issues such as education, health care, the environment, economic empowerment, human rights law, political participation and decision-making, and peace and conflict resolution. A detailed outline of the national policy to empower women has been proposed, incorporated into the second five-year plan (2012–2016) and sent out to districts and provinces. It focuses on women who belong to underprivileged groups and women with disabilities.

#### **Children with disabilities (art. 7)**

14. Article 36 of the Children’s Act 2010 prohibits the employment of children under 14, including children with disabilities. The work of children over that age is governed by part VII of the same Act. Similar provisions are also contained in the 1997 Labour Code under which children may not be employed at night or in hazardous work. Regulations have been drafted which, in accordance with the list produced by the International Labour Organization, identify jobs which are prohibited for children. Eighteen offices of the prosecutor for children, including children with disabilities, have been established to oversee inquiries carried out by police family protection units. Eighteen special courts have also been set up to examine cases involving children who are victims of violations. The staff of those legal institutions has received training on juvenile court procedures and dealing with offenders while special mechanisms provide psychosocial support services to child offenders, victims or witnesses.

#### **Awareness-raising (art. 8)**

15. The National Council for Persons with Disabilities works with the Ministry of Information to raise awareness within society about the rights of persons with disabilities. The Minister of Information has issued a directive to media outlets instructing them to include disability issues in their programming schedules. Seminars, lectures and television programmes broadcast to raise awareness about disability issues and persons with disabilities help to disseminate an understanding of disability as part of natural human diversity. There are around seven special programmes for persons with disabilities on national television and radio, such as FM 106, the programme Manarat on Sports FM as well as the programme Rasid al-Hasanat in which the public can communicate directly with persons with disabilities. Sign language is used in most daily programmes on national television.

16. The media secretariat of the National Council for Persons with Disabilities seeks to highlight disability issues by documenting disability-related activities and participating in

commemorations for national and international disability days such as World Autism Awareness Day, World Down Syndrome Day, Arab Deafness Week and White Cane Day which are used as opportunities to raise awareness among the community. Furthermore, five short films, as well as audio and video clips, have been produced with a view to raising awareness about disability and changing negative stereotypes.

#### **Accessibility (art. 9)**

17. In line with a directive from the Council of Ministers, conferences were held to discuss how to incorporate disability issues into ministerial planning. They concluded with a general conference, held in November 2016, which issued recommendations to the Presidency of the Republic to commemorate the International Day of Persons with Disabilities on 3 December 2016. One of the main outcomes of this process was the passage of the Persons with Disabilities Act in 2017. Another was the drafting of a building code, which was submitted for approval to the Council of Ministers following a series of workshops on the subject of “accessibility for persons with disabilities”. In order to ensure that information is provided in accessible forms, the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, which the Sudan signed in 2013, has been submitted to the Council of Ministers for ratification. In addition, the special education department within the Ministry of Education has taken a number of steps:

- It has printed the primary education curriculum in Braille;
- The primary and secondary education curricula, as well as the private education curriculum, have been copied and transferred into audio format, in collaboration with the National Federation of Blind Persons;
- It has compiled a sign language dictionary in collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO);
- It has compiled a draft sign language dictionary of legal terminology for 2017;
- A guide of Sudanese standards and specifications has been printed in Braille by the National Standardization Agency.

18. In order to offer the greatest possible access to technology and to the benefits it brings, the importation of enabling devices has been simplified by making materials and equipment for persons with disabilities, such as special computers, exempt from customs duty. Training has been administered on how to enter data relative to persons with disabilities, an initial phase being directed at 5 sectors at the provincial level.

#### **Right to life (art. 10)**

##### **Situations of risk and humanitarian emergencies (art. 11)**

19. The Sudan has adopted a resettlement strategy for displaced persons, either in newly built villages or in building schemes within existing camps. The aim is to provide better living conditions and to make those persons better able to exercise their human right to adequate housing. In order to protect the human rights of refugees with disabilities from Yemen, the National Authority for Prosthetics and Orthotics has made various devices available to them. Blue Nile province has supplied a number of devices to refugees from South Sudan, including 100 items of clothing, 20 white canes, 10 spectacles for the partially sighted, 6 wheelchairs, and 5 hearing aids. Moreover, the Sudanese Red Crescent Society has provided food aid and mobility devices to 246 Ethiopian and Eritrean refugees with disabilities at four camps in Kassala province. Refugees in camps in the east and the south of the country are monitored by the Office of the United Nations High Commissioner for Refugees (UNHCR) while those who have made their way to cities receive the same services as citizens, without discrimination.

