



# Convention on the Rights of the Child

Distr.  
GENERAL

CRC/C/3/Add.3  
16 December 1992

ENGLISH  
Original: ARABIC

## COMMITTEE ON THE RIGHTS OF THE CHILD

### CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

#### Initial reports of States parties due in 1992

#### Addendum

SUDAN

[29 September 1992]

#### CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
Map . . . . .	-	v
Introduction . . . . .	1 - 7	1
I. COUNTRY PROFILE . . . . .	8 - 28	2
A. Geographic and demographic features . . . . .	8 - 20	2
1. Description of the country . . . . .	8 - 9	2
2. Natural resources . . . . .	10 - 14	3
3. Demography . . . . .	15 - 20	4
(a) General . . . . .	15	4
(b) Demographic data in the field of public health . . . . .	16	4
(c) Classification of children by age group . . . . .	17	4

CONTENTS (continued)

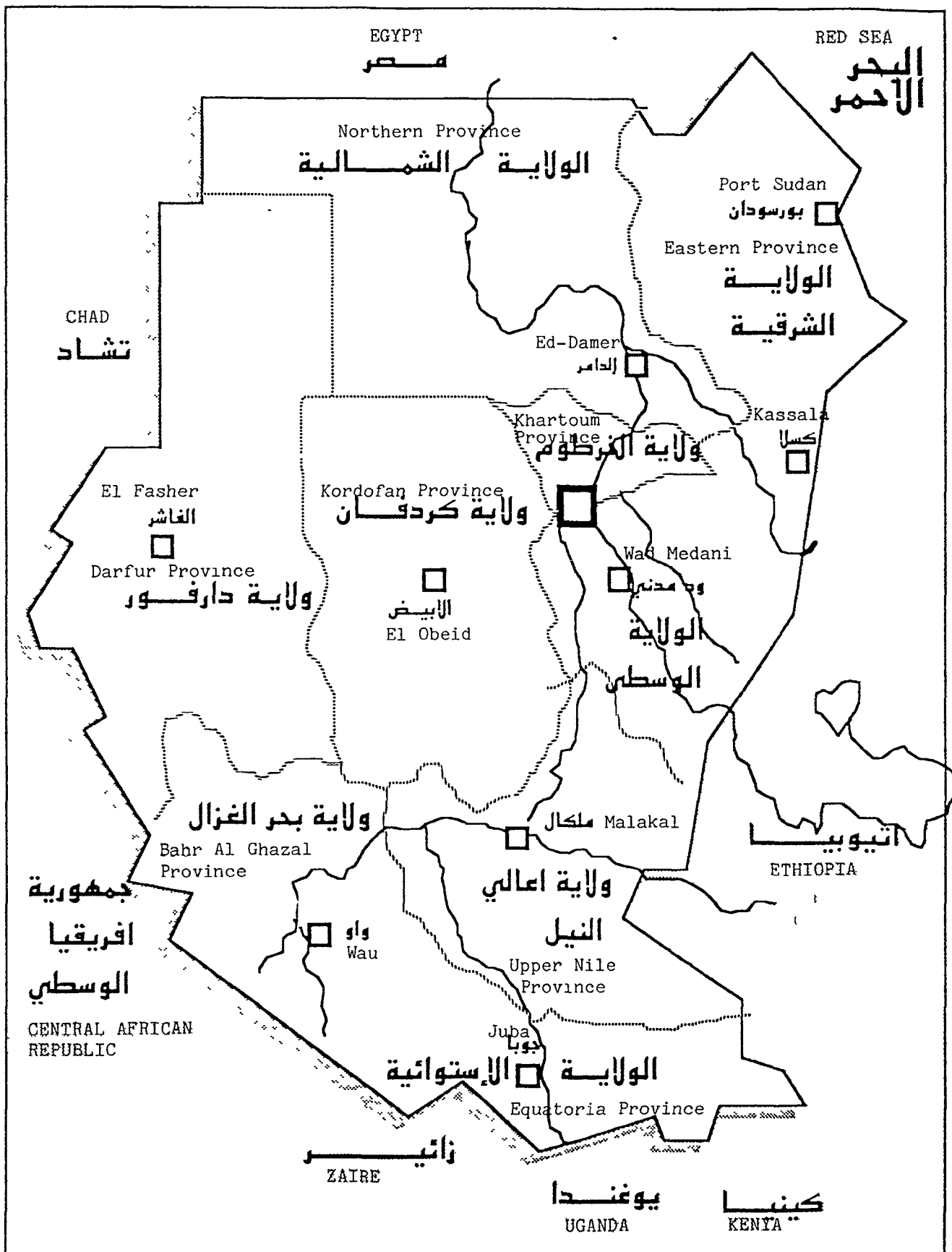
	<u>Paragraphs</u>	<u>Page</u>
(d) Primary education and the struggle against illiteracy . . . . .	18	6
(e) The economically active population	19 - 20	6
B. Economic situation . . . . .	21 - 24	6
C. The political system . . . . .	25 - 28	8
II. INFORMATION CONCERNING VARIOUS PROVISIONS OF THE CONVENTION . . . . .	29 - 175	9
A. Definition of the child . . . . .	30 - 35	10
B. General principles - Right to life . . . . .	36	11
C. Civil rights and freedoms . . . . .	37 - 46	11
1. Name and nationality . . . . .	37 - 38	11
2. Protection of privacy . . . . .	39	12
3. Economic, social and cultural rights . .	40 - 42	12
4. Freedom of expression . . . . .	43	13
5. Access to information . . . . .	44	13
6. Freedom of thought, conscience and religion . . . . .	45	13
7. Freedom of association and of peaceful assembly . . . . .	46	13
D. Family environment and community protection of the family . . . . .	47 - 68	13
1. Parental guidance . . . . .	47 - 50	13
2. Responsibilities of parents or guardians . . . . .	51 - 52	14
3. Absence of forced separation of children from their parents . . . . .	53	15

CONTENTS (continued)

	<u>Paragraphs</u>	<u>Page</u>
4. Family reunification . . . . .	54	15
5. Payment of maintenance for the child by parents or guardians . . . . .	55 - 56	15
6. Children deprived of family protection .	57 - 61	16
7. Adoption (or <u>kafalah</u> in Islamic law) . .	62 - 64	19
8. Illicit transfer and non-return of children abroad . . . . .	65 - 66	20
9. Protection of children from all forms of violence, physical or mental abuse, abandonment or neglect; physical and psychological rehabilitation and social reintegration . . . . .	67	21
10. Periodic review of children's general situation and the treatment they are receiving . . . . .	68	21
E. Health and welfare . . . . .	69 - 98	21
1. Protection of disabled children . . . .	69 - 77	21
2. Right of the child to enjoy the highest attainable standard of health . . . . .	78 - 84	23
3. Social security and child welfare services . . . . .	85 - 87	25
4. Realization of the right to an adequate standard of living . . . . .	88	26
5. Extracts from the Ministry of Health report . . . . .	89 - 98	26
(a) National mother and child care project . . . . .	90	26
(b) Immunization . . . . .	91 - 93	27
(c) Food . . . . .	94	27

CONTENTS (continued)

	<u>Paragraphs</u>	<u>Page</u>
(d) Diarrhoeal disease control . . . . .	95	28
(e) Respiratory disease . . . . .	96	28
(f) AIDS control programme . . . . .	97	28
(g) Health education . . . . .	98	28
F. Education, leisure and cultural activities .	99 - 140	29
1. Education . . . . .	99 - 115	29
2. Leisure and recreational and cultural activities . . . . .	116 - 132	33
3. Report of the Office of Specialized Centres of the National Commission for Culture and the Arts concerning the National Centre for Children's Culture . . . . .	133 - 140	36
G. Factors and difficulties impeding the implementation of the relevant provisions of the Convention . . . . .	141	41
H. Protection of special categories . . . . .	142 - 167	41
I. Popular participation in human and social development . . . . .	168 - 175	48



Blank page

---

Page blanche

### Introduction

1. The Sudan's interest in the care, protection and development of children stems from the piety of the Sudanese population and its human values and customs, which enshrine human dignity and aim at strengthening the right of human beings to an honourable and worthy life and providing them with the conditions necessary for making that dignity a reality. This approach is part of a comprehensive and balanced perspective that goes beyond the traditional concepts often used to deal with children's problems, i.e. the child considered as a being separate from the environment in which he or she lives. The comprehensive approach, on the contrary, consists of simultaneously promoting all aspects, not only of the family's living conditions, but also community and environmental interests in general.

2. Numerous rights affecting children, mothers and families have been proclaimed in Sudanese legislation; in addition, from ancient times these rights have been embodied in the Koran and the Sunna. The rights of the child are protected in all areas: name, filiation, education, care, guidance, health, inheritance and home. Thus did God state in the Holy Book: "And the mothers who wish to provide complete suckling, will suckle for two full years. It is for the children's father to feed and clothe them, as is proper. No one should be held responsible for anything beyond his means (Thus said the Almighty)".

3. The Sudan has made considerable efforts to strengthen and enforce these rights. While the Convention on the Rights of the Child was being adopted, a symposium was held in the Sudan, at Wad Madani, in March 1989 to examine the articles of the Convention in relation to the national legal provisions, with a view to implementing them effectively in the Sudan. The symposium was followed by the ratification of the Convention by the Council of the Revolutionary Command and Ministers on 6 June 1990. In September 1990, another symposium was held on the "Situation and future of children in the Sudan"; discussion centred on two written communications, in particular one concerning the recommendations of the Wad Madani symposium on the Rights of the Child and the other on the legislative framework for the protection of Sudanese children; these communications were among 26 working papers dealing with all aspects of Sudanese children's lives.

4. The symposium on the situation and future of children in the Sudan recommended the establishment of a Higher Council for the Protection of Children. This recommendation was put into effect through the promulgation, by Marshal Omar Hassan Ahmad al-Bachir, President of the Council of the Revolutionary Command and Ministers, of a decree setting up the Council, with instructions to devise a strategy for dealing with children in the Sudan and prepare a charter for Sudanese children. The Children's Council is responsible for planning general policies on children, harmonizing the Convention with the situation in the Sudan and monitoring the implementation

of the 10-Year Plan of Action on Children. The Plan was prepared in implementation of the recommendations of the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children, held at United Nations Headquarters, New York, on 30 September 1990.

5. The Sudan decided to combine its child-related activities with a campaign in which children themselves would take part. Thus while the World Summit for Children was being held in New York, the event was celebrated locally in the Sudan. On the first anniversary of the Summit, in September 1991, the first conference on Sudanese children was held. Similarly, the Sudan's accession to the Plan of Action on children was marked by a party in which the children themselves took part; the same is being done currently on the occasion of the decree relating to the Convention on the Rights of the Child. The Children's Council has designed an information plan to familiarize the various groups of the Sudanese population with the provisions of the Convention on the Rights of the Child and has made the present report public to that end.

6. The Children's Council has also established a standing committee for monitoring the implementation of the Convention, in the framework of the Council's technical advisory commission.

7. The Sudan wishes to reaffirm its full commitment to the application of the provisions of the Convention on the Rights of the Child, in keeping with the Sudanese Government's tradition and reputation; it is determined to pursue the implementation of all the programmes relating to children, with the same enthusiasm it exhibited for the vaccination programmes. These programmes are the subject of special attention and concern by the high political command in the Sudan. We have great confidence in our ability to remain in the vanguard in conducting programmes on children, which receive the support of the population to the extent that they are in keeping with the daily teachings of religion.

## I. COUNTRY PROFILE

### A. Geographic and demographic features

#### 1. Description of the country

8. The Republic of the Sudan is the largest of the Arab and African countries, with a surface area estimated at approximately 2.5 million km<sup>2</sup>. The Sudan is a rarity among States in having eight bordering countries: Egypt to the north, Libya to the north-west, Chad and the Central African Republic to the west, Zaire, Uganda and Kenya to the south, and Ethiopia to the east. As regards topography the Sudan is a vast plain, with the exception of a few hills and mountains in small regions such as the Imatong mountains in the far south, the Djebel Marra and Nouba mountains in the west, and the Red Sea mountain chain in the east.



9. The Sudan is divided into three major areas characterized by different natural environments: in the north, a strip of desert and semi-desert; further south, the Sudanese plain, which makes a substantial contribution to the country's agricultural production, particularly in the area of edible grains and stock-raising. However, the drought that struck the African plains from 1979 to 1985 caused a deterioration in the environment which has affected the living conditions of the population and animal resources owing to the collapse in grain production and the growing scarcity of livestock. The Sudanese plain also includes savannah zones with low rainfall as well as moist savannahs rich in agricultural, plant and animal resources. In the far south is the equatorial strip where numerous crops such as tea, coffee, oil-palm, tobacco, maize and pineapples have been successfully grown; the equatorial forests are located in this area.

