



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Fifty-fifth session

13 September–1 October 2010

### **Written replies by the Government of the Sudan concerning the list of issues (CRC/C/OPAC/SDN/Q/1) related to the consideration of the initial report of the Sudan under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/SDN/1)\***

[18 August 2010]

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

## Section 1

### Reply to the issues raised in paragraph 1 of the list of issues (CRC/C/OPAC/SDN/Q/1)

1. Several joint national and international mechanisms ensure coordination with relevant institutions. They are as follows:

- (a) National mechanisms for the protection of children affected by armed conflicts;
- (b) The National Council for Child Welfare;
- (c) The Armed Forces Child Rights Unit;
- (d) The Advisory Council on Human Rights;
- (e) The Ministry of Foreign Affairs;
- (f) The Family and Child Protection Unit of the police;
- (g) National Council for Disarmament, Demobilization and Reintegration (DDR), comprising:
  - The North Sudan Commission for Disarmament, Demobilization and Reintegration
  - The South Sudan Commission for Disarmament, Demobilization and Reintegration

2. Joint offices have been established between the two commissions (Blue Nile and North Kordofan provinces) for programme coordination.

3. The North Sudan Commission established 11 local offices comprising 9 coordinators for the child soldier programme in the provinces, including the 3 Darfur provinces.

4. The UN-Government Coordination Mechanism for Children and Armed Conflict in the Sudan was established with the aim of presenting initiatives, undertaking dialogue and following up on recommendations contained in the Secretary-General's reports on children and armed conflict in the Sudan. Its membership consists of the National Council for the Protection of Children, the Ministry of Foreign Affairs, the Advisory Council on Human Rights, the North Sudan Commission for Disarmament, Demobilization and Reintegration, the Ministry of Defense, the Interior Ministry, the Humanitarian Aid Commission, the National Committee for International Humanitarian Law, in addition to UNICEF, UNMIS and UNAMID. Such a mechanism helps to improve information sharing, cooperation and coordination in responding to the needs of children affected by armed conflicts in the Sudan.

5. The Joint Mechanism for the Protection of Children against recruitment in areas of conflict emanated from the Conference against Recruitment of Children, held from 7 to 9 June 2010 in N'djamena (Chad). The Conference was attended by the Sudan, Chad, Central Africa, Niger, Nigeria, Cameroon, the Democratic Republic of the Congo, Liberia and UNICEF. Participants in the Conference pledged to put an end to the recruitment of children, undertake reforms of the legal frameworks for children and establish reintegration programmes in accordance with international standards in this regard.

6. The National Council for Child Welfare is the national body entrusted with coordinating efforts of mechanisms involved in child issues. There is therefore a permanent mechanism for the child involving all relevant parties, including the Disarmament Commission, the Unit for Family and Child Protection and the Defense Ministry Unit for the Rights of the Child. All relevant common issues are discussed and solutions sought within the framework of this mechanism. No coordination with the above-mentioned parties is undertaken outside this mechanism.

### **Reply to the issues raised in paragraph 2 of the list of issues**

7. The Government has adopted a joint action plan with UNICEF for the implementation of child-related activities on a number of themes concerning the implementation of the Optional Protocol. These were as follows:

- (a) Training the Sudanese armed forces officers on the concepts of human rights and child protection, with focus on the recruitment of children under 18;
- (b) Implementation of national anti-recruitment campaigns;
- (c) Implementation of all other related activities;
- (d) Establishment of the Armed Forces Unit for the Rights of the Child and providing technical and financial support.

8. An action plan has been proposed in order to remove the Sudan from the list of countries that use children in armed conflicts, in accordance with the Report of the Secretary-General on Children and Armed Conflicts. The proposal is currently under study by the Minister of Defense.

### **Reply to the issues raised in paragraph 3 of the list of issues**

9. Valued efforts have been exerted by the Commission and other national and international institutions to end the recruitment of children, including the following:

(a) The National Support and Advocacy Campaign for the Rights of the Child, carried out by the National Council for Child Welfare and its partners, with valued support from UNICEF. The Council organized 30 workshops at the national level targeting decision makers, legislators and local community leaders. The Council also designed and distributed posters for awareness-raising and guidance in support and advocacy of the rights of the child, with focus on the issue of child recruitment;

(b) The North Sudan Commission organized 15 instructive workshops for military commanders of the armed forces, the police and armed groups having signed the peace agreements (Naivasha, Asmara, Abuja) in which 480 officers participated. In addition, 15 instructive meetings were organized with community leaders of Darfur villages to determine the effects of child recruitment and work together to put an end to it. They were attended by 1,200 members of these communities;