20. A number of shelters for homeless persons with disabilities exist in Khartoum province catering for children, young people and older persons. The centres offer basic health services as well as food and clothing.

**Equal recognition of persons with disabilities before the law (art. 12)**

21. Under article 31 of the Constitution, everyone residing in the Sudan, both Sudanese and non-Sudanese, enjoys equality before the law without discrimination on grounds of race, gender, language or religion. Article 35 states that access to justice is a universal and inalienable right. In order to further promote the principle of equality before the law, the Constitution also makes all State institutions subject to the law and requires them to implement court rulings (art. 123 (5)).

22. Article 35 of the Sudanese Interim National Constitution of 2005 makes access to justice a universal and inalienable right. The Sudan has taken steps to ensure that statements and court proceedings are translated by court-appointed translators or assistants and is paying the costs associated with protecting the rights of persons with disabilities.

23. Article 18 of the 1984 Civil Transactions Act states as follows: “The personality of the human being shall begin from conception, if leading to a live birth, and shall end with death.” Article 22 of the same Act states: “Anyone who has reached legal age, is possessed of their mental faculties and has not been proscribed, has full capacity to exercise their civil rights.” No group of persons is excluded from the Act. The 1991 Personal Status Act envisages measures for the protection of persons who lack or have lost legal capacity, due to being underage or having some mental disability, by appointing a guardian or carer through the courts. If no relative of the person concerned is available, a public guardian shall be appointed, in accordance with the Public Guardianship Act of 1837.

24. The Chief Justice issued judicial circular No. 2 of 2016 concerning the proper treatment of persons with disabilities by the courts and other organs of the judiciary, including the local courts. On a separate front, a draft sign language dictionary of legal terminology has been compiled.

25. According to article 202 of the 1991 Code of Criminal Procedure: “If during the course of a trial it emerges that the accused is suffering from a mental disability that renders him or her incapable of defending themselves, the trial shall stop and the accused shall be sent for a medical examination. If the mental disability is confirmed, the trial shall be suspended until the accused has recovered, and it will not resume unless the doctors decide that the accused is able to defend themselves. In the meantime, the accused shall be held in accordance with the 1991 Code of Criminal Procedure.”

**Liberty and security of the person (art. 14)**

26. There is no law that allows a person to be arrested or detained merely on the grounds that they have a disability. Under article 49 of the 1991 Criminal Code, if an accused person is proven not to be in full possession of his or her mental faculties due to a mental or psychological condition, the courts may order that he or she be admitted to a hospital equipped to treat such conditions. The courts can also entrust the care of such a person to his or her guardian or to some other trustworthy party who undertakes to provide proper care.

**Freedom from torture and cruel, inhuman or degrading treatment or punishment (art. 15)**

27. The Constitution and the law clearly prohibit torture and inhuman treatment, specifically in article 33 of the Constitution, the Code of Criminal Procedure, the Prisons and Treatment of Prisoners Act, the Evidence Act, and other laws. The 1991 Code of Criminal Procedure emphasizes that persons detained for investigation must be dealt with in a manner that preserves their dignity and causes them no physical or moral harm. It further states that they must be provided with adequate medical care and treated appropriately and in a humane fashion.

28. According to article 76 of the 1991 Criminal Code: “Anyone who has the legal obligation to care for another person — due to the latter being underage, mentally or psychologically incapable or suffering a sickness or physical weakness — and deliberately fails to fulfil that obligation shall be liable to imprisonment for up to 6 months and/or a fine.”