## 2. Natural resources

10. The Nile crosses Sudanese territory from south to north, and the waters and its tributaries pour out every year represent a flow of 1 billion cubic metres; this river plays a crucial role in economic and social development, particularly in the centre and north. There is a regional agreement aimed at organizing the use of the Nile's waters. Besides the Nile, the Sudan has a large number of other rivers and lakes, as well as underground reserves which are an important resource for comprehensive and balanced development. The Sudan also enjoys high average precipitation, but its distribution and intensity vary from region to region. The annual average precipitation rate is lower than 50 mm in the north, but over 1500 mm in the far south.

11. Desert lands measure 190 million feddan, or 31 per cent of the total surface area of the Sudan, arable lands 160 million feddan, or 27 per cent, natural pasturage 160 million feddan, or 27 per cent, and submerged or mountainous lands 30 million feddan, or 5 per cent.

12. Sudanese livestock are estimated at approximately 60 million head, including cattle, sheep and dromedaries in all throughout the regions. In addition, the Sudan makes marginal profits from its wildlife. The Sudan also has considerable fish resources (river and sea fish) that are estimated at approximately 200,000 tonnes per year, 15 per cent of which is currently exploited.

13. It has not yet been possible to develop the Sudan's substantial mining wealth because of lack of financial resources and insufficient technical capability. However, the new comprehensive national development strategy attaches great importance to the development of mining resources and their integration into the national economic cycle.

14. For energy, the Sudan continues to rely on its forest, hydraulic and solar resources, and its oil sector is now of particular interest after widespread prospecting in the south, west, centre and east, established the existence of considerable oil reserves. The Sudan has begun to market its oil beginning with the western region and intends rapidly to continue this operation, which is not only a source of energy for the country but also, more important, a source of income which can help to achieve the ambitious objectives set by the comprehensive national strategy.

### 3. Demography

#### (a) General

15. The population of the Sudan stood at 21,592,852 inhabitants at the time of the third census in 1983, and the growth rate of this population is estimated at 2.8 per cent per year. Population density is low: 14 inhabitants per km<sup>2</sup>. The 1983 census indicated that the urban population represents 20.2 per cent of the total, the sedentary rural population 69.1 per cent and the nomads 10.7 per cent. This distribution varies according to province, since although the nomads represent only 4.5 per cent of the population of Khartoum Province, this percentage rises to 25.3 per cent in Eastern Province, 15.2 per cent in Darfur Province and 25.1 per cent in Kordofan Province; similarly, the rural population represents 92.2 per cent of the total population in the southern provinces, but only 74.5 per cent in Darfur province.

#### (b) Demographic data in the field of public health

16. Demographic data in the field of public health collected during a survey held in 1989-1990 indicated the following:

(i) Fertility rate: This rate is 4.1 per thousand in the cities and 6.5 per thousand in the countryside. The birth rate per thousand inhabitants among women with a secondary school education is 3.3 children, compared to 5.9 among women without a schooling.

(ii) Marriage: According to the Survey 55 per cent of married women entered into marriage between 15 and 49 years of age and the average length of marriage is 21 years. Thirteen per cent of heads of family are women.

(iii) Breast-feeding: Nearly all Sudanese women breast-feed their children, since 93 per cent of children are breast-fed for a period of 10 to 11 months and 41 per cent are breast-fed through 20 or 21 months of age.

(iv) Infant mortality: The infant mortality rate dropped from 125 per thousand in 1980 to 108 per thousand in 1990; the Sudan is endeavouring to reduce the infant mortality rate to a level of 87 per thousand by 1995 and 54 per thousand by the year 2000. Similarly, the mortality rate for children under 5 years of age dropped from 210 per thousand in 1980 to 181 per thousand in 1990. The States aim is to reduce this rate to 135 per thousand by 1995 and 90 per thousand in the year 2000.

(v) Deaths of women in childbirth: The mortality rate of women in childbirth in 1990 was 655 per 100,000 surviving newborns; the goal is to reduce this rate to 488 by 1995 and 225 by the year 2000.

#### (c) Classification of children by age group

17. The table below gives statistics for children according to age group, sex and social environment, as indicated by the 1983 census.

Children by age, sex and environment

Age	Urban			Rural			Nomads		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
From less than 1 year to 4 years	295 933	289 032	584 965	987 959	971 743	1 959 702	139 417	149 855	289 272
From 5 to 9 years	304 476	299 806	604 282	1 247 576	115 590	2 403 366	207 573	188 153	393 725
From 10 to 14 years	275 548	265 121	540 669	1 055 790	123 111	1 978 101	174 077	135 962	320 003
From 15 to 19 years	277 867	245 813	563 680	800 294	765 112	1 565 406	138 146	18 317	246 463

(d) Primary education and the struggle against illiteracy

18. The proportion of children enrolled in primary school was 56 per cent in 1980; the goal is to bring this figure up to 70 per cent by 1995 in order to ensure that all children are enrolled in school by the year 2000. The illiteracy rate is 72 per cent; the aim is to reduce it to 50 per cent by 1995 and to eradicate it completely by the year 2000.

(e) The economically active population

19. The economically active population increased from 11.8 million persons in 1983 to 13.7 million in 1988, or by 16 per cent; this population is expected to rise to 15.6 million in 1993. The proportion of the economically active is high among the younger age groups and decreases gradually as the age rises; the proportion of economically active persons for each of the sexes is relatively similar.

20. With regard to unemployment, the number of persons out of work in the Sudan was 663,000 in 1983 (for those aged 10 and over, dropping to 384,000 if only those aged 15 and over are counted).

B. Economic situation

21. In recent years the Sudan has been continually plagued by malfunctioning and disruption in its economic infrastructure, which have led to a disastrous decline in production and productivity, and thus to a widening of the gap between income and expenditure, consumption and production and savings and investment and to a drop in export earnings. This situation has forced the State to correct this malfunctioning by introducing clearly-defined economic policies and programmes with precise goals, aimed at putting the Sudanese economy back on track, in conformity with the resolutions of the triennial economic rescue programme launched during the 1990-1991 budget year.

22. The following were the main policies and approaches adopted:

(a) Elimination of all technical obstacles and administrative formalities, and amendment of laws and regulations hampering freedom of investment in the private sector, with that sector enjoying incentives due to political, economic, financial and monetary measures;

(b) Reduction of the balance-of-payments deficit in order to combat inflation and begin accumulating a surplus to be invested by the authorities in the various sectors of the economy;

(c) Allocation of most resources to support for production and productivity in various economic sectors, in particular agriculture, wildlife exploitation, energy, mining and transport;

(d) Struggle against inflation and decrease of the average inflation rate in the national economy, with the aim of reducing inflation to less than 100 per cent by the end of the 1991-1992 budget year;

(e) Rationalization of private and public consumption through financial policies and measures;

(f) Wage increases designed to provide a balance between the increase in productivity, average economic growth rates and standard of living, in the framework of the financial resources actually available;

(g) Reduction of indebtedness towards the banking system.

23. Numerous policies and reforms such as the following were adopted in 1991-1992 in the internal economic sphere:

(a) In October 1991, the Government adopted certain reforms aimed at remedying structural difficulties in the economy and providing incentives for producers. Thus a new policy was introduced regarding the rate of exchange between the Sudanese pound and the dollar: the rate was standardized and set at 15 pounds per dollar, replacing the two rates that had coexisted until then, namely the official rate of 4.5 pounds per dollar and the incentive rate of 12.30 pounds per dollar.

(b) On 2 February 1992 a number of economic decrees were issued, aimed at normalizing the Sudanese currency and freeing it from the United States dollar, leaving the banking sector to set the rate governing all transactions taking place in the country. It is hoped that the structural measures accompanying these decrees will free the Sudanese economy: strengthening of full price decontrol, complete elimination of import licenses (with imports now being limited to 15 products), measures for alleviating the social damage caused by the structural changes in the national economy: thus wages were increased and the social insurance and benefits system expanded, and it was decided for the first time to provide a monthly allowance for children, to a maximum of three children per family. Financial assistance was granted by the Office of the Zakat (religious tax) to 700,000 poor families living outside institutional structures, and the productive families programme was expanded.

(c) In 1991-1992 the focus was on agricultural production as a means of stimulating the economy, in the framework of full decontrol of prices in the agricultural produce and stock-raising sector, as well as other sectors of the economy, which produced some good food-crop harvests. This was reflected in significant surpluses and a reduction of prices, which fell to approximately one third of their levels during the 1990-1991 budget year. But the best measure of the success achieved was the growth of the gross domestic product by an exceptional rate of 11 per cent, which makes the Sudan one of the top-ranking world performers among both developing and industrialized countries.

(d) In May 1992 the comprehensive national strategy for the period 1992-2002 was introduced, encompassing all social and production sectors and based on the strategic principle of mobilizing all national energies, capacities and resources so as to achieve the revival of the economy.

(e) On 6 June 1992, the Ministry of Finance and Economic Planning announced a new monetary policy confirming decontrol and the reform of the national economy.

24. The application of these new policies of stimulating production and developing exports led to substantial progress in reducing the overall budget deficit, which was reduced from 13 per cent before the Revolution to 6.9 per cent in 1992.

### C. The political system

25. Since its accession to independence, the Sudan has had a succession of political regimes, ranging from those which imitated the Western liberal political systems, based on the multi-party system (three Governments), to those which experimented with systems avoiding the defects and shortcomings of the party systems. The parties failed in their attempt to establish an authentic system in keeping with the traditions and values of the people which could offer effective solutions to the nation's problems: construction, orientation, development and the establishment of genuine freedom throughout the country. The most recent such attempt, which was launched as a reaction against the failure of the party experiment, was the National Salvation Revolution of 30 June 1989. Upon their accession to power, the leaders of this movement convened a series of conferences for national dialogue to discuss the problems of the country, their aim being to use the conclusions of the deliberations as pillars of the policy of the new regime. The first of these conferences was the conference for national dialogue on the problems of peace in the Sudan, for it is necessary first of all to remove the dangers before pursuing objectives, whatever they may be.

26. Many other conferences to discuss the problems of development and renewal were held:

- (a) Conference for a national dialogue on the problems of peace;
- (b) Conference on economic recovery;
- (c) National conference for social development;
- (d) Sudanese diplomatic conference;
- (e) National conference on exiles;
- (f) National conference on information problems;
- (g) National conference on the role of women in the national recovery;
- (h) Conference on Arab and foreign investment in the Sudan;
- (i) National conference on sports and youth;
- (j) Conference on education policies;
- (k) Conference on higher education;
- (l) Symposium on the fight against illiteracy (present situation and outlook for the future);

- (m) Symposium on the present and future of Sudanese children;
- (n) Conference on possible legal solutions to the problems of the Sudan; and
- (o) Conference on the new political system.

These various conferences culminated in the conference on the comprehensive national strategy.

27. The following elements form the basis of the national political strategy:

(a) The Sudan's political structure is based on the loyal fulfilment of the commitments made under oath to affirm the sovereignty of the society, through conferences at the grass-roots level, through its legislative mechanisms, its trade union system which protects pluralism and it strives to uphold the values of truth, freedom, justice and respect for the rights and obligations of human beings. The judicial system, for its part, is based on the principles of the sovereignty of the law and enforceability of the law, as well as on the independence, neutrality and integrity of judges.

(b) The consolidation of social structures, whether political, social or economic, is a core issue and a prerequisite for the achievement of total renewal. The social structures must be reinforced so that they can be an influence in the society. This is essential in order to achieve the goal of a society that is capable of meeting most of its needs independently of the Government; this reinforcement means that the systems fashioned by the emergency situation of the revolution will be overtaken by the realization of fundamental freedoms and the establishment of a sovereign enforceable law.

(c) The establishment of a just peace is one of the principal challenges to be met in order to ensure attainment of the strategic, political, economic and social goals. This implies the definition of comprehensive strategic goals and the continued pursuit of the dialogue in order to achieve a political settlement of the dispute.

28. The problems involved in the transition to constitutional legitimacy were also discussed, namely:

- (a) The establishment of the National Council;
- (b) The completion of the creation of the consultative and democratic political system; and
- (c) The execution of economic reform.

## II. INFORMATION CONCERNING VARIOUS PROVISIONS OF THE CONVENTION

29. This chapter deals with the application of the Convention on the Rights of the Child, evaluated in terms of the rights granted by the Sudan to children in its regulations, laws and practices; it also deals with the way in which the Sudanese laws are brought into line with the provisions of the Convention. In this connection, account will be taken of the previous

commitments made by the Sudan in acceding to international or regional treaties on human rights. The information provided here will help to show the international community the extent to which the Convention is enforced in the Sudan and proves that in this respect the Sudan is in the forefront of the countries that have signed the Convention.

A. Definition of the child

30. Sudanese legislation has endorsed several different definitions of the child according to the rights for which protection is sought; it makes provision for many forms of protection for the child, which vary depending on age and on the type of rights to be affirmed and protected. These different forms of protection cover all the years of childhood from birth to the age of 18.

