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# Sudan Country Case Study: Child Rights

Commissioned by Norad and Sida



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**Sida**

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## Executive summary

1. The Convention of the Rights of the Child (CRC) was signed by Sudan in July 1991 and ratified in September 1991. Sudan's first periodic report to the UN committee on the rights of the child was submitted in 1993, the second in 1999 and the combined third and fourth in 2007. Sudan signed the Optional Protocol on the involvement of children in armed conflict in 2005 and the [Optional Protocol on the sale of children, child prostitution and child pornography](#) in 2004. Sudan has also ratified the African Charter on the Rights and Welfare of the Child.
2. The CRC concluding observations and recommendations from the latest reports in 2002 and 2007 noted the following:
  - a) *Data*: there has been and still is a lack of reliable data/statistics provided by the Sudanese government;
  - b) *General measures of implementation*: there is a need to strengthen child rights legislation in accordance with CRC stipulations; to intensify the National Council for Child Welfare's (NCCW) collaboration with NGOs and civil society organisations and to provide the council with necessary human and financial authority in order to form national strategies;
  - c) *Dissemination and training*: there is a need to develop systematic training programmes on human rights, including child rights, for all professional groups working for and with children; there is also a need to disseminate the CRC to children and families, especially in remote areas;
  - d) *Resource allocation*: the low government spending on children is a source of concern. Specific budget allocations are recommended;
  - e) *Non-discrimination*: it is necessary to ensure that all children, regardless of geographical origin, enjoy equal rights, including access to basic services. Particular efforts must be made to prevent discrimination between girls and boys and of children with disabilities;
  - f) *Civil rights and freedoms*: the treaty body is troubled by the very low birth registration. It is also a concern that corporal punishment is widespread. The committee additionally draws attention to the protection and support of children born out of wedlock as well as their mothers;
  - g) *Participation*: full respect for the views of the child should be ensured and ways considered for a child's views to be given due consideration in accordance with the age and maturity of the child within the family, clan and tribe; this recommendations give particular attention to ensuring respect for the views of girls and encourages the idea of children's parliaments;
  - h) *FGM*: the prevalence of FGM is a concern. The treaty body recommends that Sudan continue and strengthen its efforts to eradicate the practice and to seek cooperation with other countries in the region to that end;
  - i) *Education*: the low state spending on education, the low enrolment rates and especially the differentials between girls and boys are a serious concern. Also, the quality of schools, teachers and curriculum is not satisfactory;
  - j) *Basic health and welfare*: the high infant and child mortality is a huge concern and there is a need to redress regional inequalities. Basic health services are not available. Also, there is a need for more awareness on HIV and AIDS;

- k) *Protection of vulnerable children*: the high number of IDPs, refugees, child soldiers and street children are a major concern for the CRC committee. It recommends measures to be taken to ensure that oil exploration activities do not lead to the forced displacement of families, including children, and that the rights of all children are respected in regions where such activities are taking place. There is a further need to strengthened legislation, juvenile justice mechanisms, reintegration and protection of vulnerable children.
3. This report evaluates Norway's and Sweden's aid interventions with regards to the right of the child during the last ten years. Taking the cue from the CRC reports, the interventions are timely and filling gaps in the government's own efforts to implement the CRC. The main purpose of this evaluation is to assess both the results of interventions and the processes that lead to outcomes, including the efficacy of the procedures and tools that Norwegian and Swedish aid agencies employ in support of child rights. The evaluation addresses the following:
    - The effectiveness of the projects selected in terms of child rights approach/focus, quality and sustainability;
    - The areas that needs to be strengthen in Norway's and Sweden's aid intervention as regards child rights; and
    - The achievements and challenges of the implementing partners and the government institutions working together to target the needs of children in Sudan.
  4. Norway's Sudan portfolio in the last decade indicates that almost half of all projects listed as child-specific projects are actually community-based, meaning that children are but one beneficiary group among others. Education is the main area of intervention, whereas protection and advocacy are given low priority. Sweden's portfolio indicates that the main areas of intervention are humanitarian aid, health and human right/democracy/gender equality. Humanitarian aid is by far the largest. Sweden mainstreams child rights, but also supports child targeted projects. The Swedish portfolio is much stronger than that of Norway with regard to the protection of children with disabilities, street children, children in institutions, child labour, and children affected by war. Both Norway's and Sweden's portfolios are weak on children's participation, e.g. support to child rights institutions such as children's parliaments and the NCCW.
  5. The greatest achievement in the past ten years in Sudan is the enactment of the Child Act in South Sudan in 2008 and the National Child Act in 2010. Advocacy by organisations such as Save the Children Sweden (SCS) and UNICEF in cooperation with local partners funded by Sweden and Norway have been significant in the drafting of these legal instruments. But there is a challenge of enforcement and a lack government readiness to act. The national government institutions, in particular the NCCW, have not developed the necessary strategy to monitor the implementation of the Child Act, and in the South the Child Welfare Council is still in the process of being established. However, national strategies have been developed in cooperation with international organisations like the SCS and Sudanese civil society organisations. All child institutions, in the North and South and at the state level have to deal with challenges of recognition and resources from political and decision-making leaders. The NCCW's lack of human and financial resources provided by the government continues to constrain its operations. Advocacy for child-sensitive or specific budget items favouring children should be a part of the advocacy strategy of civil society organisations.
  6. Although both Child Acts are informed by the CRC, the shortcoming of the national act is its failure to criminalise FGM. Section 13 in the draft law – which banned FGM – was ultimately taken out of the Child Act 2010. This failure clearly indicates that the government is not at this point prepared to embrace the CRC in its totality. The prevalence rate of FGM has not decreased in the