29. As part of efforts to criminalize female genital mutilation, a bill to prevent the practice began to be drafted in 2007. That bill was then reviewed by a national committee for the review of laws related to women's rights in 2012–2013. The National Council for Child Welfare, in cooperation with the National Council for Strategic Planning, drafted the national strategy 2008–2018 to prevent female genital mutilation in the Sudan. The aim of the strategy is to build capacity in institutions and in civil society, and to develop skills in society as a whole in order to help people abandon this practice. Goals of the strategy include enacting legislation to prohibit and criminalize female genital mutilation, raising awareness in society, constructing local, regional and international partnerships, and mobilizing religious figures to play their part. The implementation of the strategy is proceeding as planned.

30. In cooperation with the United Nations Children's Fund (UNICEF) the Government has launched the "Salima" campaign, which is a social media initiative designed to prevent female genital mutilation. It focuses on bringing about change in society rather than in the individual, making change socially acceptable and disseminating knowledge and awareness about the harmful effects of female genital mutilation.

#### **Freedom from exploitation, violence and abuse (art. 16)**

31. Article 24 of the 2008 Public Health Act forbids medical treatment of a sick person without that person's consent. If the individual concerned is unable to express agreement, consent must be given by a person delegated in writing by the person receiving the treatment, or in accordance with the law. If a delay in treatment would endanger the person's life or expose them to permanent disability, the medical service provider must strive to get the consent of the person concerned.

32. According to article 138 of the 1984 Civil Transactions Act, any action that causes harm to a third party makes the person who perpetrated that action liable to pay compensation, even if the latter is incapable of exercising discretion. Under article 204 of the Code of Criminal Procedure, the court hearing the criminal case has the authority to determine the civil compensation.

33. The authorities have taken a number of legislative measures to combat violence against women and girls, including those with disabilities. The Criminal Code as amended in 2015 stipulates penalties for offences that fall within the concept of violence against women, such as sexual harassment. The 2014 Anti-Human Trafficking Act stipulates harsher penalties for trafficking when the victims are women, children or persons with disabilities.

#### **Protecting the integrity of the person (art. 17)**

34. Article 24 of the 2008 Public Health Act, which was mentioned above in paragraph 32, expressly forbids medical treatment without consent, including vaccinations and immunization. Article 43 of the 1991 Criminal Code criminalizes and punishes the use of force of any kind against any person without their consent.

#### **Living independently and being included in the community (art. 19)**

35. Article 4 of the Persons with Disabilities Act provides that persons with disabilities are to be given all rights, facilities and exemptions, in line with the international treaties the Sudan has ratified. It further provides that all State institutions are obliged to give effect to those rights, which include: education without discrimination, habilitation, capacity-building, integration, appointment to positions in the public service and the private sector, training, the provision of reasonable accommodation and inclusion in health and social security.

#### **Personal mobility (art. 20)**

36. As part of efforts to provide assistive devices to persons with disabilities at affordable prices, medical aids have incorporated into social security coverage, in line with the 2016 Social Security Act. In coordination with the International Committee of the Red Cross (ICRC), the National Authority for Prosthetics and Orthotics is supplying prosthetic

limbs and mobility devices at cost price, while the Zakat Office is undertaking to meet the costs for persons unable to do so for themselves. Between 2014 and 2016, mobility devices were supplied to 8,504 persons.

37. The Zakat Office provides poor persons with disabilities with assistive devices free of charge, including mobility devices such as wheelchairs, canes and walkers. It has also provided hearing aids, financed a number of cochlear implant procedures for deaf children and supplied educational devices for blind persons such as computers, vocalizing software, voice recorders and memories. It also provides educational aids for persons with mental disabilities.

#### **Freedom of expression and opinion, and access to information (art. 21)**

38. In order to ensure that information is provided in accessible forms, the Sudan signed the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. The Treaty is currently going through ratification procedures in the Council of Ministers. The Sudan has also promulgated the Free Access to Information Act, which is consistent with the guide issued by the African Commission on Human and Peoples' Rights.