Protection of Minors Act of 1983

31. Article 2 of this Act defines "juvenile delinquent" as any person, male or female, from 10 to 18 years of age, convicted of an offence against the provisions of any law.

Registration of Births and Deaths Act of 1972

32. This Act defines the child as the embryo which leaves the body of the mother 28 weeks after the beginning of the pregnancy.

Sudanese Nationality Act of 1957 and Criminal Law Act of 1991

33. In the 1957 Act, the word "child" designates the legitimate child, a concept which includes all children who are born of one or other of the two spouses, whereas the Criminal Law Act of 1991 defines the child as a person who has not reached the age of puberty. In the Nationality Act, the term "minor" also appears, and is defined as a person under 21 years of age, which implies a contrario that the age of majority is 21; the Criminal Law Act of 1991 defines a person who has reached the age of majority ("baligh") as a person who has clearly reached the age of puberty by manifesting obvious external signs and has reached the age of 15, bearing in mind that the person who has reached the age of 18 is automatically considered as being of age, even if the external signs of puberty have not been manifested. This definition shows that the minimum age at which a person may assume responsibility for his life without the consent of his parents is, in all respects, the age of puberty, if the latter is revealed by obvious external signs, otherwise the minimum age is 18. The age of criminal responsibility is the same as the minimum age for contracting marriage, which is 18. Alcohol or drug consumption and sexual relations outside of the bonds of marriage are absolute crimes for which the age factor is not taken into account under the terms of the Criminal Law Act of 1991.

The Armed Forces Act of 1983

34. The age of both official and voluntary enlistment in the armed forces is 18. The age of admissibility of evidence by a child is either the age of puberty if there are obvious external signs or 18.



35. Article 9 of the Criminal Law Act of 1991 provides that "if the offence committed by a child who is a minor is a criminal one, the protective and correctional measures set forth in the present Act may be imposed if the court deems it appropriate". The protective and correctional measures are set forth in chapter IV, article 47 of the same Act:

"The court may apply the following measures to the young offender aged 7 to 18 years who has been charged with committing an offence:

- (1) Order that his guardian be present at the hearing;
- (2) Administer a disciplinary whipping not exceeding 20 lashes provided he is over 10 years of age;
- (3) Commit him to the care of his father or of a reliable person who has promised to take good care of him;
- (4) Place him in a correctional or social welfare institution in order to reform and discipline him, for a period ranging from a minimum of two to a maximum of five years".

#### B. General principles - Right to life

36. The Criminal Law Act of 1991 protects the right of the child to life, and condemns inter alia homicide, except in cases where it is legal because it is the consequence of the execution of a penalty or in the case of self-defence. The measures for the protection of the right to life laid down in this Act include the prohibition to execute a pregnant woman before she has given birth or a woman who is nursing her child before he has been weaned. The concern of the Act to protect the right to life is demonstrated in particular by the fact that it authorizes the payment of an indemnity and gives the beneficiary of the victim an opportunity to abandon his right. That provision is in conformity with Koranic teaching on beneficence and the recommendation to Muslims not to forget the acts of kindness that have been done to them, while at the same time giving preference to virtue over lavishness. Furthermore, the homicide of children to save them from poverty or the threat of it is expressly condemned by the Koran.

#### C. Civil rights and freedoms

##### 1. Name and nationality

37. The right of the child to a name and a nationality is governed by the laws on nationality and on the registration of births and deaths. The national law guarantees Sudanese nationality (by birth) to any child born of a father who was himself born Sudanese, or of two parents who are naturalized Sudanese, and it also grants nationality by naturalization, subject to certain conditions of stay. Sudanese nationality is granted automatically to a minor, who is a foundling born of unknown parents, and he is then recognized as Sudanese by birth. The child who is born abroad of a father who was himself born Sudanese or whose two parents are Sudanese by naturalization shall enjoy Sudanese nationality just like the child who was born in the Sudan under the same circumstances.

38. The law recognizes the right of every child born of parents who have been identified to use their name, and recognizes that the child born of unknown parents has the same right, upon completion of a specific procedure. In the latter case, the law requires the police, the mayor or the village headman who has found the child on the territory within his competence to declare him to the registry office. The civil registrar shall then give the new-born child a name, record it in his register and determine the child's date of birth which shall be assessed with the assistance of a specialized doctor; the place where the child was found shall be recorded as being his place of birth. An ordinary birth certificate shall then be issued in the name of the new-born child and given to the person who has assumed responsibility for him. From the foregoing, it is obvious that the child born in the Sudan of an unknown father or parents enjoys the right to a name and to a nationality.

## 2. Protection of privacy

39. The right of the child to privacy is protected by chapter XVI of the Criminal Law Act of 1991, which deals with violations of individual freedoms. Article 166 entitled "Violation of privacy" provides that: "Anyone who violates the privacy of another by illegally watching his domicile and monitoring his acts and movements or interfering with his correspondence or meddling in his private affairs shall be punished with a prison sentence not exceeding six months and/or a fine".

## 3. Economic, social and cultural rights

40. The economic rights of the child include the right to have amounts of money at his disposal, the right of inheritance, and the right to receive property as a gift. These rights have been codified in various laws. The right of inheritance and the right of the child to have amounts of money at his disposal are included in the Civil Status of Muslims Act of 1991 (the chapters dealing with inheritance and provisions regarding money); the right to receive gifts is included in the Civil Procedure Act of 1984 (the chapter on defective contracts signed by a child who has been identified as such); social rights are included in the Protection of Children Act of 1992; and, lastly, cultural rights are included in the Culture and Information Act of 1991.

41. The International Covenant on Economic, Social and Cultural Rights is designed to promote these rights and to ensure their enjoyment by everyone; it therefore applies to children; the provisions of the Covenant have many similarities to those of the Convention on the Rights of the Child, especially as regards the protection of the family, the unitary nature of society and consequently the right of each individual to an adequate standard of living for himself and for his family.

42. It should also be noted that the Sudan has acceded to the African Charter on Human and Peoples' Rights, article 18, paragraph 3, of which provides that the State shall eliminate any discrimination against women and ensure the protection of the rights of women and children as stipulated in international declarations and conventions.

#### 4. Freedom of expression

43. Successive Sudanese constitutions have guaranteed the right of all Sudanese citizens, including children, to freedom of expression. It is obvious that the National Council that is due to be elected shortly will also ensure protection of that right. It is worthwhile mentioning that many of the laws and regulations that were issued within the framework of those constitutions, and are still in effect, established many bodies that allow children, in particular, to express their opinions freely.

#### 5. Access to information

44. The right of access to information is guaranteed. Many measures and plans have been included for that purpose in the educational programmes (at the primary and higher levels of education), as well as in the programmes for families and children, the radio and television programmes, in children's newspapers and magazines and the mural newspapers posted in schools and in the activities of the children's and schoolchildren's unions and associations which exist throughout the country. For example, the magazine Al-Sobiane, the oldest children's magazine in the Arab world, which was first published around 1945, is still being published side by side with many contemporary children's magazines and the special children's pages in the daily and periodic press. Sudanese children can therefore read many magazines published specially for them in the Arab world and elsewhere.

#### 6. Freedom of thought, conscience and religion

45. Freedom of thought, conscience and religion forms part of the principles and rights that successive Sudanese constitutions have insisted on asserting; furthermore, the Criminal Law Act of 1991 protects this freedom and prohibits any interference with Muslim, Christian or other places of worship. Chapter XIII of this Act deals with offences involving religions, such as deriding religious beliefs (art. 125) or desecrating or defaming places of worship (art. 127).

#### 7. Freedom of association and of peaceful assembly

46. The Sudan has a host of local or national children's and youth associations as well as the agencies of regional or international associations. Membership of those associations is a right that is guaranteed and open to all: the freedom to establish associations and to take part in peaceful meetings is guaranteed by the law and protected by both jurisprudence and tradition.

### D. Family environment and community protection of the family

#### 1. Parental guidance

47. According to article 5 of the Convention on the Rights of the Child, it is the responsibility of the parents or guardians to provide children with direction and guidance. The Sudan's efforts along these lines have been made in accordance with religious laws, Sudanese customs and the provisions of legal texts. These efforts have taken several forms, since school curricula

place particular emphasis on this question. It is also taken into account as a basic component of teacher-training. The Sudanese media have focused on family guidance in all programmes broadcast for families, women and, especially, children. Efforts are also being made by the Ministries dealing directly or indirectly with problems of the family, mothers and children and, in particular, the Ministry of Protection and Social Development, the Ministry of Planning and Guidance and the Ministry of Health, through their agencies and programmes. It should be noted that the Ministry of Protection and Social Development has made mothers the focus of its family guidance activities.

48. These efforts are all designed to increase the family's awareness of the harmonious development of children and the protection of all its members and to give it the necessary resources and understanding to increase this awareness. In this connection, the concept whose development and implementation is being promoted is that of the key role of the family in social development. This concept therefore requires the strengthening of the family's capacities and resources to enable it to assume its responsibilities towards its children. All these efforts are being made with a view to the achievement of this objective, which is also a duty.

49. The Sudan has gone quite a long way in this direction. The main obstacles are the high illiteracy rate, particularly among women, where it amounts to an average of 83.3 per cent and is even higher in rural and remote regions, and the eternal obstacle of poverty. The comprehensive national strategy for the period 1992-2002 (see para. 23 (d) above) and the plan for the protection and development of children have dealt specifically with these problems by making education more widely available, combating illiteracy with a view to its eradication, eliminating syndromes of underdevelopment and endeavouring to promote the complete rebirth of civilization.

50. The national plan for children and the comprehensive national strategy for the period 1992-2002 and, in particular, its sections relating to social development and social protection, children and women set clear-cut objectives in keeping with the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, which was held at United Nations Headquarters in New York on 30 September 1990, with the Plan of Action for the implementation of the Declaration, with the provisions of the World Declaration on Education for All adopted by the UNESCO meeting held in Jomtien from 5 to 9 March 1990 and with all the objectives for the 1990s stated by the United Nations, the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference. The Sudan has supported all the charters, strategies and programmes adopted by these organizations.

## 2. Responsibilities of parents or guardians

51. The problems referred to in the preceding paragraph and the solutions that might be found mean that the capacities of parents or guardians have to be strengthened to enable them to assume their responsibilities towards children through appropriate teaching materials. The legislative measures adopted for this purpose include the provisions of the Labour Code on the rights of working women to paid leave during the prenatal, natal and postnatal periods. These provisions give women up to two years' leave without pay or

with partial pay following childbirth. They also establish the right to daily breast-feeding periods and make it an obligation for public and private enterprises to have nurseries in the work place or to pay an allowance for a nursery near the work place.

52. The Anti-Illiteracy Act requires instructors to teach both men and women. It is to be hoped that efforts to make education more widely available in the interests of equality between boys and girls and the bill making education compulsory (in preparation for the legislative text to be adopted in 1995) will lead to legislative, regulatory and administrative measures that will help to bring about an improvement in all areas affecting the living conditions of families and children.

### 3. Absence of forced separation of children from their parents

53. Sudanese laws, enabling acts and precedents attach particular importance to this problem, to which a great deal of attention is paid in the Civil Status of Muslims Act and in the Acts on the civil status of other communities. The provisions of the 1991 Criminal Law Act also refer specifically to the protection of the higher interests of the child.

### 4. Family reunification

54. The fact that the Sudan is a melting pot of civilizations accustomed to a mixture of races, religions and cultures has given it a spirit of tolerance and generosity which is reflected in the legislation relating to immigration and the right of asylum. The particular historical circumstances of the African continent, which is being torn apart by armed conflicts in neighbouring countries and by natural disasters, have shown that the Sudan is one of the most tolerant and flexible countries as far as refugees are concerned. This tolerance is reflected primarily in the solution to humanitarian problems of family reunification. A recently adopted decree allows all Arabs to enter the Sudan without a visa. Paragraphs 992-2002 of the comprehensive national strategy for the period 1992-2002 calls for an open-border policy.

### 5. Payment of maintenance for the child by parents or guardians

55. This question does not give rise to any problems in the Sudan, since religious beliefs, legislative texts, customs and all other means of social regulation combine to create a feeling of shame in anyone who evades his responsibility towards his children, either in the family context or after the family has been dissolved. In order to answer this question, however, we can say that the Acts on civil status affirm and protect this right. In the few cases where the right is not known, the Act requires the father or other person having financial responsibility for the child to continue to pay his expenses. As a result of the sovereignty of Sudanese laws throughout the national territory, this obligation is binding on the father or other responsible person when he lives in the Sudan.

56. However, when the person who is financially responsible lives abroad, the Sudanese Government tries to secure the payment of maintenance for the child

through its consulates. The beneficiary of the maintenance may bring an action against the debtor in the courts of the country where the debtor lives and Sudanese law gives the beneficiary the right to legal assistance by Government services. It should be noted that most conventions on exchanges of offenders which have been signed by the Sudan and other States relate to criminal cases. It would therefore be desirable if the scope of these conventions was extended to cover civil cases, including the right to maintenance.