(c) The non-use of children as soldiers has been introduced in all national laws related to children, including in particular the Child Act 2010, which makes the recruitment of people under 18 a crime, the Armed Forces Act and the Police Law, in addition to the three peace agreements;

(d) The North Sudan Commission and its partners follow the concept of comprehensive and community-based reintegration which has been implemented in all areas of demobilized children in the provinces of Blue Nile, Gadaref, Kassla, Port Sudan

and El Geneina. It includes social and psychological support, instruction and briefing on the effects of the recruitment of children, especially in vulnerable communities where children are prone to recruitment such as displaced children. It also includes support of, and assistance to, children in enrolling in formal education or other types of education such as apprenticeship and vocational training, and acquiring essential skills. In addition, building youth and children centres and providing them with needed requirements for such activities as sports, arts, music, dance, popular arts and kindergartens contribute to reducing opportunities for the recruitment or re-recruitment of children;

(e) The agreement signed by the Governments of the Sudan and Chad on border control through joint forces stipulated combating the phenomenon of child recruitment in border areas by rebel movements in both countries, in addition to the prevention and control of child trafficking. This culminated in the recommendations of the N'djamena Regional Conference on Ending Recruitment and Use of Children by Armed Forces and Groups in which the Sudan participated. The Conference recommended the establishment of mechanisms for countries with common borders facing child recruitment across borders. The Sudan and Chad have already initiated preparations for the establishment and activation of such a mechanism.

### **Reply to the issues raised in paragraph 4 of the list of issues**

10. The Sudanese Armed Forces adopted the Armed Forces Act (2007) which concurred with the Optional Protocol in the following points:

- (a) Prescribing the age of recruitment in the armed forces (18 years) (art. 14);
- (b) Respect for international conventions ratified by the Sudanese Government, including the Convention on the Rights of the Child and its Optional Protocols (art. 7);
- (c) Imprisonment of up to 5 years for any recruitment of a child in the armed forces (art. 176);
- (d) The Law includes an entire chapter on the protection of civilians, including children, in areas of armed conflict. Non-compliance with this chapter can lead to life imprisonment or the death penalty (chapter II, section III, of the Armed Forces Act).

### **Reply to the issues raised in paragraph 5 of the list of issues**

11. The National Council for Child Welfare coordinates with national mechanisms and joint mechanisms with the United Nations in all matters relating to children and armed conflict taking into consideration the Secretary-General's reports on children and armed conflict in the Sudan.

12. The visit by Ms. Radhika Coomaraswamy, the United Nations Secretary-General's Special Representative for Children and Armed Conflict on 15 November 2009 to the Sudan, pursuant to Security Council resolution 1612, was a good opportunity to assess the situation on the ground.

### **Reply to the issues raised in paragraph 6 of the list of issues**

13. In her statement before the Human Rights Council in Geneva (14 September–2 October 2009), Ms. Coomaraswamy talked positively of the Sudan, citing important legislative reforms undertaken in the country to fight impunity for crimes against children.

She also talked of the 2007 Armed Forces Act which fixes the recruitment age at 18 years and concurs with international law regarding all crimes against children and civilians.

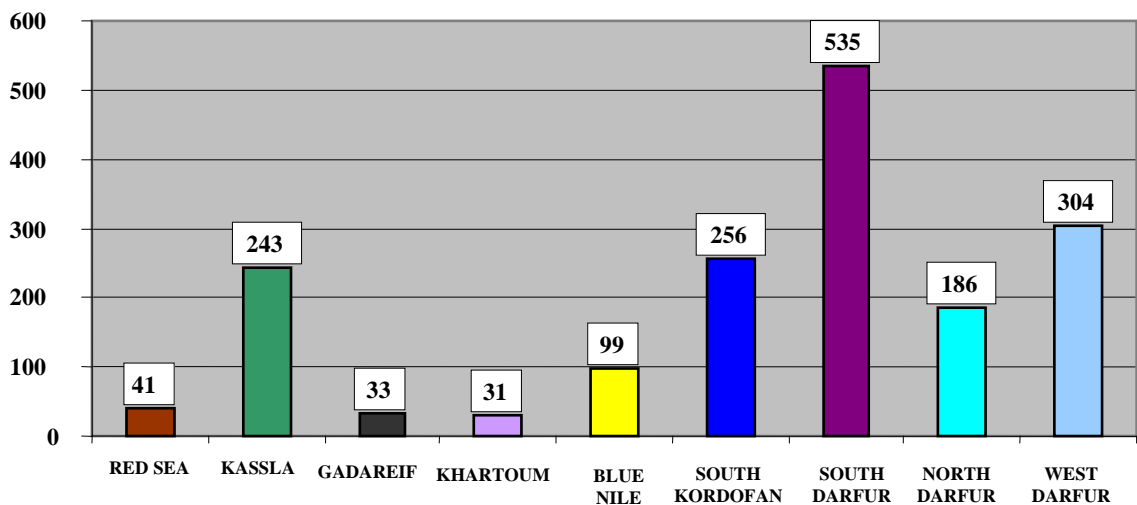
**Reply to the issues raised in paragraph 7 of the list of issues**