39. In collaboration with the special education department within the Ministry of Education, the primary education curriculum has been printed in Braille. Moreover, the primary and secondary education curricula, as well as the private education curriculum have been copied and transferred into audio format, in collaboration with the National Federation of Blind Persons. A sign language dictionary has been compiled in collaboration with UNESCO and, in 2017, the National Federation of Deaf Persons and the Ministry of Justice compiled a draft sign language dictionary of legal terminology. Finally, a guide of Sudanese standards and specifications in Braille has been produced by the National Standardization Agency.

#### **Respect for home and the family (art. 23)**

40. Article 15 (1) of the Constitution states that the family is the natural and fundamental unit of society and is entitled to the protection of the law. The same article also recognizes the right of men and women to marry and form a family, in line with applicable personal status laws, and states that no marriage may be entered into without the free and full consent of both parties.

41. There are no legal obstacles in either the Constitution or the law that restrict or prevent persons with disabilities from marrying. The 1991 Personal Status Act does not mention disability as an impediment to the validity of a marriage in any way although it does require that a person with a mental disability who wishes to marry do so through their guardian.

#### **Education (art. 24)**

42. The education of persons with disabilities represents a major challenge and is therefore a priority in the State's disability action strategy as well as in its laws and legislation. Article 13 (1) of the Constitution states that primary education and literacy programmes are both obligatory and free of charge. Article 13 of the 2001 Public Education Planning Act also stipulates that children's education is compulsory, while article 14 (b) recognizes centres for the education of persons with disabilities as part of the public education system. The 2017 Persons with Disabilities Act provides for education without discrimination compatible with the nature of an individual's disability with a view to their integration, and for the provision of appropriate technical devices and educational aids. The Act also states that persons with disabilities are to be integrated with their peers at all levels and in all kinds of education (part II, art. 4 (a), (c) and (d)).

43. At the practical level, despite numerous challenges, appreciable efforts have been made that will help to improve the education of children with disabilities. Chief among them has been the upgrading of the special education department within the Ministry of Education to make it a public department rather than a small primary education section. The



department has been assigned trained staff who will guide the implementation of the inclusive education policy. The provinces have all been instructed in that regard.

44. The special education department has drafted a guide, which has been adopted by the Ministry of Education, for the schooling of persons who are deaf. The department has also prepared a technical guide for the 2018 primary certificate examinations. It includes indications on how to interact with all categories of students with disabilities in primary education. Furthermore, a committee of specialists and experts has been set up to examine ways to adapt primary-level curricula to accommodate persons with disabilities.

45. Training on the requirements of inclusive education has been imparted to 254 teachers in the provinces of River Nile, Gedaref and Sennar. Three guides on educating persons with disabilities have been drafted and revised and another guide has been prepared on difficulties in education.

#### **Habilitation, rehabilitation and health (art. 25 and 26)**

46. With a view to providing habilitation and rehabilitation services for persons with disabilities, the name and remit of the “Artificial Limb Centre” were changed. It has now become a public authority called the “National Authority for Prosthetics and Orthotics” and it advises the State on matters relating to the manufacture and supply of prostheses and assistive devices for persons with disabilities. The staffing structure of the Authority was established by Decree of the Council of Ministers No. 243 of 2014 and it was supplied with modern design equipment and devices in order to develop and improve the quality of its products. With a view to providing habilitation and rehabilitation services for persons with disabilities in the provinces, the National Authority has supplied prosthetic manufacturing machinery to six provincial workshops and has trained staff working there in their use. In December 2015, thanks to collaboration between the National Authority for Prosthetics and Orthotics and ICRC, a State-run school of physical habilitation was created in the Al-Neelain University. Also in 2015, the National Authority for Prosthetics and Orthotics set up a prosthetic technical training centre.

47. The National Authority for Prosthetics and Orthotics has a mobile workshop/clinic which periodically makes the rounds of remote areas that have no prosthetic limb centres. Between 2014 and 2017, the National Authority (headquarters) provided its services to 41,679 persons. The table below shows how the number of persons seeking the services of the central body has fallen away following the opening of the six provincial centres and the travelling workshop.