#### 6. Children deprived of family protection

57. Sudanese society is attached to values such as family unity and solidarity, as well as to the possibility of support from the extended family, the village or the neighbourhood; such assistance benefits deprived and needy persons, especially the most vulnerable groups constituted by children and elderly persons. The phenomenon of deprivation of family protection or abandonment is therefore largely unknown in Sudanese society. Recent cases, which affected a very small number of persons, thus attracted the attention of leaders at all levels and shocked the Sudanese people.

58. The President of the Republic solemnly promised the children with whom he celebrated the first anniversary of the entry into force of the Convention on the Rights of the Child that he would personally monitor action to deal with this problem and mobilize all Government resources in order to solve it. In accordance with this undertaking, specific measures have been taken in favour of homeless children and children born of unknown parents.

##### (a) Homeless children

59. Officially and at the grass-roots level, the Government has demonstrated its concern for homeless children and children in danger of becoming homeless by adopting the following preventive and treatment measures:

- (i) A social survey of homeless children was conducted in order to gather data on the problem and take the necessary action to solve it;
- (ii) The following four tables show the number and percentage of homeless children, as well as the breakdown by age group and province of origin;
- (iii) Children who are in danger of becoming homeless have received assistance within their families and have been enrolled in schools or handicraft workshops;
- (iv) A project for the family reintegration of homeless children in Kordofan Province has been started under the auspices of the Ministry in cooperation with UNICEF. Initially, 400 children were studied as part of a social survey before being returned to their families; the project is still under way;

- (v) A National Committee was set up to deal with this problem by means of prevention and treatment; a project for foster villages and family integration for up to 1,000 children was launched in Eastern, Central and Khartoum Provinces;
- (vi) Three major foster and family rehabilitation centres in Khartoum (Khartoum Province), Kousty (Central Province) and Geneina (Darfur Province) are now ready to take in homeless, orphaned and other similar groups of children. The Home of the Future (Dar Bacha'er) was established for up to 300 homeless girls and has now begun its activities.

Origin and sex of homeless by province (percentage)

Place of origin	Men	Women	Men and women
Khartoum	1.79	0.99	2.78
Central Province	11.34	5.82	17.16
Darfur	15.52	9.93	25.45
Kordofan	15.38	9.94	25.32
Eastern Province	9.62	4.68	14.30
Northern Province	0.81	0.57	1.38
Southern Province	7.43	4.10	11.53
Outside Sudan	1.16	0.66	1.80
Not known	0.18	0.07	0.26
TOTAL	63.23	36.77	100.00

Number of homeless children

	Khartoum	Central Province	Darfur	Kordofan	Eastern Province	Northern Province	Total
Number of homeless children	1 336	12 512	5 698	2 825	1 485	75	23 931
Percentage	38.8	33.9	15.4	7.7	4	0.2	100

Homeless children by age group (percentage)

Average age	Khartoum	Central Province	Darfur	Kordofan	Eastern Province	Northern Province	Total
7 years	1.31	2.13	2.75	4.87	0.75	-	1.97
7 - 10 years	23.84	12.12	19.00	33.85	20.25	24.32	23.73
11 - 14 years	51.74	52.71	52.50	46.15	43.50	48.65	49.21
15 - 18 years	23.11	24.04	25.50	14.87	25.25	47.03	24.95

Categories of homeless by province (percentage)

Categories of homeless	Khartoum	Central Province	Darfur	Kordofan	Eastern Province	Northern Province	All provinces
"Completely" homeless	48.98	52.33	29.25	19.23	45.50	14.86	35.03
"Partly" homeless	51.02	47.67	70.75	80.77	54.50	85.14	64.97

(b) Children born of unknown parents

60. Social welfare has been dealing with this problem ever since it was established in 1956. The Government then promulgated the Protection of Minors Act in 1983. Three national centres in Khartoum Province were set up to care for children by age group. Centres were also set up in Central Province and Eastern Province. The following three tables indicate the number of children in each of the three national centres.

Number of children benefiting from the services of the Home for the Protection of Children (Dar Ri'aya) in Mayaquma in the last two years

Age group	Number	Boys	Girls
1 day to 2 months	27	10	17
3 months to 5 months	16	14	2
6 months to 9 months	8	6	2
9 months to 2 years	8	6	2
3 years to 7 years	8	6	2
7 years to 10 years	7	1	6



Number of girls benefiting from the services of the  
Home of the Future (Dar Bacha'er)

Age group	Number	Religion	Environment
From 10 to 13 years	2	Muslim	Urban
From 15 to 18 years	2	Muslim	Urban

Number of boys benefiting from the services of the  
Home for the Protection of Boys (Dar el Himaya)

Age group	Number	Religion	Environment
7 - 11	8	Muslim	Urban
12 - 18	2	Muslim	Urban
TOTAL	10		

61. Sudanese and foreign voluntary associations have also helped to protect children born of unknown parents, as shown by the work of the Association of Model Villages for Children, which places children in foster families who live in a village with 11 houses and 7 children per house (average number per family). In order to evaluate this type of work, a committee was set up to study the situation of children born of unknown parents and to assess the effectiveness of foster facilities.

7. Adoption (or kafalah in Islamic law)

62. To protect children born of unknown parents and orphans living in difficult conditions, the Sudanese Government is trying to strengthen mutual compassion, charitable acts and social solidarity by giving priority to family protection within the natural family or, if necessary, in a foster family. The Government has described the procedure to be followed for adoption as ri'aya, which was organized by the 1983 Protection of Minors Act allowing a child to be entrusted to a fostery family only after a detailed investigation to ensure that conditions of harmonious understanding are met, as required by the Act and the provisions of article 21 of the Convention.

Number of children living in foster families

Year	Number	Sex		Environment
		Male	Female	
1990/1991	76	27	49	Urban
1991/1992	17	4	13	Urban

63. The case of orphans is dealt with by the system of kafalah, which is designed to strengthen the resources of the natural family or the foster family. The legislation requires that a child whose father is identified

should be taken care of by him and that this relationship should not be changed by placement in an adoptive family. The relevant provisions of the Koran make this a priority and require the child to bear his father's name.

64. Although family protection is the most satisfactory kind and is given priority over others, the Government, voluntary associations and international and regional organizations have tried to enable children to benefit from institutional protection when neither protection by the family of origin nor that of a foster family can be found. There has nevertheless been a constant trend in favour of adoption and kafalah of children born of unknown parents and orphans, who are thus removed from the context of social protection and given that of the family unit. Some voluntary organizations, such as the African Voluntary Association for the Protection of Mothers and Children, focus on the strengthening of the resources of families and local communities so that they may take care of children born of unknown parents and orphans rather than leaving them to institutional protection. In this way, the children may be brought up in a natural social environment that will give them both an education and a place in society. It may thus be seen that the beliefs and traditions of a people, the laws that govern it and community voluntary work are all designed to create a social welfare movement (regardless of the term used in the regulations). These steps all provide the best possible protection for children born of unknown parents and those suffering from difficult living conditions. Such protection is provided primarily within the family and the local community and depends on the strengthening of their capacities and resources in order to protect the rights of children and satisfy their vital needs in a natural and welcoming environment.

#### 8. Illicit transfer and non-return of children abroad

65. This question does not given rise to any problems in the Sudan and there have not been any cases of this kind recently. However, the country is facing an extremely serious problem, namely, that of children captured by the rebellion and forced by it to take part in the war. Since these children are sometimes used as human shields, the Sudan has dealt with this very serious problem and pursued its efforts in cooperation with neighbouring Governments and international non-governmental organizations to help them prise these children from the clutches of the rebellion and save time. The aim is to give these children the protection they deserve in order to enable them to recover their psychological, educational and physical integrity by applying the same methods of humanitarian protection as those used for children living in difficult conditions. Such children not only live in difficult conditions, but are constantly having to face the atrocities of the armed struggle. They are treated inhumanely by the rebels, who attach scant importance to human life and care little for the protection of rights.

66. Such protection begins with family reunification and the strengthening of families' resources so that they may assume their responsibilities towards their children - something that does not require any particular effort in the case of these children. Protection is also designed to find foster families and other types of community protection. The Sudan has taken a number of steps to restore these children to the national fold.

9. Protection of children from all forms of violence, physical or mental abuse, abandonment or neglect; physical and psychological rehabilitation and social reintegration

67. Because the Sudanese family never uses ill-treatment or violence, in accordance with the teachings and precepts of religion and custom, a child whom circumstances have deprived of his parents is taken care of by the extended family. The State has adopted measures to establish official institutions to deal with children marginalized by circumstances, such as homeless children, vagrants and refugees, and has set up the National Council for the Protection of Children with a view to establishing protection and social reintegration programmes suited to their needs. In addition, the Government is working to set up social welfare offices in general education establishments.

10. Periodic review of children's general situation and the treatment they are receiving

68. The institutions in which the competent authorities place children conduct inquiries into their social circumstances and give them the necessary medical care. Each institution has a medical unit in which resident assistants take turns conducting periodic reviews of the children's medical and social circumstances.

E. Health and welfare

1. Protection of disabled children

69. The data on disabled persons indicate that such persons make-up, about 10 per cent of the population, but it is hoped that the census to be held in March 1993 will give a clearer and more precise picture of the situation, with more detailed information on the various categories of disability and their degree of seriousness. The problem of disabled persons has always been approached in a more or less thorough manner in social protection programmes, ever since official social welfare bodies were established; this has resulted in the setting up of institutions responsible for the social and educational problems of disabled persons.

(a) National education and training institutions

(i) The Al-Nour Institute for the Education of the Blind

70. This Institute gives blind people the basic education that will enable them subsequently to proceed to the more advanced levels of education. When vocational training is required before the continuation of education, the person concerned is enrolled in the national training project for the blind organized by the National Union for the Training of the Blind, a charitable association working for the protection and training of these persons, or in the Pilot Institute for the Training of Disabled Persons subordinate to the Ministry of Social Welfare and Development.

(ii) The Al-Salmaby Institute for Deaf and Dumb Children

71. This Institute was established in 1978 and began its activities in 1980. It provides education - limited to the primary level - for deaf and dumb children; these children are later, if they so desire, enrolled in the Institute for the Vocational Training of Disabled Persons.

(iii) The Pilot Institute for the Training of Disabled Persons

72. This Institute concerns itself with the training and education of all disabled persons who have not had the good fortune to continue their studies in order to give them a vocational apprenticeship, supplemented by courses in private workshops or in industries. The Institute also helps these persons to find a job after training. It should be noted that the International Labour Organisation (ILO) is contributing to this project.

Children who have benefited from the services of national institutes for disabled children during the past two years

	Number	Sex		Religion	Location
		Boys	Girls		
Al-Nour Institute for the Education of the Blind	156	130	26	Muslim	Urban
Al-Salmaby Institute for Deaf and Dumb Children	50	35	15	"	"
Pilot Institute for the Training of Disabled Persons	65	40	25	"	"

(b) Integration programme

73. The State, in cooperation with ILO, has also undertaken to establish a programme for the integration of disabled persons into society in order to strengthen the role of the institutions responsible for their welfare. This project has been executed in seven of the Sudan's nine provinces.

(c) National Council for the Welfare of Disabled Persons

74. Testifying to the State's interest in disabled persons, a National Council for the Welfare of Disabled Persons has been established and is composed of the competent authorities and voluntary associations active in this area. It is the responsibility of the Council to establish, coordinate, monitor and rectify policies and programmes of assistance to disabled persons.

(d) National Centre for Prosthetic Appliances

75. The State has also established a National Centre for the manufacture of prosthetic and compensatory appliances.

(e) Voluntary associations

76. The State encourages the establishment of voluntary associations, which it assists and subsidizes by supporting their activities in order that grass-roots efforts may be combined with official efforts and enable the objective set to be attained. Among the associations active in this area reference may be made to:

- (i) The Sudanese Association for the Welfare and Training of Physically Disabled Persons;
- (ii) The Association of Shischer Homes for Physically Disabled Children;
- (iii) The Sudanese National Union of the Blind (Sudanese project for the training of the blind);
- (iv) The Sudanese Association for the Welfare of the Deaf and Dumb (Al-Amal Institute for the Education of the Deaf and Dumb); and
- (v) The National Union for the Welfare of the Deaf and Dumb.

77. In addition, certain governmental institutions are assisting disabled persons on an individual basis by providing them with compensatory appliances. These include the Zakat Office and the Mutual Social Assistance Fund (kafalah). Reference should also be made to the contributions of members of the Sudanese public.

2. Right of the child to enjoy the highest attainable standard of health

78. Sudanese legislation on health includes the following Acts:

- (a) Medical Insurance and Medical Services Act of 1971;
- (b) Food Protection Act of 1973;
- (c) Environmental Health Act of 1975;
- (d) Public Health Act of 1975;
- (e) Criminal Law Act of 1991; and
- (f) School Health Act of 1974.