14. During the attack of May 2008 by the rebel Justice and Equality Movement on Omdurman in Darfur, Sudanese forces captured a number of the Movement’s members, among them children below the age of 18 years. Government bodies concerned with children’s issues, in particular the National Council for Child Welfare and the Ministry of Justice, worked on providing them with all services, including health, education, food and psychological and social support services, in addition to entertainment and sports. They were also assigned a separate building from adults. Efforts culminated in a presidential pardon for anyone less than 18 years of age captured in that attack. The North Sudan Commission undertook the programme for their reintegration in their original areas after reuniting them with their families, in cooperation with ICRC and UNICEF.

**Reply to the issues raised in paragraph 8 of the list of issues**

15. The following chart and table indicate the number of demobilized children, reintegration programmes, areas of presence of children and armed groups that demobilized them.

**North Sudan Child DDR Statistics**

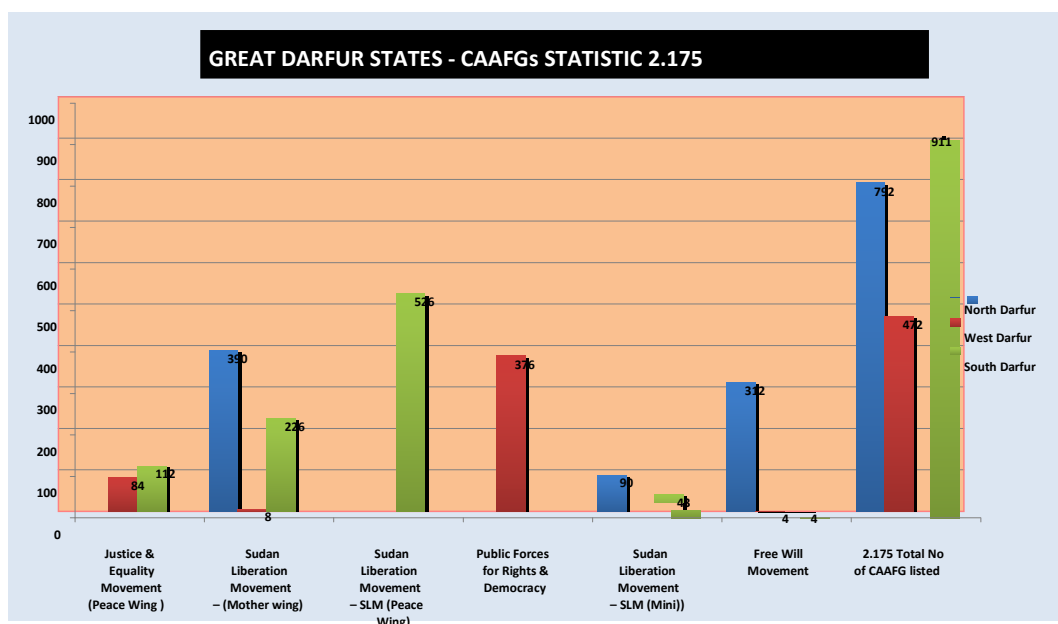


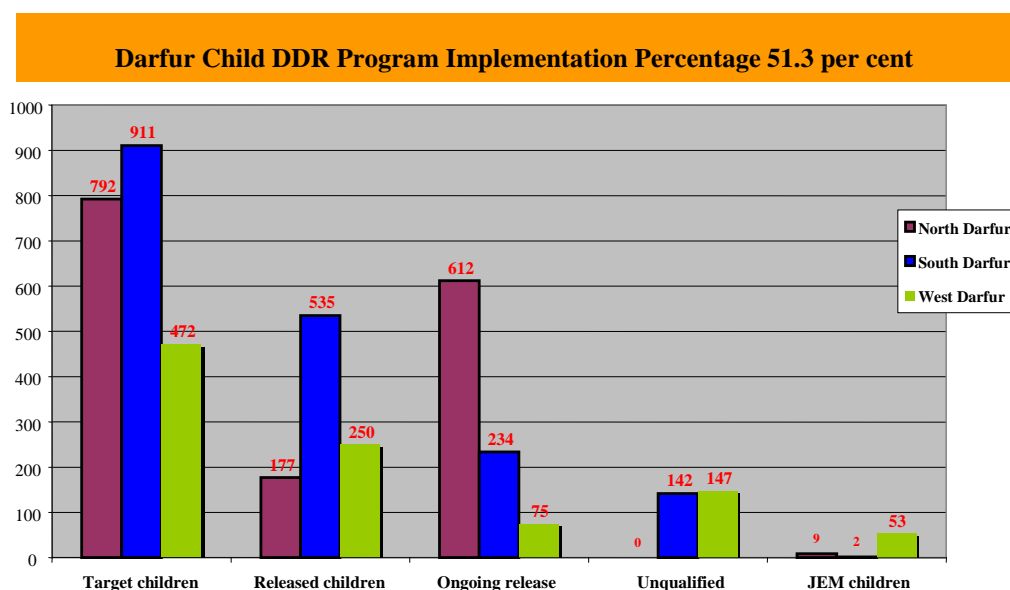
Statement	Total	South Darfur	Red Sea	North Darfur	Khartoum	Kassla	Gadaref	Blue Nile	South Kordofan	West Darfur
Total children enrolled in programme	1 629	534	41	173	31	243	33	94	273	207
Total children benefiting from reintegration programme	638	2	36	2	31	212	29	82	17	33
Total children followed by social researchers	427	18	35	2	24	212	29	60	13	34

Statement	Total	South Darfur	Red Sea	North Darfur	Khartoum	Kassla	Gadaref	Blue Nile	South Kordofan	West Darfur
Total children in schools	234	0	14	2	15	91	20	51	13	27
Total children in apprenticeship	103	0	24	0	10	50	9	9	0	1
Total children benefiting from psychological and social support programmes	316	0	35	0	16	212	29	No data	17	7
Total children who have been re-recruited	34	0	0	0	0	0	0	34	0	0

16. In coordination with the Commission for Security Arrangements under the auspices of the Darfur Transitional Authority, and through contacts with the commanders of forces having signed the Abuja Agreement, lists of child soldiers were received from each movement, totaling 2,175 children enlisted in 6 movements in the 3 provinces. During a national workshop, an agreement was reached on an action programme to release all children and a mechanism comprising delegates from all movements was established.

17. The charts below illustrate the distribution of targeted children in Darfur according to armed groups and provinces.





18. In the area of reintegration and after establishing the policy and the guide for its implementation in addition to other administrative and technical requirements, preparatory work for reintegration operations was initiated. Thus, a training preparatory programme was organized involving a large segment of entities dealing with child soldier issues including social researchers, technicians from the Ministry of Social Affairs, officials from the Ministry of Education and the Ministry of Health. Other partners included the Interior Ministry, the DDR Commission and civil society organizations dealing with child issues in Khartoum and other provinces.