<i>Service</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>Total</i>
Clinic	8 320	6 540	1 800	2 886	19 546
Treatment	5 908	4 216	6 749	1 308	18 181
Paralysis	1 048	1 849	490	565	3 952
<b>Total services provided in the period between 2014 and 2017</b>					<b>41 679</b>

48. Habilitation and rehabilitation services are not limited to those provided by the National Authority for Prosthetics and Orthotics. A number of other institutions provide services exclusively for children such as the “Our Sudanese Family” association for the habilitation of children with disabilities. Between 2015 and 2016, the association provided services to 5,733 children, including physical therapy and speech therapy. One of the leading organizations in the provision of habilitation services to children is the Khartoum Cheshire Home, which is able to accommodate persons coming in from the provinces and, between 2010 and 2016, provided services to 42,868 children from all parts of the Sudan. Those services included surgical procedures to correct clubfoot, clinical and physical therapies, the manufacture of devices for infantile paralysis, wheelchairs, braces and footwear.

49. Between 2014 and 2016, the National Federation of Blind Persons, both in the capital and at six branch offices in four provinces, provided habilitation services to 440 blind persons in areas such as the use of white canes and vocalizing computer software,

professional and manual work and women's tasks such as cooking and home economics. In addition, there are associations that provide habilitation and physical therapy services as well as hearing and speech therapy for children following cochlear implant procedures. The State supports those efforts through the Zakat Office.

#### **Work and employment (art. 27)**

50. There has been a tangible improvement in the employment of persons with disabilities in the public sector, in line with the quota laid down in article 24 (7) of the 2007 Civil Service Act, which states: "A proportion of not less than 2 per cent of accredited posts shall be allocated for persons with disabilities, taking due account of the requirements of the job and the nature of the disability." Civil service selection committees in the capital and in the provinces have demonstrated their openness towards persons with disabilities. They have assigned staff to receive and classify job applications from such persons and take due account of their special needs vis-à-vis oral and written testing and the sites chosen for the tests. As for the private sector, although it was under no legal obligation to employ persons with disabilities before the promulgation of the 2017 Persons with Disabilities Act (art. 4 (e)), nonetheless private sector institutions and companies have reacted positively by employing persons with disabilities.

51. It has to be pointed out, however, that one of the principal challenges in this field is that of reasonable accommodation and the creation of an appropriate working environment for persons with disabilities. In that regard, the Council, working with the Ministry of Labour, specialists and other groups, created a forum to consider questions related to the employment of persons with disabilities. Those meetings led to the development of a strategy aimed at the economic empowerment and appropriate employment of persons with disabilities via the Ministry of Labour and Administrative Reform, in the period 2017–2020. Regarding statistics pertaining to persons with disabilities, the Ministry of Labour has devised a questionnaire that has been distributed to public sector institutions and will be implemented in the plan for 2018.

52. Employment legislation does not discriminate against women with disabilities, except with regard to the nature of the work involved. Article 31 of the 2005 Interim Constitution of the Sudan states: "All persons are equal before the law and are entitled to equal protection under the law, without discrimination." As was explained earlier, the Sudanese Constitution grants women the same civil, political, social, cultural and economic rights as men, including the right to equal pay for equal work and other employment-related benefits (art. 32 (1)). Article 32 (2) of the Constitution also upholds women's rights through positive discrimination.

#### **Adequate standard of living and social protection (art. 28)**

53. Efforts are made to ensure an adequate standard of living and social protection for persons with disabilities. Article 4 (m) of the 2017 Persons with Disabilities Act provides that "persons with disabilities are to be covered by social security while health-care and therapeutic services related to mobility, hearing, sight and mental conditions are to be included as part of health insurance". During the course of 2016, 17,826 persons were included in the coverage while a further 54,555 persons with disabilities have been included up to October 2017. Those figures do not take account of beneficiaries within families.

54. As regards the provision of adequate accommodation to persons with disabilities, article 4 (u) of the same Act requires a proportion of land in the public housing plan to be allocated to persons with disabilities. Applications from persons with disabilities are examined by a committee set up to consider special cases, in order to avoid long waiting lists.