79. The Convention on the Rights of the Child affirms the right of the child to enjoy the highest attainable standard of health and to benefit from medical and rehabilitation services. In the Public Health Act of 1975, section 2, relating to public health structures, provides for the establishment of a public health council with responsibility, inter alia, for studying health policies and plans. Similarly, a section is devoted to each of the following aspects: hospitals and specialized medical institutions, contagious diseases, sleep-related diseases and other endemic diseases, vaccination, burial, laboratory analyses, protection of mothers and children, mental health and occupational health. The Act comprises a first annex enumerating the

qualifications required for the management of private hospitals and private medical institutions; the second annex sets out the various categories of employees in the medical assistance professions, while the third relates to contagious diseases.

80. This Act stresses the special protection of mothers and children, to which a section is devoted. Article 58 provides for the establishment of a central commission for mothers and children and, together with provincial commissions; paragraph (b) calls for short-term programmes of immunization of children against contagious diseases. Another section of the Act deals with the medical assistance professions (arts. 15-25) and its annex contains a list of these professions; the Minister of Health has the power to add persons to, or remove them from, this list whenever this is made necessary by the development of medical services.

(a) Improvement of nutrition

81. In the context of primary health care, the health authorities are endeavouring to improve child nutrition by means of easily accessible technology and providing the population with nutritious food in adequate quantities and drinking water. Providing healthy water means that account has to be taken of the risks and dangers of environmental pollution. Article 58 of the Public Health Act of 1975 provides for coordination between the Ministry of Health's Food Department, the National Research Council and the University in research on the identification of the nutritional diseases affecting children in the various provinces with a view to their eradication.

(b) Protection of pregnant women

82. Article 58-1 of the Public Health Act of 1975 provides that working and national planning bases will be proposed at various levels in order to provide prevention, treatment and social assistance services to mothers and children, ensuring that there is equitable distribution of these services between the cities and the countryside.

(c) Measures aimed at eliminating traditional practices harmful to child health

83. The Criminal Law Act of 1991 contains articles on refusal to assume responsibility for children, causing an abortion or harm to embryos, exposing children to danger, cruel treatment of children and concealing childbirth. Other articles establish penalties for infringements of personal freedom, kidnapping, abduction, forced labour, unlawful detention and illegal restraint; further articles establish penalties for action liable to jeopardize public health.

The child and the environment

84. An Environment Act was adopted in 1975, defining the term "environmental health" as "the health situation of men, animals and plants and everything relating to the life of man within his environment" (art. 3). In its second section, the Act specifies the duties of the regional councils and their powers with regard to environmental health, while the third section deals with

water pollution, the fourth with air pollution and the fifth with the Committee on Environmental Health. The Act establishes penalties for anyone infringing the provisions of article 18. Generally speaking, infringements of this Act are punishable by fines or prison sentences not exceeding three years, or both.

### 3. Social security and child welfare services

85. The Sudan considers the child not as an individual, but in the context of the family and community within which he or she lives; for this reason, the social security programmes for children refer to these two contexts. Thus, the National Social Security Fund and the Retirement Fund aim to protect families whose head or one of whose members works in the public administration or the private sector, while the services of the Mutual Social Assistance Fund and the Zakat Office are intended for needy persons, including those who are not covered by the normal official services.

#### Number of kindergartens

(1989 figures)

Province	Kindergartens financed by the social security scheme	Kindergartens financed by private or public organizations
Khartoum Province	83	221
Central Province	296	115
Northern Province	13	172
Eastern Province	15	101
Kordofan Province	35	56
Darfur Province	2	68
	444	733

Grand total: 1177

86. Since the Sudan's concern for social welfare problems is growing, the Ministry of Welfare and Social Development, the Zakat Office and the Mutual Social Assistance Fund are multiplying their efforts to consolidate the resources of families, not only by granting them financial and material assistance, but above all by providing them with a production tool: this enables them to become productive and capable of improving their circumstances and contributing to the progress of society. All the efforts made by the national authorities are aimed at enabling all members of society to work together to combat poverty. Institutions other than the social funds are contributing to activities intended to improve the situation of the most disadvantaged citizens, in order to enable them to progress from a state of mere survival to one of self-sufficiency: reference may be made to the Sudanese Industrial Bank, the Sudanese Agricultural Bank, the Craftsmen's Fund, the Small Farmers' Support Fund and with certain commercial banks. All

these activities receive support from organizations in the United Nations system, regional organizations, local and foreign charitable associations and certain other donors.

87. Among the specialized benefits for certain categories of children are the school health programme and the school social welfare programme, to which are added all the benefits of primary education which they receive. The primary health care programmes concentrate their efforts on the vaccination of children and mothers and on the supply of special services for children and mothers. This action is reinforced by the services provided by the social assistance centres.

4. Realization of the right to an adequate standard of living

88. The State ensures that average wages are reviewed regularly (every six months) and has enacted laws guaranteeing a decent income for State employees after retirement, so as to avoid any ill-effects on the well-being of their families. Moreover, the State pays a monthly allowance to families with three or more children. The Zakat Administration and the Social Assistance Fund pay monthly allowances to 500,000 families that do not come under the social welfare system of the civil service or the private sector.

5. Extracts from the Ministry of Health report

89. Extracts are given below from a report by the Sudanese Ministry of Health on a number of measures concerning the health and welfare of children.\*

(a) National mother and child care project

90. The Project, worked out in 1978 in cooperation with the United Nations Fund for Population Activities (in regard to financing) and the World Health Organization (as executing agency), is intended among other things to create facilities capable of providing mother and child care services at both the central and provincial levels, with assistance to midwifery schools in the form of vehicles and support for training activities. The objective is one midwife for every 2,000 inhabitants by the year 2000. The Project is also designed to train more than 8,000 health personnel, whether doctors, doctor's assistants, visiting nurses or midwives, to create maternity clinics at all intermediate health institutions, health-care centres and dispensaries, and to conduct research in the field of mother and child care and family planning. Under the Project, all the scheduled action programmes have been implemented on time. The chief gains have been the adoption of the "Health for Children" Programme and the establishment of a National Mother and Child Care Department. Mother and child care offices have also been opened in four

---

\* The full text of the report, in the original Arabic and in an unrevised French translation, may be consulted in the United Nations Centre for Human Rights.



provinces and the National Department's objectives include cutting child sickness and death rates by half and lowering the mortality rate among children under 5 years of age by 43 per cent, thanks to training, improved maternity centres and broader health service coverage.

(b) Immunization

91. A Vaccination Department was established in 1980. In 1985, a field survey revealed that only 3 per cent of children were vaccinated, and this led to the National Vaccination Plan to open 45 vaccination centres for children aged 3 to 36 months, the objective being to immunize 80 per cent of children under 1 year of age by the end of 1990. By 1989, 50 per cent of all children had been vaccinated. On 2 January 1990, the President of the Republic inaugurated the national anti-poliomyelitis vaccination campaign. The President also acted in accordance with the WHO resolution whereby vaccination of all children was made compulsory.

92. The requirements established by the authorities include:

(a) Presentation of a full vaccination card as a prerequisite for admission to primary school;

(b) Presentation of a vaccination card as a condition for including any new-born child on the food card;

(c) Presentation of a certificate of vaccination against tetanus as a condition for entering into marriage.

93. The large-scale vaccination campaign's objectives are:

(a) To vaccinate 80 per cent of Sudanese children under 1 year of age;

(b) To vaccinate 60 per cent of women of child-bearing age;

(c) To secure complementarity as between vaccination services and other primary health care services.

One difficulty encountered in the programme has been excessive reliance on foreign aid. The programme, devised in the context of the Tenth Immunization Strategy, is intended to eradicate poliomyelitis and tetanus, cut down the incidence of measles and supply sufficient vaccines, in cooled containers.

(c) Food

94. A Food Department was established by the Ministry of Health, a step taken in view of the fact that, among children, nutritional diseases have the highest incidence. Studies and surveys in all provinces of the Sudan have shown that more than 30 per cent of children under 5 years of age are affected by malnutrition. The Department trains health personnel and volunteers in food supply forecasting and in distributing food and vitamin A, particularly since surveys have shown high vitamin A deficiency in the Bahr al-Ahmar Governorate and in Darfur Province. Studies have also been carried out on

goitre (hypertrophy of the thyroid gland) and consultation services have been set up in areas where a large amount of goitre is found.

(d) Diarrhoeal disease control

95. A diarrhoeal disease control programme, along with a plan for the three-year period 1986-1989, was introduced in September 1985 in agreement with the World Health Organization. The aims are to halve the death rate due to diarrhoeal disease among children under 5 years of age, to halve diarrhoeal disease among children under 5 years of age and to train health personnel in oral rehydration treatment (treatment by rehydration salts), a new method to treat dehydration, which is the direct cause of death from diarrhoea. UNICEF supports the Department established by the Ministry of Health to carry out the programme by supplying rehydration salts, and more than 4 million packets have been distributed throughout the Sudan, together with 100,000 one-litre bottles. Furthermore, the Department carried out inspections in all provinces and governorates in the Sudan every three months. A scientific team helps in an annual information campaign.

(e) Respiratory disease

96. A Commission was established in 1987 to carry out a programme for the treatment of acute respiratory disease. The aim of the programme is to:

- (a) Halve the number of deaths from respiratory disease;
- (b) Alleviate respiratory disease and the possible consequences;
- (c) Cut down on the use of antibiotics;
- (d) Provide the requisite treatment in 90 per cent of the cases;
- (e) Establish a suitable organization for the treatment of respiratory disease; and
- (f) Acquaint mothers with the symptoms of the disease.

(f) AIDS Control Programme

97. This Programme, set up in 1990, started with surveys conducted in areas neighbouring on the AIDS belt in Africa and in areas with a high concentration of immigrants or refugees, as well as in ports and harbours. Symposia have been held for health personnel to acquaint them with the causes of the disease and the ways in which it is transmitted. Information posters have been designed and discussions have been held on radio and television. The campaign against AIDS has been introduced as a new subject in medical faculties and training schools for health personnel.

(g) Health education

98. Activities to provide basic information on mother and child health, healthy and balanced food (from breast-feeding to dietetics), provide care for pregnant women, and organize immunization and family planning services can

help save the lives of millions of children throughout the world and cut down the incidence of many diseases, including nutritional disease, diarrhoea, measles, AIDS and other endemic diseases. The Health Education Department was created as part of the Ministry of Health in the 1960s and has received cooperation from teams of specialists chosen from among the best sociologists and psychologists in the Sudan. Major successes and creditable efforts can be chalked up to the Department in the smallpox eradication campaign, which was based on a specially designed education and consciousness-raising programme. The absence of a similar approach has led to the failure of the malaria eradication programmes.

F. Education, leisure and cultural activities

1. Education

99. Education includes general education, professional education, vocational training and vocational guidance (art. 28). In this subsection we will evaluate the extent to which political options and national programmes comply with the rights set forth in articles 28 and 29 of the Convention.

Article 28, paragraph 1 (a)

"[States parties shall] make primary education compulsory and available free to all."

100. To meet this objective, a conference on educational and teaching policies - whose motto was "reforming the Sudan means reforming education" - was held in September 1990. The Conference made the following recommendations with regard to primary education:

(a) Basic education will be made accessible to all school-age children, including disabled children, in conformity with a plan whose implementation shall begin in 1991 and end in the year 2000;

(b) The State shall publish a political statement pledging to make basic education accessible to all within the expected time period. This will be the first priority of its comprehensive development strategy;

(c) A national foundation shall be established to monitor the achievement of the goals set by the plan and the implementation of its programmes. Material support from local financing services and regional and international organizations will be funnelled through this foundation;

(d) This plan will be implemented using the various forms of education adapted to the context of each region, such as the Koranic schools, two-cycle schools, supplementary schools and others;

(e) The State shall ensure that public education is free at all levels. It will set regulations governing cases in which persons may help educate their children themselves.

101. Council of Ministers Decree No. 1800 ratified the recommendations of the 1990 Conference, automatically introducing a clear-cut policy that is

revolutionizing public education. The Ministry of Education has begun to implement this policy.

102. The Plan aims at offering education to every child concerned for a period of three years (1991 to 1994):

(a) 465 classes are being financed through the provincial budget and grass-roots efforts;

(b) 515 classes are being financed by the secondary cycle;

(c) 600 classes are being financed by the central administration in the amount of approximately 300 million Sudanese pounds.

The Plan has been successful. It has been possible to enrol a high proportion of children in school; 99.6 per cent in Eastern Province, 93 per cent in Darfur Province, 70 per cent in Kordofan Province and 100 per cent in Khartoum Province.

103. In a policy statement of 31 December 1989, the Sudan pledged to implement the decisions of the World Conference on ensuring access to education by all by the year 2000. A national commission was established on 31 December 1990 to generalize basic education. Article 5 (a) of the 1991 Public Education Act stipulates that education is one of the rights of the citizen.