past decade. Both Sweden and Norway should continue aid interventions within this important area as it is a major concern pointed out by the CRC commission. Also, both Norway and Sweden apply a gender perspective in their child rights strategies which means that attention is drawn to the differential treatment of boys and girls and the exposure of girls to particular risks. However, the organisations working on harmful traditional practices should reconsider their interventions in this field over the last ten years. It would be advisable to move away from seeing FGM as predominantly a health hazard to a holistic rights-based approach.

7. In the area of juvenile justice and street children there have been important developments, with the establishment of juvenile courts and child protection units. Save the Children Sweden, through its local partners, has been influential in advocacy and worked for juvenile justice in Sudan since 1988. It is important to establish accountability mechanisms and to continuously monitor progress in respect of police violence. There is an awareness challenge among the police which needs to be addressed with the mainstreaming of the CRC and the Child Acts into the police academies. Although major improvements have been recorded, the future challenge is to institutionalise best practices, ensure transparency and replicate successful developments from Khartoum in other areas of the country. There have also been important macro level changes with regard to demobilisation and reintegration of child soldiers. Due to the ongoing conflict in Darfur and post-conflict violence, particularly in Southern Sudan, there are still a significant number of child soldiers in the North (6,000) and in the South (1,200) of the country. In terms of legal initiatives and government cooperation, great strides have been made after the signing of the Comprehensive Peace Agreement (2005). The challenge ahead is to establish good mechanisms for monitoring government institutions and for ensuring transparency in these processes. Poverty and the lack of life opportunities form the backdrop to the persistence of the problem. Developments in education, health and so on in vulnerable communities are important steps towards preventing future recruitment and to sustain reintegration.
8. Education and health are important areas for Norway's and Sweden's child rights strategies. These are also recommended areas of aid intervention by the CRC commission. In fact, the majority of projects in Sudan funded by Norway and Sweden address these areas. Humanitarian aid often contributes to water/sanitation, education and health. Particularly when it comes to education and health, there is a need to increase the state parties' budget allocations which is generally low within these areas. Both advocacy and bilateral diplomacy are possible tools. Particularly Sweden which aims to export the Swedish welfare model should put this on the agenda in bilateral meetings. Many of the Norwegian and Swedish funded projects are relief/activity oriented as their purpose is the payment of school fees and the provision of material for children, without consideration of their other needs for food and transportation and rights awareness. There is a need, in accordance with the CRC recommendations, to put more emphasis on the problem of corporal punishment. Also, there is still a need to disseminate the CRC to children and families, especially in remote areas.