19. Databases on child soldiers have been established and a training guide on their use has been prepared.

20. Prior to launching the reintegration operation, the Commission carried out preparatory work through a number of meetings with government officials, providing details on the operation and ways for its implementation. These meetings covered legal frameworks, social and psychological effects, the role of relevant government institutions, data, filling and updating social action forms, follow-up and reporting (under testing). In the area of social work, a two-member technical group has been established and has already finalized preparations for a guide in the field (under testing).

21. The table below indicates implementing partners for child soldier reintegration in Northern Sudan.

No.	Organization	Province	Programme type	Start date
1	Child Development Foundation (CDF)	Khartoum	Education, vocational training, apprenticeship, instruction, psychological and social support	2007–2009
2	Child Development Foundation (CDF)	Gadaref	Education, vocational training, apprenticeship, instruction, psychological and social support	2007–2009
3	Ministry of Social Welfare	Blue Nile	Follow-up, social support, observation	May 2008

<i>No.</i>	<i>Organization</i>	<i>Province</i>	<i>Programme type</i>	<i>Start date</i>
4	ROOF	Blue Nile, Karmak	Education, vocational training, apprenticeship, instruction, psychological and social support	May 2008
5	Children Friendly Societies Initiative	Blue Nile	Building, administration and activation of youth and children centres	May 2008
6	Child Development Foundation (CDF)	West Darfur, El Geneina	Education, vocational training, apprenticeship, instruction, psychological and social support	January 2009
7	Ministry of Social Welfare	South Kordofan	Follow-up, social support, observation	March 2008
8	ACORD	Kassla	Building, administration and activation of youth and children centres and social support	May 2008
9	Delta Organization	Kassla	Follow-up, social support, observation	May 2008
10	Save the Children	Red Sea	Building, administration and activation of youth and children centres and social support	2010
12	Abu Hadia Society		Follow-up, social support, observation	
		South and North Darfur	Search is ongoing for an organization	Soon

### **Reply to the issues raised in paragraph 9 of the list of issues**

22. During the period covered by the above paragraph, the Sudan did not receive any asylum requests for children, whether accompanied by relatives or on their own. The majority of asylum-seekers are from the eastern Border States (Ethiopia and Eritrea).