Article 28, paragraph 1 (b)

"[States parties shall] encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need."

104. The conference on educational policy mentioned earlier recommended the establishment of a secondary school three years in length offering multi-disciplinary teaching, but leading to a single diploma (academic, technical, Islamic studies). This school will open its doors in 1995.

105. The Ministry has begun to organize cultural and scientific meetings aimed at devising ways to diversify secondary teaching. The first symposium was held at Al-Sharq University in February 1992, with many deans of education faculties and public education officials attending.

106. Efforts will aim at increasing the proportion of technical education to 60 per cent of total education. To that end, attempts will be made to motivate pupils and attract them to this type of education by making them aware of its importance in meeting the country's strategic needs.

Article 28, paragraph 1 (c) and (d)

"[States parties shall] make higher education accessible to all on the basis of capacity by every appropriate means."

"[States parties shall] make educational and vocational information and guidance available and accessible to all children."

107. Article 4 (b) of the 1991 Public Education Act, entitled "Goals of public education", stipulates that young people's reasoning faculties shall be developed by being exposed to science and knowledge and their minds stimulated through the teaching of customs and culture. Subparagraph (e) of the article states that creativity shall be encouraged, aptitudes and talents developed, and the opportunity given to pupils to train using modern technical instruments that will be developed and adapted in the service of truth, good, and reform.

108. The foregoing has been taken into account in the basic educational curriculum, whose general structure has been adopted. Work continues on establishing all the details.

Article 28, paragraph 1 (e)

"[States parties shall] take measures to encourage regular attendance at schools and the reduction of drop-out rates."

109. The reforms will affect the areas of (a) reforms in curriculum, (b) opportunities for teachers, (c) school scheduling and (d) the food aid project.

110. Article 37 (a) of the 1991 Public Education Act provides for the establishment of a parents and teachers council in all schools in the public education system. The goal is to strengthen the links between school, family and society, facilitate cooperation, stimulate work on education and teaching methods in the schools, and improve teaching conditions.

111. Below are some details on the reforms being planned:

(a) Curriculum reform: a decree has been enacted unifying the reform of the schools and avoiding the drawbacks involved in the system of "A" and "B" regions, which caused an entire school period to be lost in the "B" regions. The main vacation periods will be concentrated during the height of the rainy season so that pupils will not be prevented from attending school regularly.

(b) Opportunities for teachers: These opportunities provide a qualitative improvement in teachers' situations. They stimulate teachers to continue in their profession and improve themselves in their respective fields, which has a positive effect on the school environment and motivates the pupils to pursue their studies.

(c) School planning: Educational policy adopts the method of micro-planning (planning at the school level) in designing the school network. In doing so, it seeks to minimize the factors causing pupils to drop out of school.

(d) Food aid project: The school food aid project, connected with the World Food Programme, seeks to improve pupils' nutrition and health,

particularly in rural zones. It will have a positive effect on pupils' school performance and their ability to study and will help raise educational and vocational levels, thanks to the development and increased competence of the educational services.

Article 28, paragraph 2

"States parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention."

112. The basic principle for meeting this provision is that the educational system must stress the training of school principals and heads of boards of education. The school regulations clearly stipulate which procedures guarantee that the dignity of children or pupils will be preserved and strengthened.

Article 28, paragraph 3

"States parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries."

113. The Sudan is one of the countries most deeply attached to the strengthening of international cooperation in the field of teaching: it is a member of the Arab League Educational, Cultural and Scientific Organization, the Islamic Educational, Scientific and Cultural Organization and the United Nations Educational, Scientific and Cultural Organization. It is anxious to participate in international meetings on education - the most important of which was no doubt the World Conference on Education for All, held at Jomtien from 5 to 9 March 1990. The Sudan also realizes its aspirations in this field by opening schools abroad, sending teachers to numerous African, Arab and Asian countries and assigning its best specialists to international and regional organizations dealing with education. It attempts to take advantage of international cooperation programmes in the field of education. It takes part in numerous UNESCO, UNICEF and United Nations Population Fund projects. It also participates in the World Food Programme and programmes sponsored by the World Bank, the Arab League Educational, Cultural and Scientific Organization and numerous Arab, African and Islamic finance organizations, including in particular the Arab Fund for Economic and Social Development, the African Development Bank, the Islamic Development Bank and the national development funds of several Gulf countries, in addition to cultural cooperation agreements with numerous countries on all continents. In addition, the organizations of teachers in children's and adult education, the students and young people's union and other volunteer organizations play their part in regional and international institutions and programmes. Sudanese universities and scientific research institutes play an active part in regional and international research work by university research federations and organizations. Education plans have been prepared in the following fields: basic education, higher education, literacy, adult

education. The universities and institutes have taken advantage of all the opportunities offered by international cooperation in the hope of strengthening the Sudan's capacities.

114. A round-table on basic education for all by the year 2000 was held in the Sudan from 16 to 19 December 1991, at the initiative of the Ministry of Education and in cooperation with UNESCO and UNICEF. The goal of the round-table was to discuss, from a global point of view, the general framework of the Sudanese plan for providing basic education to children and adults.

#### Article 29

115. This article concerns the goals of children's education. The 1991 Public Education Act, which contains a description of the goals of education, shows that this article of the Convention is in fact applied in the Sudan. The article concerning the concept of "public education" defines it as basic education and secondary education, free of charge, with two cycles as stipulated in article 6 of the Act. According to the 1992 Act, the following are the goals of public education:

- (a) To strengthen young people's religious beliefs and morals;
- (b) To develop young people's reasoning faculties by exposing them to knowledge; train their bodies through athletic exercises; stimulate their minds through the teaching of customs and culture; train them to think and organize themselves; and improve their behaviour;
- (c) To strengthen their social awareness and their loyalty towards their country;
- (d) To train the people who will be the foundation of an independent society; teach them to trust God while also counting on themselves; develop their physical and spiritual resources; mobilize social and material forces and spread enthusiasm for an advanced model of civilization;
- (e) To encourage creativity and develop aptitudes and talents; and
- (f) To make young people aware of environmental problems; familiarize them with nature in the diversity of its elements; establish the National Public Education Council; and establish a support fund for public education.

#### 2. Leisure and recreational and cultural activities

116. Article 31 of the Convention deals with public, cultural and recreational activities. The Sudanese State takes an interest in the cultural and artistic activities provided for children. The source of these activities is Sudanese culture in its authenticity and diversity; they are based on the guidelines of the comprehensive national strategy for the period 1992-2002, which are the following:

- (a) To strengthen Sudanese children's cultural identity and prepare a national policy for imparting the culture to children;

(b) To enrich children with authentic religious values and Sudanese customs; to develop a strong love for their country;

(c) To educate children while respecting their nature; expand their perceptions and knowledge; refine their tastes and inclinations; develop their talents; and strengthen their relationship with their social environment.

117. To attain these objectives, the State has established numerous official bodies, which are discussed in the paragraphs below.

#### National Centre for Children's Culture

118. The Centre, which is a subsidiary body of the Ministry of Culture and Information, began its work in 1976 under the name of Office for Children's Culture. In 1979, it became the Khartoum Bahri Centre for Children's Education. Finally, in 1990, it became the National Centre for Children's Education, established in conformity with the law governing the National Commission for Culture and the Arts. Its functions are the following:

- (a) Preparing cultural materials adapted to children;
- (b) Conducting research on Sudanese children aimed at furthering knowledge of their interests and habits as regards language and behaviour;
- (c) Monitoring the work of the various bodies dealing with children, following their progress and keeping information and statistics on such work;
- (d) Supplying bodies and commissions working in the field of children's culture with cultural materials and programmes; organizing workshops and seminars for staff to inform them of the results of experiments conducted by the Centre;
- (e) Organizing appropriate cultural activities and taking part in national and international cultural programmes.

119. Through its activities, the Centre for Children's Culture supports the long-term efforts of the former Publishing Office, which is now called the Educational Publishing Company. Its activities focus on the publication of magazines: Al-Sobiane, founded in 1945, is the oldest children's magazine in the Arab countries. The Centre also publishes children's books in support of school curricula, aimed at developing children's culture.

#### Office for Children and Young People

120. This is a body established within the Ministry of Youth and Sports, whose role is to support and register volunteer organizations working on behalf of the cultural development of young people. The Office is currently cooperating with 13 national and international volunteer organizations, in addition to organizing scout groups and their various sections and leaders.



Youth centres

121. Youth centres have been established in the various provinces, and there are six of them in the capital. They organize cultural, athletic, artistic and recreational activities for young people.

Youth and Children's Centre

122. The Centre has the following functions: organizing periodic cultural activities and participating in regional and international festivities, particularly in the area of theatre and exhibitions. It seeks to provide young people with musical and theatrical training in addition to their vocational training. These activities may be considered as complementary to the school curricula.

Office for Children's Puppet Theatre

123. This office was established by the State as part of the Ministry of Culture and Information.

National acrobatic troupes

124. At the initiative of the State, two troupes were established: they prepare training programmes and seek to expand the scope of this art.

125. The State also seeks to expand the scope of school activities in all schools in the public education system. It works towards creating the conditions needed for these activities to flourish, with a view to strengthening the school environment.

126. Mention should also be made of school contests. They are among the cultural and social activities which have so far been effective in helping to educate children and provide them with opportunities to benefit enjoyably from their leisure time. These contests, which flourished during the 1940s, have undergone a revival in the last three decades. They have turned into a cultural and athletic movement that has extended to all the regions of the country and in which all schools take part. This movement, known as the scholastic, cultural and athletic championship, holds annual competitions in which teams from each school challenge each other in the following fields: debate, drafting, theatre, music, competitions and sports of all kinds. Girls and boys take part on an equal basis.

127. Among the recreational activities provided by the State, mention should also be made of the zoos and extensive wildlife reserves set up in many regions of the country.

128. Many volunteer associations in the Sudan that specialize in the protection of children include cultural and recreational activities in their programmes. Other volunteer associations with more general aims also take a considerable interest in children and culture.

129. Construction plans in cities and the countryside aim at providing the facilities necessary for the healthy use of leisure time.

130. The national museums, both general and specialized, are a basic instrument of knowledge. On visits to these museums organized by schools and volunteer associations, children learn about history and their country's heritage. The specialized museums enable visitors to learn about particular areas.

131. Among the best-liked radio and television programmes, mention should be made of the family and children's programmes and the serials, which make a significant contribution to developing children's culture and their families' awareness of their problems. There are also special programmes for migrant children.

132. The Sudan seeks to have its children participate in regional Arab and African events and in international events such as festivals, contests and athletic activities. The children's radio and television programmes take part in formation and culture exchanges. They also broadcast competitions and contests that take place abroad.

3. Report of the Office of Specialized Centres of the National Commission for Culture and the Arts concerning the National Centre for Children's Culture

133. Below is a detailed report concerning the activities of the National Centre for Children's Culture. This information supplements that contained in paragraph 118 above.

134. The National Commission for Culture and the Arts has concerned itself with children's education, i.e. their intellectual, cultural and artistic training, with a view to enhancing their gifts, developing their creativity, occupying their leisure time, providing them with varied activities and involving them in cultural life, in conformity with the provisions of article 31 of the Convention. To that end, the National Centre for Children's Culture was established in 1990.

135. The following are the Centre's main functions:

(a) Preparing and training competent staff in the field of children's culture;

(b) Preparing cultural materials adapted to children and choosing the best ways to present them. Adopting those methods and extending them to all places and commissions working in the field of children's culture and classifying them according to category of activity;

(c) Conducting research on Sudanese children to become more familiar with their linguistic and behavioural habits and determine their interests at their different life stages, for the purpose of laying the scientific bases for adopting cultural materials that are appropriate for children;

(d) Monitoring the work of the various bodies dealing with children, supervising their rate of progress and keeping information and statistics on the work;

(e) Supplying bodies and commissions working in the field of children's culture with cultural materials and programmes. Organizing workshops and seminars for staff to inform them of the results of experiments conducted by the Centre in the field of children's education.

136. The National Centre for Children's Culture contains two departments, the theoretical department and the practical department. The paragraphs below provide detailed information on their activities.

(a) Theoretical department

137. The following are the goals of the theoretical department:

(a) Affirming the importance of the cultural and artistic subjects taught to children and their influence on the training of the generations to come that represent our future;

(b) Ensuring that the subjects taught to children take basic spiritual values as well as universal moral and human values into account;

(c) Developing and strengthening the feeling of belonging to a nation and the sense of responsibility towards society; and

(d) Making possible and encouraging study and research.

138. The functions of the theoretical department are the following:

(a) Conducting studies and research on children;

(b) Preserving all information available to bodies specializing in the field of children;

(c) Organizing national and international festivals and cultural weeks;

(d) Establishing cultural centres in all the provinces;

(e) Expanding the regional contests currently organized by the Centre to the entire Arab world;

(f) Publishing a periodic newsletter on the Centre's activities;

(g) Publishing issue 0 of the children's magazine (Al-Sobiane); and

(h) Preparing stories for children and publishing them in small books.