#### **Participation in political and public life (art. 29)**

55. The Commission issued administrative circular No. 30 in 2014 according to which persons with disabilities must be included in electoral training programmes and represented on provincial electoral committees. The Commission also directed that the environment in polling centres be adapted to facilitate the participation of persons with disabilities, also by

locating polling stations at easily accessible sites, in accordance with article 73 (1) (1) of the 2008 National Elections Act. Moreover, persons with disabilities or with special needs are exempted from having to queue and are given priority in registration and voting. Persons who are blind may be assisted by another person when casting their vote and a number of sign language interpreters are employed to assist persons who are deaf.

56. Thirty-one persons with disabilities participated in various aspects of the 2015 general elections (geographical constituencies, women's groups, parties) at both national and provincial level. Seven of them were successful, one of whom became the president of a provincial legislative assembly (in Northern province). One hundred and thirty-two persons with disabilities participated as members of electoral committees while 10 guardians of persons with mental disabilities participated on the committees as observers. The experience was evaluated as a success with respect to previous years, and the pros and cons will be factored in to the elections of 2020 in order to gain a comprehensive view and to ensure optimum participation for persons with disabilities.

#### **Participation in cultural life, recreation, leisure and sport (art. 30)**

57. The Council collaborated with the Sudanese Federation of University Libraries to organize a workshop on the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. The event was attended by specialists from the Ministry of Justice, the Intellectual Property Agency and the Publishers' Union and other groups. Following the workshop, the Treaty, which Sudan signed in 2013, was submitted to the Council of Ministers for ratification.

### **C. Specific obligations (arts. 31–33)**

#### **Statistics and data collection (art. 31)**

58. The National Council for Persons with Disabilities was made a member of the supreme technical committee for the next population census (2018). One of the tasks of the committee is to draw up questionnaires for the census and this has given the Council a chance to rectify the shortcomings of the 2008 census and to include questions relating to disability in 2018, in order to produce data about the situation of persons with disabilities disaggregated by gender, age and type of disability. This is being achieved by including a series of short questions devised by the Washington Group on Disability Statistics.

#### **International cooperation (art. 32)**

59. In coordination with the Humanitarian Aid Commission, which is the body responsible for registering voluntary groups, organizations of persons with disabilities are able to plan and implement international cooperation projects with regional organizations and foreign agencies. For example, projects have been launched by the following groups: the European Union, the United States Agency for International Development, the Italian Agency for Development Cooperation, the Japan International Cooperation Agency and the French, Swiss and United States embassies as well as a number of Arab groups such as the Arab Organization for Persons with Disabilities (League of Arab States) and regional and international organizations of persons with disabilities.

#### **National implementation and monitoring (art. 33)**

60. In the context of its cooperation with groups responsible for promoting the rights of persons with disabilities, between 2015 and 2016 the Council held monthly forums with the relevant agencies and disability experts. The work of those forums continued during 2017 with the formation of specialized ministerial committees, including a committee for adapting primary-level curricula and examinations for persons with disabilities, a committee for reviewing the policy for admitting persons with disabilities to higher education, a committee for facilitating access to information and communications technology for persons with disabilities, a committee for the inclusion of assistive devices for persons with disabilities in health insurance, as well as other committees. The secretariat of the Council monitors the work of those committees which, it should be pointed out, are

represented by their ministers in the new formation of the Council. Those mechanisms will submit periodic reports to the Council once it has been formed and met, which is expected to happen towards the end of 2017. The Council has also introduced an annual forum for provincial secretaries to follow up on developments in the field of disability at the provincial level. The Council enjoys effective cooperation and partnership with the Advisory Council on Human Rights.

61. The National Council was set up under the leadership of the Minister of Social Welfare by decree of the President of the Republic in 2010. Following a review, a new piece of legislation was enacted — the 2017 Persons with Disabilities Act — and the Council was placed under the supervision of the Presidency of the Republic. Part III of the Act includes provision for the creation of the National Council for Persons with Disabilities under the supervision of the President of the Republic or his delegate. At the same time, 18 provinces have set up similar councils to cover their geographical areas. It should be pointed out that the secretaries of the National Council and of the provincial councils are all persons with disabilities.

---