#### **Approaches: mainstreaming vs. child-targeting**

9. While both Norway and Sweden take their cues from the CRC they have adopted somewhat different approaches and priorities. Sweden ostensibly pursues a mainstreaming policy on child rights. However, we found that child rights are not mainstreamed in the selected projects. More importantly, the implementing agencies appear oblivious of Sida's mainstreaming policy. The broad concept is not translated into practice. A formalistic, narrow definition of mainstreaming is prevalent, that is, a definition which focuses on activities physically including children. The excuse was made that there are projects in which children cannot be mainstreamed, such as elections because children under 18 are not allowed to vote or run as candidates. But a child rights perspective can be integrated into capacity building for decision-makers, electoral candidates and party

manifestos. It is peculiar that both international organisations and embassies state that child rights are neither a focus nor a priority. Still, about half the population is below 18 years of age. As a result, all aid interventions should be planned and implemented within a child rights perspective because it is inevitable that it will affect children one way or the other. The fact that child rights have not been mainstreamed and that stakeholders are not aware that they ought to mainstream is an indication of both a mainstreaming overload (as stakeholders are expected to mainstream gender, environment, etc.) and the relatively low priority assigned to child rights specifically.

10. The majority of so-called child-targeted projects (mostly in health and education) do not deserve that label. Children are but one beneficiary group among others. These projects can better be described as community-based. Identifying vulnerable communities and approaching them with a service package in cooperation with local and state institutions combined with awareness-raising on a range of issues is a good way to ensure sustainable development, rather than just providing emergency humanitarian aid. It is important, though, to put equal emphasis on service delivery and grassroots empowerment components in the evaluation of the projects. Although other human rights conventions were referred to, the CRC was not always highlighted or even mentioned in the child targeted projects. The CRC should not only inform the project descriptions, but also be a reference point throughout the implementation phase. However, in most interventions selected for this evaluation the child's right to participation, enshrined in the CRC and fundamental to Norway's and Sweden's approaches, has not been taken into consideration in the planning and implementation of projects.

#### **Coordination and cooperation: partnership, capacity building and sustainability**

11. In the course of the ten-year period, there has been increasing critical discussion between government and civil society on child rights. There is more transparency in Sudan's reporting to the CRC which is led by the NCCW. But there seems to be more confusion rather than coordination in the planning and implementation of child rights projects in Sudan. This is largely due to the fact that Sudan is a vast country with very different and complex contexts in Darfur, the South, the East and the North. In particular, it is a complicating factor that Sudan is one country, but two systems of government structures in the South and the North. And although the NCCW is positive to the implementation of the CRC, other government structures are lagging behind and the NCCW is struggling to give child rights national priority. Furthermore, government institutions have very poor capacities in most areas of child interventions.
12. Civil society in Sudan is comparatively weak. We encourage and welcome initiatives to partner with local NGOs. Strategies for capacity building are important to take into consideration. Strong partnerships exist between international NGOs and local organisations in the North and South. However, capacity building seemed to be misconceived as confined to training in most interventions. A one-day orientation session is assumed to promote the understanding and capacities of participants to claim their rights and comply with their duties. A three-day training course is considered enough to produce trainers on child rights, gender, programming, etc. Training is only one step in a capacity-building process as those trained need to put into practice the skills they have acquired to improve their performance under supervision and close monitoring to remedy shortcomings. Therefore, the capacity-building process should entail organisational development, the elaboration of management structures, processes and procedures, not only internally but also with the external environment in the public and private sectors and at community level. Capacity-building also means making legal and regulatory changes to enable organisations, institutions and agencies at all levels and in all sectors to enhance their capacities. And it is a long-term undertaking.
13. Partnerships between state and non-state actors and agencies are vital to ensure sustainability. In particular, the government needs to assume overall responsibility. This is ensured through dia-

logue rather than confrontation. But the dialogue should be critical and the partnership with the government transparent. In order to move from confusion to cooperation there is a dire need for transparency. Moreover, the lack of baselines and reliable statistical data does not only make the task to evaluate difficult, but it makes it hard to measure progress over time and for the various organisations to identify gaps. Sudan is an extremely difficult country context to tackle, especially the areas in acute emergency, but it is nonetheless important to make long-term plans to transit from humanitarian aid and relief so sustainable development. If not, Sudan will remain in the same state of affairs ten years from now as it is today. In order for organisations to make the leap from emergency relief to sustainable development, they also need long-term funding of activities. But without the government's political will to prioritise child right in national budgets and plans, it will be difficult for organisations to hand over projects to local authorities who at present have neither the capacities nor the finances to sustain the interventions.