### **Reply to the issues raised in paragraph 10 of the list of issues**

23. There is an enforced law that prohibits unofficial handling of weapons and munitions. The Weapons and Munitions Act of 1986 regulates their use and penalizes any violations of its provisions.

24. Handling of weapons and munitions within the armed forces follows a work system based on laws, regulations and rules:

(a) The Sudan signed and ratified the 2004 Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa;

(b) The Sudan submitted a proposed protocol for the prevention of illegal proliferation of small weapons during the N'djamena Regional Conference on "Ending Recruitment and Use of Children in Armed Forces and Groups: Contributing to Peace, Justice and Development" (N'djamena, 7–9 June 2010);

(c) A proposed plan has been drawn to collect illegal weapons and submitted to the United Nations representative in the Sudan. However, due to funding and implementation difficulties, it has been put on hold.



## Section 2

### Reply to the issues raised in paragraph 2 of the list of issues (CRC/C/OPAC/SDN/Q/1)

25. The monitoring of the implementation of the United Nations Security Council resolution 1612 (2005) is ongoing. Input for two reports on the recruitment and use of children by SPLA and LRA has been provided for the Global and Horizontal Note.

### Reply to the issues raised in paragraph 5 of the list of issues

26. The CPA calls upon the GOSS, UNICEF and other UN agencies to ensure that all children associated with SPLA and other armed forces were demobilized by June 2005, but despite the high-level political commitment, the demobilization of all children and prevention of recruitment and use of children by the armed forces remains a challenge in Southern Sudan. In 2006 and 2007 the SSDDRC demobilized up to 1,200 children with UNICEF support and at the beginning of 2008 it was estimated that there remains approximately 1,000 children associated with armed forces. In 2009, 177 ex-CAAFGs have received support and 1,771 vulnerable children benefited from psychosocial support in Western Bahr el Ghazal, Northern Bahr el Ghazal, Unity and Warrap States in Southern Sudan.

27. Earlier in 2007, UNICEF Sudan conducted a study to identify the causes for which children associated with armed forces are not successfully reintegrated to their communities. These include:

- The current practices and demobilization do not take into consideration the special needs of the individual children
- Weak follow-up of the situation of demobilized children and lack of psychosocial support for those who need specialized services
- Limited access to education, vocational training and livelihood opportunities
- Limited essential life skills of demobilized children
- Limited financial, material and human resources

28. The SPLA, Government of Southern Sudan (GOSS) and UNICEF signed a Memorandum of Understanding (MOU) in 2009 to support the DDR programme for demobilizing all children in the SPLA barracks. As a result, a Child Protection Unit (CPU) has been formed within the SPLA barracks to work with the DDRC to carry out the demobilization process.

29. In the current year (2010):

- 194 children have been registered and verified by joint team (SPLA/DDR/UNICEF/UNMIS)
- 134 have been demobilized and returned to their families (all boys)
- 100% of ex-CAAFGs benefited from reintegration
- 256 OVCs benefited from services provided by NGOs, CBOs and FBOs.

30. The Southern Sudan Disarmament, Demobilization and Rehabilitation Commission (SSDDRC) has the overall oversight of children associated with armed forces demobilization and reintegration into their communities. It has a department in charge with

special needs groups, which includes children. At State level the Commission has hired Child DDR officers in 8 of the 10 States in Southern Sudan in 2007. UNICEF supported an initial training of the newly appointed staff at the State level. The current reintegration strategy for ex-CAAFGs is being revised to ensure that it takes into consideration the Southern Sudan context and specificities of communities where children are reintegrated. This is being done with the support from UNICEF.

31. The Child Act 2008, chapter 10, articles 135 to 191, contains all the applicable principles related to children in conflict with the law. UNICEF, UNFPA, UNIFEM, UNMIS NPA supported the establishment of 7 Special Protection Units [Child Desks] within 4 of the 10 States of the Southern Sudan for children in conflict with the law to protect and advocate for the respect and protection of their legal rights and to follow-up on their situation. There is a plan to establish Special Protection Units in all the 10 States in Southern Sudan.

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