(b) The practical department

139. The following are the goals of the practical department:

(a) Emphasizing the broad concept of children's culture in the wider framework of the philosophy of social culture. Great importance should be attached to what children are taught in this field;

(b) Fostering interest in various activities, taking advantage of talents and instilling a feeling of responsibility while respecting the individual capacities of every child;

(c) Developing children's creativity and enhancing their artistic skills;

(d) Training competent staff and preparing them to work with children;

(e) Providing children with the opportunity to demonstrate their knowledge and skills through practical work and numerous and varied programmes.

140. The practical department has many functions; its various units are in charge of the numerous activities described below:

(a) Theatre:

- (i) The theatre is aimed at instilling moral values in children;
- (ii) It helps to develop their creativity;
- (iii) It helps to develop their gifts, imagination and intelligence;
- (iv) By changing their personality in order to adapt to the values of imaginary figures, the children learn consciously to build their own personalities;
- (v) The theatre makes it possible to develop children's romantic sensibilities, provide them with a deep understanding of the sacred value of work and encourage them to fight social discrimination and a narrow conception of nationalism; and
- (vi) The theatre helps children to assuage their passions and fosters their full development.

(b) The library:

- (i) The library is aimed at making children aware of their culture in its universal and regional dimensions by providing them with the best works of Sudanese and other authors;
- (ii) It is also aimed at providing children with the necessary knowledge for meeting the goals of education and personality developing, in the following ways: by encouraging unrestricted reading and the systematic acquisition of knowledge; stimulating noble ideas in children; fostering their numerous talents; and making them capable of reading in public and pronouncing the words correctly.

(c) The plastic arts:

As everyone knows, children have their own rich, deep and sensitive personalities. Thus they should be treated with extreme gentleness and much patience. The kindness and love given them have a direct, important influence on the development of their personalities. The goals of the plastic arts are the following:

- (i) To educate children in a healthy manner, to enable them to develop their personalities by freeing them from the constraints placed on them by society;
- (ii) To develop their respect for manual work and make them aware of its importance;
- (iii) To develop their tastes through practice and training; and
- (iv) To encourage and organize children's drawing contests; to establish links between Sudanese children and children throughout the world by enabling them to participate in international contests.

(d) Music:

- (i) Music education helps to build the citizens' personalities from childhood onwards. It enables them to reproduce their feelings and perceptions, teaches them to provide an outlet for those feelings and express them in a proper way, and instils in them a love of discipline and respect for talent and precision;
- (ii) Singing enriches children's experiences and learning a musical instrument develops their dexterity;
- (iii) Music education trains children's ears and teaches them to appreciate music;
- (iv) Practical exercises enable gifted people to discover their talents and make them known;
- (v) A general musical culture is an asset for children;
- (vi) The Centre is responsible for organizing concerts for soloists and groups, involving dance and singing.

(e) Games and entertainment:

The following are the activities of the unit in charge of games and entertainment:

- (i) Strengthening the children's links to their community; placing them in contact with society, at the regional and world levels; fostering the development of their behaviour;

instilling in them moral and religious values through songs and various programmes, taking special account of the Sudan's tradition of tolerance;

- (ii) Devising competitive programmes to achieve the goals of discovering and bringing out each child's potential, enhancing and developing it. The result will be children with well-defined personalities, able to think in an original manner;
- (iii) Promoting children's love of manual work and all the aspects of the various professions they will encounter in life, with particular attention to developing their self-discipline;
- (iv) Promoting a spirit of mutual aid among children;
- (v) Teaching children endurance and patience;
- (vi) Occupying their leisure time;
- (vii) Teaching them about the plant and animal worlds and giving them a love for agriculture and the land; instilling in them a spirit of progress; teaching them the basic principles of agriculture, providing them with information on the main products of the earth and the abundance of animal races found in our country;
- (viii) Developing children's practical skills by teaching them how to raise and feed chicks and conduct theoretical research in the henhouses. Thus children can find a practical use for their leisure time through an activity that also benefits their families.

(f) Physical education:

- (i) Developing physical aptitudes in athletic fields in conformity with what has been decided and studied;
- (ii) Promoting mutual understanding and a team spirit;
- (iii) Teaching children to use the theories on physical culture in their daily lives.

All these activities and programmes are conducted in the framework of the Centre for Children's Culture at Bahri. Qualified teachers teach evening classes in their fields of competence. The number of children admitted to the Centre is constantly increasing.

G. Factors and difficulties impeding the implementation of the relevant provisions of the Convention

141. In developing countries such as the Sudan the difficulties are manifold. As regards the implementation of the ambitious Sudanese plans on education, the most important difficulties are perhaps the following:

(a) Inadequacy of statistics, particularly for Koranic schools, kindergartens, special categories, the number of illiterates and regions with the highest illiteracy rates; there is also a shortage of demographic statistics by age groups and by region. The programmes relating to public education strategy include field studies and research. These should be undertaken urgently in order to obtain the necessary information.

(b) Inadequate financing capacity on the part of the central administration: grass-roots and international support is necessary in order to be able to attain the educational objectives set. Education plans have highlighted this aspect of the problem and have indicated the means of solving it.

H. Protection of special categories

(a) Refugee children (art. 22)

142. Because of the Sudan's geographical situation, its long tradition of humanitarian relief, the existence of conflicts and civil war in neighbouring States and the famine due to the drought which has afflicted most of Africa, the Sudan has experienced a massive influx of refugees. It has welcomed them warmly relying primarily on individual efforts, and in a non-structural manner. It opened an office specifically for the purpose of studying the situation of refugees and resolving their problems. Serious measures were adopted to settle the problem and to establish camps in the various regions concerned. The authorities began to seek the assistance of international, regional and local organizations in financing relief operations and formulating plans for the accommodation of refugees. The Asylum Act promulgated by the Sudan fully reflects the importance which the State attaches to homeless refugees, and its commitment to comply with the relevant international treaties and agreements.

143. Like many other States, the Sudan has signed the United Nations instruments - the 1951 Geneva agreements relating to the status of refugees - and has acceded to the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa. It has also promulgated an Asylum Act (1974), which consolidates the above-mentioned instruments. This Act is considered to be the first to have made a very important addition which has been neglected in previous legislation: it concerns the category of orphans and refugees with no parents or guardians. Under the Act, the State has an obligation to take the necessary measures to guarantee protection and humanitarian assistance for children seeking refugee status. Article 2 of the Act provides that the concept of "refugee" also includes unaccompanied children, war orphans, and children whose parents or guardians have disappeared, when they are outside the country of which they are nationals.

144. As regards practical action, the State has established within the refugee camps several services specially intended for children, such as schools, health services and vocational training workshops for young people. All these services operate primarily on the basis of the family unit.

145. There are currently some 40 voluntary organizations providing relief to refugees. Some are subordinate to the Office of the United Nations High Commissioner for Refugees and others to the Delegate for Refugee Affairs. To illustrate the assistance given to orphaned children, we may cite the village of Hanan Babou Rakhm, which is involved in the al-Rahd agricultural project. Near this village are three camps for refugees from Ethiopia. They contain a large clinic, a regular kindergarten, two primary schools, two secondary schools, a vocational training centre for boys and young men, a training centre for girls, boarding schools for all children, housing for workers and their families, an electricity station and a water treatment plant. This village was established in accordance with the agreement concluded between the Delegate for Refugee Affairs, the Kuwaiti Cultural and Social Association, and the periodical Ma Famille. Today, it is managed by the African Association for Assistance to Mothers and Children. Other refugee camps contain accommodation for children, kindergartens and schools. At present there are 75 refugee camps.

146. Children's needs: 47.6 per cent of children are in need of food, drink and medical and social assistance. These needs thus concern almost half of refugee children. Approximately one fifth of the children (17.2 per cent) need some of these and 35.2 per cent do not need them. Other children's needs include clothing, footwear and means of entertainment.

147. In a Sudanese village in the Sagadah region which has schools, the refugee children are unwilling to mix with Sudanese children. Only 6.2 per cent mix with them, while 93.6 per cent do not mix with them outside the camp.

Number of refugees in the Sudan

<u>Nationality</u>	<u>Number</u> (in thousands)	<u>Region of settlement</u>
Ethiopians/Eritreans	819	Eastern Province
Chadians	126	Western Province
Ugandans	250	Western Province
Zairians	5	Western Province
<u>Total</u>	1,200	in the Sudan

Number of camps

Eastern Province:	38
Southern Province:	33 (this figure is not up to date)
Western Province:	3



(b) Delinquent children

148. The State has enacted laws and regulations which guarantee the rights of children, ensure their protection and promote their training with a view to their reintegration as productive members of society.

149. The State has decided to establish the following two institutions: the reformatory for boys between the ages of 7 and 15; and the reformatory for young people between the ages of 15 and 18. During the past two years, the problem of vagrancy among girls - a new phenomenon in Sudanese society - has arisen, accompanied in some cases by acts of delinquency. A section of the boys' reformatory has accordingly been set aside for such girls pending completion of the reformatory for girls at Soba.

Number of children attending the reformatory for boys during  
the period 1990-1992

Year	Age group	Number	Religion	Environment
1990/1991	15-18 years	21	16 Muslims 5 Christians	Rural Rural
1991/1992	15-18 years	62	52 Muslims 10 Christians	Rural Rural

(c) Children subjected to difficult conditions: refugee children

150. It is difficult to define precisely the term "difficult conditions to which the child is subjected" because this concept varies from one society to another and from one environment to another. However that may be, there is agreement on the fact that certain categories are subjected to particularly difficult conditions: these are displaced persons, migrants, refugees and disabled persons.

(d) Refugee children

151. An Asylum Act was promulgated in June 1974, in accordance with the recommendation of the conference on migration held in mid-1970 in the Ministry of the Interior. Article 2 provides that the term "refugee" also covers unaccompanied children, war orphans and children whose parents or guardians have disappeared, when they are outside the country of which they are nationals. The Act fully reflects the importance attached to refugee children, although the term "political refugees" cannot be applied to them since they do not have the capacity to claim this right. In this case, the right of a child to asylum is dependent on the right of his parent or guardian. The latter exercises it in lieu of the child in accordance with the law, whether constitutional or international.

152. The Sudan has opted for increased protection for children, considering war orphans as refugees, in accordance with legal provisions. After the promulgation of this Act and in view of the increased inflow of refugees due to the Sudan's geographical situation, its long tradition of humanitarian relief, the existence of conflicts and civil war in neighbouring States and

the famine and drought that have afflicted most of Africa, the authorities began to seek the assistance of the international, regional and local organizations in financing relief operations and formulating plans for the accommodation of the refugees. The Sudanese Asylum Act undoubtedly reflects the importance which the State attaches to homeless refugees, and its commitment to comply with international treaties and agreements. Article 7 of the Act provides that the minister and any competent official shall respect any agreement or treaty regulating the question of asylum. The Sudan will accede to them and will grant them priority in implementing the provisions of the Act. There is no doubt that, by means of this instrument, the State undertakes to adopt the necessary measures in order to guarantee protection and humanitarian assistance for children who seek refugee status. An examination of the various articles of the Asylum Act shows that it covers all the provisions on protection guaranteed by the Convention on the Rights of the Child recently signed by the Sudan.

Legislation relating to reformatories and courts for delinquent children

(a) Prison regulations of 1976 (art. 47)

153. Article 70 (1) (g) of the 1976 prison regulations provides that young persons sentenced for offences shall be placed in reformatories (approved schools). Article 70 (1) of the regulations provides that young persons awaiting trial shall be placed in local prisons. Article 77 (6) provides that young persons may not be compelled to perform hard labour.

154. Young persons are authorized to receive just one visit from their parents when they have completed the period of medical examinations. After this they are authorized to receive one visit a week. In addition, they are authorized, whenever possible, to visit their family once every three months (art. 87 (c)).

(b) The Prisons Act of 1984

155. Article 84 (b) of this Act provides that young persons detained pending trial or under police arrest shall be strictly separated from adult prisoners, in the model schools (approved schools) subordinate to the social welfare service.

156. Article 90 of the Act provides that a child may not be left with his imprisoned mother after he has reached the age of 2 years. He has to be placed in the care of the person designated for this purpose by the law on personal status, to which the child is subject, unless the competent doctor decides that this would be harmful to his health or if the child has no close relatives. In the latter two cases, the child will be placed in the care of the authority responsible for children's homes, unless the director authorizes him to remain in the prison for valid reasons.

(c) Protection of Young Persons Act of 1983

157. Article 13 of this Act provides that, by decision of the chief judicial officer, one or more juvenile courts shall be established in each region and in the district of Khartoum. In accordance with the provisions of article 14,

the juvenile court shall be composed of a single judge; he may request the assistance of two members expert in the field of children if the general interest so requires.