## Acronyms and abbreviations

ACRWC	African Charter on the Rights and Welfare of the Child
Amal	Friends of Children Society
CAAF	Children Associated with Armed Forces
CEAWC	Committee for the Eradication of the Abduction of Women and Children
CFCI	Child Friendly Community Initiative
CPA	Comprehensive Peace Agreement
CRC	Convention of the Rights of the Child
CRLG	Community Radio Listening Groups
CSO	Civil society organisations
DDR	Disarmament, Demobilisation and Reintegration
DPA	Darfur Peace Agreement
FGM	Female Genital Mutilation
GBV	Gender Based Violence
GER	Gross Enrolment Rate
GoS	Government of Sudan
GoSS	Government of Southern Sudan
HAC	Humanitarian Aid Commission
HTP	Harmful Traditional Practices
IAS	International Aid Services
ICC	International Criminal Court
IDP	Internally Displaced Person
ILO	International Labour Organisation
JEM	Justice and Equality Movement
LRA	Lord's Resistance Army
MGSW	Ministry for Gender and Social Welfare
MoEST	Ministry of Education, Science and Technology
MoU	Memorandum of Understanding
NCA	Norwegian Church Aid
NCCW	National Council for Child Welfare

NGO	Non-Governmental Organisation
NPA	Norwegian People's Aid
NRC	Norwegian Refugee Council
PTA	Parent and Teacher Association
Sabah	Association for Child Care and Development
SAF	Sudan Armed Forces
SCC	Save the Children Coalition
SCCW	State Council for Child Welfare
SCN	Save the Children Norway
SCS	Save the Children Sweden
SF	Strømme Foundation
SNCTP	Sudan National Committee on Traditional Practices
SPLM/A	Sudan People's Liberation Movement/Army
SRRA	Sudan Relief and Rehabilitation Association
TFL	Theatre for Life
ToT	Training of Trainers
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
UNIFEM	United Nations Fund for Women

## Introduction

Sudan is a multi-religious and multi-ethnic country in north-eastern Africa, with a population of about 40 million according to the 2009 census, notwithstanding objections that southern Sudanese and internally displaced persons were not counted. At independence in 1956 the civil war between the North and the South had already erupted and, apart from a period of ten years from 1973 until 1983, relations had never been peaceful until the conclusion in January 2005 of the Comprehensive Peace Agreement (CPA) between the Government of Sudan (GoS) and the Sudan People's Liberation Movement/Army (SPLM/A). During the 21-year civil war in Africa's largest country, an estimated more than two million people died, four million were uprooted and 600,000 sought shelter beyond Sudan's borders as refugees. The root causes of the civil war include disputes over resources, power, and the role of religion in the state, ethnicity and self-determination. The nature and magnitude of the country's problems have frequently overflowed into neighbouring countries and contributed to the insecurity of the whole region. The CPA represents a major opportunity for positive change and sustainable peace in Sudan. But the implementation is slow and outbreaks of new conflict in eastern Sudan and Darfur and post-conflict violence in southern Sudan mean that peace is elusive.

The conflict in Darfur broke out in 2003 and has displaced nearly two million people and caused an estimated 200,000 to 400,000 deaths. Sudan has also faced large refugee influxes from neighbouring countries, primarily from Eritrea, Ethiopia and Chad. Rich in natural resources such as crude oil, Sudan's economy is currently among the fastest growing in the world. But ongoing armed conflict, poor transport infrastructure, and lack of government support have chronically obstructed the provision of humanitarian assistance to affected populations. After the International Criminal Court's (ICC) indictment of President Omar Hassan Ahmad al-Bashir for committing crimes of genocide, crimes against humanity and war crimes in Darfur, the environment for international development and humanitarian organisations has become increasingly difficult and politicised. During the April 2010 Sudan presidential and parliamentary elections, the SPLM and most of the opposition boycotted the elections in northern Sudan. Bashir was elected President of Sudan and Salva Kiir President of southern Sudan. The elections were marred by accusations of fraud and logistical problems according to national and international observers. In 2011 there will be a referendum on southern Sudan's independence. There are still disputes between the GoS and the Government of Southern Sudan (GoSS) about the referendum and observers are concerned that yet another civil war might break out.

## Background

The Convention of the Rights of the Child (CRC) was signed by Sudan in July and was one of the first countries to ratify it in September 1991. The UN committee on the rights of the child was established in 1991 as the relevant treaty body in accordance with article 43 of the CRC. Sudan's first periodic report to the committee was submitted in 1993, the second in 1999 and the combined third and fourth in 2007. Sudan signed the Optional Protocol on the involvement of children<sup>56n</sup> in armed conflict in 2005 and the [Optional Protocol on the sale of children, child prostitution and child pornography](#) in 2004. Sudan has also ratified the African Charter on the Rights and Welfare of the Child.

