



ngo group for the crc

**STATE PARTY EXAMINATION OF SUDAN'S INITIAL REPORT
ON THE OPTIONAL PROTOCOL ON THE SALE OF
CHILDREN, CHILD PROSTITUTION AND CHILD
PORNOGRAPHY**

**45TH SESSION OF THE COMMITTEE ON THE RIGHTS OF THE
CHILD**

21 May – 8 June 2007

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Sudan ratified the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC) in 2004. On 25 May 2007, the Committee on the Rights of the Child (the Committee) examined Sudan's Initial Report on the OPSC.

Opening Comments

Mr. Yassin from the Ministry of Social Welfare and Women and Children Affairs headed the delegation. He noted Sudan's ratification of all national and regional conventions related to children. In response to the Committee's previous recommendations, a draft bill to bring national legislation more in line with the CRC and the OPSC was before parliament. To address the lack of data collection, a centre for information on children would soon be established with the support of UNICEF and NGOs, and would work with the National Centre for Information to improve the situation. The National Council for the Protection of Children was undertaking coordination measures in relation to the CRC and the OPSC. In early 2006, two units for the protection of the child were established in Khartoum and Southern Sudan. More units would be established in all the states with the support of UNICEF. A unit for the protection of children in armed forces was also being established. In 2007, a unit would be created to handle cases of displaced children. Rehabilitation and reintegration programmes had been set up to help children who were abducted and forced into becoming camel jockeys. They were also implementing preventative programmes to reduce poverty in areas that child camel jockeys originally came from. A national plan to combat violence against children was adopted. A group to combat violence against women and children was established in the Ministry of Justice. The National Council for the Protection of Childhood adopted a document called 'Sudan for its Children' which aimed to improve children's rights (covering the

period of 2005-2015). In addition, a working group was established for the protection of children from sexual abuse in areas of conflict with the help of UNICEF, NGOs and the African Union. Mr. Yassin noted that Sudan had faced many setbacks including drought, desertification, and a history of armed conflict. He emphasised that Sudan was entering a new phase of peace, and that the political climate had become conducive to further developing child rights.

Implementation

The Committee asked if the OPSC took precedence over national laws and if it was used in the courts. The delegation responded that the OPSC took precedence over national law. The Committee asked about coordination within the National Council on Child Welfare. The delegation responded that the Ministry of Social Welfare and Women and Children Affairs was a federal ministry comprised of nine departments, one of which was the National Council for Child Welfare. The coordination of the different departments took place during weekly meetings. The Committee asked about the involvement of NGOs in enforcing the OPSC and in the preparation of the report. The delegation replied that NGOs were invited to comment on the draft report and that feedback was incorporated in the report. The Committee asked if the state had ratified the African Charter for Children. The delegation responded that it had been ratified by presidential decree in July 2005, but still remained to be widely implemented. However the charter had since been clearly aligned with domestic legislation and would be enacted in the near future. The Committee asked if the state had any bilateral agreements with other states to provide services for abducted children. The delegation said that Sudan had bilateral agreements with the United Arab Emirates regarding children abducted to become camel jockeys, which provided for rehabilitation and compensation measures. The Committee asked about the provisions to promote extraditions in the context of the OPSC. The delegation said that certain agreements were in place, especially with the United Arab Emirates.

The Committee remarked that awareness raising campaigns targeted personnel working with children and suggested that they should also target families and women, especially in rural areas. The delegation did not respond. The Committee asked about the centralised system in place to enforce the OPSC. The Committee noted that the sale of children was not part of the criminal code in Sudan, and asked about the measures being taken to bring the criminal code in line with the OPSC. The Committee asked if people were being prosecuted for violations of the OPSC. The delegation did not respond to these questions.

Data Collection

The Committee asked about the existing mechanisms for data collection, and if NGOs would be involved in future efforts to collect data. The delegation admitted that there was a lack of data on OPSC violations, stating that there was no centralised system to gather information. However, the delegation highlighted the establishment of a centre to help gather more information on children. Regarding child trafficking, the Committee asked why there were measures in place to evaluate the prevalence of the sale of children for camel jockeying, but that there were no measures to investigate the prevalence of sexual exploitation. Committee also enquired if there were plans to undertake in-depth research on the prevalence of OPSC violations. The delegation did not respond.

Budget

The Committee asked about the resources allocated to implement the OPSC and if these resources had increased. The delegation said that resources allocated to children had increased to 9.6% of the GDP, but did not say what proportion of that was used for the implementation of the OPSC.

Sale of Children

The Committee asked how many cases of child trafficking had been brought before the courts. The delegation did not respond. Regarding the sale of children for labour, the Committee was concerned that a violation of the law against slave labour only carried a sentence of a maximum of one year in

prison and/or a fine. The delegation did not respond. The Committee expressed concern that girls were sometimes forced into marriages, constituting a form of child trafficking. To this effect, they asked about the minimum age of marriage and the measures in place to prevent these early marriages. The delegation replied that the practice was not very common in Sudan but that courts penalised parents who forced their children into early marriages.

Rehabilitation

The Committee asked about the rehabilitation programmes for survivors of OPSC violations. The delegation said that the Unit on Children was created to help these child victims, and that the personnel of these units received specialised training. They also mentioned specialised facilities where children victims of sexual abuse could be evaluated, and where information could be gathered against the perpetrator in way that was respectful of the child victim.

Southern Sudan

Remarking on differences between Northern and Southern Sudanese legislation, the Committee asked if measures against the OPSC were enacted equally in both regions. The representative from Southern Sudan responded that they were one country with two systems, but that work was being done to harmonise legislation between the two regions. Measures against the trafficking of children and child protection were included in Southern Sudan's Child Bill which was before the parliament. Laws were in place in Southern Sudan to protect children from forced labour.

Abduction of Children

The Committee asked about the prevalence of child abductions as well as the monitoring systems in place to track child abductees. The delegation explained that a special unit was set up to handle abductions of women and children, but that it was concentrated in Northern Sudan. Agreements were signed between Uganda and Sudan, and information was presented on the number of children abducted between these countries. Children abducted from Uganda were returned to their country. Work on abductions in Southern Sudan were still in process. The Committee remarked that it had heard of cases where abducted children were bought back from their captors, and asked if this was still occurring. The delegation responded that some children had been bought back by NGOs, but that the government had asked the NGOs to stop as the practice was dangerous and may encourage further child abductions. The Committee asked if there were cases of foreign children being brought to Sudan to fight for Sudanese armed groups, and if so, how these cases were being handled. The delegation did not address this question.

Closing Remarks

Mr. Yassin thanked the Committee for the constructive dialogue and said that the government would make every effort to enact the Committee's recommendations. He added that despite the country's previous setbacks, Sudan remained committed to providing a better future for its children.