158. The juvenile court specializes in the examination of acts of vagrancy and delinquency with which children are charged. Article 15 defines vagrant children as children exposed to licentiousness who are homeless or incapable of specifying their place of residence or stating who their parents or guardians are or who are unable to provide sufficient information about themselves. In addition, without prejudice to the foregoing, a child is deemed to be a vagrant when:

- (i) He is sleeping on the street;
- (ii) He is idle and without family support;
- (iii) He has escaped from parental authority or from the authority of the person responsible for him;
- (iv) He engages in begging;
- (v) He engages in prostitution, debauchery or depravity; or
- (vi) He frequents persons of dubious morality, perverts or criminals.

159. The Act defines a juvenile delinquent as a person over the age of 10 and under the age of 18 who has committed an act contrary to the provisions of any criminal law. A juvenile is defined as a boy or girl under the age of 18 (art. 2). We would note that the prison regulations define a juvenile as a person over the age of 10 who has not yet reached the age of 20. The court orders young persons to be held in reformatories (approved schools), including those who are placed under supervision or detained in a local prison (art. 3 of the prison regulations).

160. Article 7 of the above-mentioned Act provides that every juvenile court shall comprise a social surveillance service composed of an adequate number of social surveillance officers. In accordance with article 9 of the Act, a social surveillance officer is appointed by the Minister of Social Welfare and Development (the Republican Decree No. 611 of 1984 provides that the competent minister, under the Protection of Young Persons Act of 1984, is the Minister of Social Welfare and Development). He may also be appointed by the prefect of the district of Khartoum if the situation so requires.

161. A social surveillance officer's responsibilities are as follows:

- (a) To provide the court with information that will assist it in taking a judicious decision which is in the young person's interest;
- (b) To examine the case file; to undertake the necessary studies relating to the delinquent, visiting his home, his place of work and other places he was in the habit of frequenting; to contact such persons as he may deem able to provide him with information that may assist him to understand the reasons for the delinquency or the offence committed; to check all

information he has obtained, and to keep it secret and confidential; and to submit to the court a report comprising social research on all the psychological, medical, family, school and other circumstances connected with the delinquent's social environment. He shall conclude his report by making the recommendation he considers appropriate;

(c) To collaborate and harmonize his actions with the social experts working in the area of the welfare of young people and with the juvenile police, in the interest of the young person in particular and in the public interest in general;

(d) To establish social relations with the young person under surveillance and with his family, so as to cooperate in solving the problems of the young person and his family;

(e) To supervise execution of the measures aimed at giving the young person an appropriate training;

(f) To monitor juvenile delinquents placed under social surveillance, and to give guidance to them and to the persons responsible for their education; to submit to the court periodic reports on the delinquents for whom he is responsible or whom he is required to supervise.

Children deprived of freedom through imprisonment or placed in local prisons

162. No child may be imprisoned under Sudanese law. Article 9 of the Criminal Law Act of 1991 provides that a minor may not be deemed to be a criminal. On the other hand, the court does have discretion to implement such welfare and rehabilitation measures as it considers appropriate and are provided for by the same Act in respect of children over the age of 7.

163. Article 47 of the Act lays down the welfare and rehabilitation measures provided for young people. This article stipulates that the court may implement the following measures in respect of a child over the age of 7, the age at which a criminal offence may be committed, but who has not reached the age of 18;

(a) He shall be reprimanded in the presence of his parents or guardians;

(b) He shall be punished by whipping, with not more than 20 lashes, if he has reached the age of 10;

(c) He shall be handed over to his father or some other trustworthy person after this person has undertaken to treat the child with due consideration;

(d) The child shall be placed in a social rehabilitation and welfare institution with the aim of rectifying his behaviour and bringing him up, for a period of not less than two and not more than five years.

The juvenile courts

164. In accordance with the provisions of article 17 of the Protection of Young Persons Act of 1983, a juvenile court may take the following measures:

(a) Hearings shall not be open to the public; they shall be attended only by the young person's close relatives, delegates from the Council for the Welfare of Young Persons (established in accordance with the Protection of Young Persons Act), representatives of charitable associations working for young people, the representative of the defence, the social surveillance officer and any person whom the court authorizes to attend;

(b) Any measure which, in accordance with this Act, is taken against the young defendant shall, as far as possible, be notified to his father or to the person responsible for his welfare, or to his lawyer. The latter shall be empowered to exercise, in the interest of the young person, any remedy referred to in the sentence pronounced against him;

(c) Instead of being held in a local prison, the young defendant may be handed over to one of his parents or to the person responsible for him, who shall present him on demand;

(d) If the court considers that, given his physical, mental or psychological condition, the young person should undergo a medical examination before his case is tried, he shall be placed under supervision in an appropriate place for the necessary period. The examination of his case shall be suspended until the medical examination has been carried out and a report has been transmitted to the court;

(e) The court may seek the advice of experts if it deems such a course necessary;

(f) The juvenile court judge or his representative shall make a quarterly visit to the local prison, the approved school, the social welfare institutions for young persons, specialized hospitals and any other bodies collaborating with the court.

165. Article 19 (a) of the Protection of Young Persons Act of 1983 provides that a juvenile delinquent shall be placed in an approved school, in accordance with the sentence pronounced by the court, for a period not exceeding five years. The director of the school shall be authorized, in accordance with the recommendations of the competent bodies, to release the delinquent before the prescribed term has elapsed if this is consistent with his interest. The second paragraph of the same article provides that the director of the school shall be responsible for supervising and protecting the young person, and ensuring that he is given appropriate training. These tasks comprise periodic monitoring of the young person's state of health and a regular review of his social circumstances.

166. Article 27 (2) of the Criminal Law Act of 1991 provides that, with the exception of offences punishable by penalties and sanctions, the death penalty may not be imposed on a person under the age of 18 or over the age of 70. A juvenile delinquent may be sentenced to death only for an offence punishable

by penalties and sanctions, in accordance with provisions of Islamic law. Nor may he be sentenced to life imprisonment. Article 47 (d) of the Criminal Law Act provides for the possibility of moving him to a reformatory or social welfare institute with the aim of rectifying his behaviour and bringing him up, for a period of not less than two and not more than five years. This time-limit of five years is laid down in article 18 (g) of the Protection of Young Persons Act of 1983.

(e) Migrant children

167. In the Sudan, the phenomenon of migration dates from 1984: it was then that the problems of desertification and drought came to afflict the population of the north of the provinces of Kordofan and Darfur. Stock-farming and crop-growing were ruined, and herds were decimated. Having lost everything, the inhabitants emigrated to the northern provinces, where they hoped to eke out an existence. In the south, when war broke out, the population abandoned everything they owned and also flocked to the northern provinces. The latest statistics on these migrants show that they number over 2 million and that more than 600,000 are in camps in the Khartoum Province. The latest published official statistics are as follows:

Darfur Province	180,000
Khartoum Province	689,000
Kordofan Province	300,000
Upper Nile Province	180,000
Equatoria Province	180,000
Eastern Province	175,000
Central Province	170,000
Bahr Al Ghazal Province	170,000
Northern Province	165,000
<u>Total</u>	2,196,000

Migrants from the southern provinces account for 93 per cent of all emigrants in the Sudan. The other migrants originate from the west of the country. Most migrants are women and children: women are twice as numerous and children three times as numerous as men. According to the statistics, migrant children total about 1,090,000.

I. Popular participation in human and social development

168. The Sudan is a country where popular participation, the habit of self-reliance and mutual assistance are widespread. Throughout its long history, Sudanese society has relied on its own resources in order to deal

with its needs and has placed little reliance on the power of the State to meet them. Moreover, it has assisted in the execution of numerous State projects which would not have seen the light of day without the centuries-old traditions of the people in this area, traditions which are deeply rooted in its beliefs and customs. An examination of the human development of the Sudan, in the intermediate and recent eras of its history, since the establishment of the Islamic kingdoms on its soil - the most important of which was the State of the Fung and the Sennar sultanate - shows that everything that has been accomplished for the people in the area of human development and social welfare has in large part been due to the efforts of the people itself. When the State has intervened - particularly during the two periods of Turkish and British colonization - it has endeavoured to impede these efforts at human development. This was particularly the case during the period of British colonization, which devised an educational system that closed the doors of learning and aimed at distorting the Sudanese identity. The national Government found, in its attempts at rehabilitation and reconstruction, close assistance and powerful support from the broad masses of the people accustomed to rely on their own resources, while at the same time basing its action on the experience of nearby and distant peoples.

169. From the time of independence onwards, official efforts in the area of legislation therefore aimed at organizing certain aspects of voluntary and grass-roots work. One year after national independence, the Registration of Associations Act of 1957 was promulgated. Broad grass-roots movements added their support to efforts to promote education, eliminate illiteracy, improve public health, develop the countryside, combat thirst and encourage local development.

170. The Sudan has played host to foreign voluntary organizations, particularly during periods characterized by natural disasters, in the course of which there has been an intensification of international cooperation in human development. Efforts have been made to introduce legislation to ensure that this cooperation is not blemished by certain negative aspects and that it may continue without being distorted or without pursuing particular objectives through humanitarian action. In this last part, we shall review the efforts made by the State to support and organize the work of voluntary associations.

171. In the Sudan, grass-roots efforts first assumed various forms, characterized by flexibility and simplicity in the method of assistance: this was direct assistance within the community framework. With independence there arose the need to harmonize grass-roots efforts with governmental efforts, in order to build the nation. It was to this end that the Associations Act of 1957 was promulgated, authorizing any group of seven or more persons to pursue the goal it had freely chosen. Associations began to be registered in accordance with that Act. Disasters such as drought, desertification and floods showed that the Sudan needed the efforts of foreign peoples to supplement local efforts. It became important to regulate and organize the work of those voluntary associations. It was to that end that the Act of 1988 relating to the organization of foreign voluntary work in the Sudan was promulgated. Article 3 of this Act specifies the powers of the competent minister: he submits, for approval, the overall policy on voluntary work to the Council of Ministers, which is responsible for implementing it; he defines the nature and limits of voluntary work and the country's needs according to

the region concerned; he establishes, and recruits members for, the committee on the question, whose work he supervises. Article 12 relates to exemption from taxes and duties. Article 14 concerns penalties for offenders. Article 16 concerns the promulgation of regulations relating to execution of the articles of this Act. This legislation is intended to promote assistance to children who are in need of efforts of this nature in the areas of health, education and housing (in the case of displaced persons, migrants and refugees). Disabled persons, too, need similar efforts, either at the grass-roots or local level, or at the international level. For this reason, the Sudan has adopted the necessary measures to implement these laws.

172. The States parties to the Convention on the Rights of the Child have realized the importance of international cooperation in order to improve children's living conditions, particularly in the developing countries. Thus more than 20 sub-Saharan African countries participated in the formulation of the outline of the Bamako Initiative. This new and important international treaty is aimed at providing basic medical assistance for mothers and children by the mid-1990s. The idea that prompted this initiative was to establish basic, decentralized and viable medical assistance, in accordance with this programme. Local societies would participate in the financing of this project through the purchase of basic medicines. Basic decentralized medical assistance could be ensured through the local councils. Thus, article 7 of the Local Government Act of 1991 lays down the responsibilities of the prefect:

"(c) To direct grass-roots work for the purpose of: promoting social reform, the mobilization of the masses, development, grass-roots control, solidarity, the execution of various projects, disaster relief work; propagating virtue and noble values; strengthening loyalty to the homeland; promoting respect for religion and the public interest;

(d) To supervise local administration, to stimulate the grass-roots organizations and social organs, and to verify their conformity with the law and policy enunciated;

(e) To monitor the work of the assemblies, and to transmit to the provincial government reports on the form and content of their activities".

173. In the third chapter of the Assemblies Act - relating to the kinds of assembly, their establishment, their role, their powers and their competence - the second section, under the heading "General organization", sets out the following as their primary role:

"(a) To combat licentiousness and delinquency in young people; to provide them with wholesome work, education, training, physical exercise and entertainment;

...

(c) To combat games of chance and consumption of alcohol and drugs in any form;



(d) To participate in censuses of refugees and migrants; to work on organizing their sojourn;

(e) To promote social welfare and solidarity".

174. In the third section, relating to public health, the following roles are listed:

"(a) To ensure that the environment is free of agents harmful to health;

(b) To train midwives, to grant them work permits in order to be able to supervise them and subsidize them;

(c) To promote basic medical assistance; to establish, manage and maintain dispensaries;

(d) To establish mobile health units in rural health areas and areas of nomadism;

(e) To take periodic health measures in the event of epidemics, disasters and population movements;

(f) To provide assistance and welfare services to mothers and children;

(g) To assume responsibility for school health services, at the assembly level".

175. The fourth section is devoted to national education:

"(a) To establish and maintain primary schools;

(b) To establish and manage Koranic schools;

(c) To establish kindergartens and to train kindergarten personnel".

- - - - -