The CRC contains four general principles: non-discrimination (Article 2); the best interests of the child (Article 3); the right to express views and be heard (Article 12); and the rights to life, survival and development (Article 6). The last ten years have seen significant developments with regards to children in Sudan, but important challenges remain in the areas of education, health, protection and participation. The CPA (2005) marks a turning point in Sudanese history. Civil society organisations working on child rights have gained more elbow room to address issues related to child rights. But the ongoing conflicts in the country continue to hamper the enforcement of the CRC. Nonetheless, the Child Act 2010

(building on the Child Act 2004) is a major achievement, even though there are many challenges in terms of enforcement. There are also huge challenges in co-ordination between government and international and multinational organisations engaged in child rights promotion. The field of child rights is politicised and sensitive. The Humanitarian Aid Commission (HAC) is responsible for the registration and performance of the non-governmental organisations but has failed to build trust and cooperative relations between these organisations and the government. The 2004 NGO Act was enacted to give more control to HAC over civil society organisations (CSOs) that were required to re-register. HAC has the authority to expel or ban or stop activities of any organisation. In March 2009 when the ICC issued a warrant for the arrest of President Bashir on account of the government's atrocities in Darfur, several foreign organisations were expelled, including Save the Children US, Save the Children UK and the Norwegian Refugee Council (NRC).

We will give a presentation of the challenges within the four major areas (building on the CRC and Norwegian and Swedish strategies with regards to child rights): education, health, protection and participation.

## **Education**

The net primary school enrolment rate in Sudan 2003–2008 is estimated at 53.7 per cent. In the interim constitution of 2005 Article 13(1a) states that children have the right to free education. In spite of that right, school fees are charged. A survey of children in Khartoum state in 2004, undertaken by the National Council for Child Welfare (NCCW), showed that 34.9 per cent of the children stated inability to pay school fees as the main cause for not being enrolled. In 2005, the public expenditure on education was reported to be merely 2.9 per cent (Alternative CRC Report, 2010).

Besides the problems of low school enrolment and retention, the educational system in Sudan is hampered by lack of trained teachers, corporal punishment, poor school premises and equipment, as well as considerable gender and regional enrolment disparities. In southern Sudan, fewer than 20 per cent of the enrolled pupils are girls (the estimated share of children who have access to primary education in southern Sudan is 16–18 per cent) (SCS, 2006). The adult literacy rate for southern Sudanese women between 15–24 years of age is only 2.5 per cent. There are great gaps between urban and rural areas, and the enrolment of girls is low in regions with high poverty. This disparity is related to the girls' family duties at home. In some areas it is the girl child's responsibility to fetch water, which is a time consuming and at times a dangerous activity (landmines, rape, etc.). Also, early marriages among some groups in Sudan cause girls to drop out of school.

A birth certificate is a requirement for school admission (SCS, 2006). This requirement means that refugee children in effect are denied education. The registration of births is generally low, according to the Secretary General of the NCCW. The registration rate is about 40 per cent despite its statutory requirement in terms of the Registration of Births and Deaths Act 1992. One of the main reasons for the low birth registration is the fee being charged (ibid).

## **Health**

Forty per cent of under-five deaths are caused by diarrhoea, owing to lack of access to clean water. The infant mortality rate (under 1 years of age) in 2006 was 81 per 1000 live births. The under-five mortality rate is 112 per 1000 live births (ibid). Mortality rates for infants and children under five are among the highest in the world. The national maternal mortality rates are also very high at 1107 per 100,000 live births. According to the 2006 Sudan Household Health Survey, the maternal mortality rate for Western Equatoria, a province in Southern Sudan, stood at 2,327 deaths per 100,000 live births. One of the main reasons is that only 20 per cent of Sudanese women deliver in a health facility (in southern

Sudan only 13.6 per cent of women deliver in health facilities). Generally, the accessibility and quality of health care is poor (SCS 2006).

Due to many years of war, displacement and famine, malnutrition is a serious problem, particularly in the peripheries of Darfur, eastern Sudan and southern Sudan. The Child Act (2010) stipulates that the child shall have the right to primary health care free of charge (Article 14), but the Sudanese government has a long way to go in order to fulfil this right.

Sudan is in the early stages of an HIV and AIDS epidemic which has an almost exclusively heterosexual transmission pattern but with indications of higher infection rates in the South than in the North. Years of civil war and limited epidemiological data make it difficult to generalise about HIV and AIDS in Sudan. The estimated HIV prevalence rate is 1.6 per cent among the adult population in northern Sudan and 3.1 per cent in southern Sudan (UNAIDS Reports 2008). In southern Sudan children below five years constitute 21 per cent of the population while 53 per cent is under the age of 18. The epidemic is more marked in the 20–34 age group, which is similar to data in other countries. The number of children aged 0–14 living with HIV is estimated to be between 18,000 and 33,000 (ibid). Considerably more children die because of malaria, malnutrition and diarrhoea, according to UNICEF statistics 2008.

## Protection

### Female Genital Mutilation (FGM)

Despite changes in women's attitudes towards FGM in the last ten years, data from the 2006 household survey shows that FGM is still widespread in Sudan. About 89 per cent of women aged 15–49 in the northern part of the country have undergone some sort of FGM.<sup>1</sup> The most invasive form (so-called pharaonic; infibulation with excision) and the Sunna circumcision (clitoridectomy) are both practiced. Better educated women and women in the wealthiest quintile are less likely to favour the continuation of FGM (28 per cent) compared to women who are uneducated and in the poorest quintile (63 per cent). Geographically, support for FGM is weakest among women in Khartoum (32 per cent) and highest among women in Kassala (69 per cent) and south Darfur (66 per cent). Surprisingly, younger women are more likely to think that FGM ought to be continued as a practice: 58 per cent of women aged 15–19 support the practice compared to 49 per cent of women aged 15–49. Women's intention about their daughters' circumcision indicates positive changes, but the support of the practice among young women suggests that the prevalence is likely to be upheld (Ahmed et. al 2009).

There were intense discussions about section 13 of the draft Child Act 2010. Section 13 was intended to criminalise FGM, but was unfortunately deleted from the final Child Act. Efforts were made to prohibit FGM already in 1946 under British rule. Pharaonic circumcision was in fact prohibited under the 1925 Penal Code, with less severe forms allowed. Civil society organisations have been trying to eradicate the practice for over 50 years. In 1992, the National Programme for Eradication of Harmful Traditional Practices was established by the current Islamist government. The NCCW has also launched a national strategy to combat FGM in collaboration with various civil society organisations. In Sudan the practice has been perpetuated for many generations. As such, the practice has been institutionalised as a habit or custom integral to the social system. Arguments in favour of the practice are complex (social, religious, cultural, etc.) (Tønnessen et al 2010). Its criminalisation will not be enough to eradicate it but is regarded by civil society and even by governmental institutions as an important tool in combating FGM. Despite the efforts of numerous civil society organisations, opposition parties and government initiatives, section 13 was eventually deleted from the Child Act 2010.

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<sup>1</sup> It is important to note that not only Muslims currently practice FGM. Southerners have to some extent adopted the practice of female circumcision. It is still considered stigmatising not to be circumcised (ghalfa). Rogaia Mustafa Abusharaf. (2009). *Transforming Displaced Women in Sudan: Politics and the Body in a Squatter Settlement* (Chicago: University of Chicago Press).



### **Children in war: Displaced, refugees and child soldiers**

Sudan has the highest number of internally displaced persons (IDPs) in the world. An estimated five million people are displaced, of whom two million in conflict-ridden Darfur. An estimated 1.8 million children have been affected by armed conflict. No Sudanese legislation has been enacted to protect IDPs. Also, IDPs are not protected by a specific UN convention, as is the case for refugees. Between 7,500 and 10,000 children remain associated with armed forces and groups. The optional protocol to the CRC on the involvement of children in armed conflicts raised the minimum age for taking part in hostilities, compulsory and voluntary recruitment to 18 years. In 2005, Sudan ratified the optional protocol. Sudan is also a state party to the African Charter on the Rights and Welfare of the Child (ACRWC) which stipulates 18 as the minimum age for recruitment. The Armed Forces Act of 2007, which was recently passed by Parliament, the Armed Forces Act provides unequivocally for the protection of children affected by armed conflict in the Sudan and sets the age of recruitment at 18 years, in accordance with the Optional Protocol. The Child Act from 2010 prohibits the recruitment of children in the armed forces or in armed groups. Also, in 2007 a Child Bill was presented to the Southern Sudanese parliament for approval. Section 31 on children and armed conflict stipulates that the minimum age for enrolment or volunteering in armed forces or groups shall be no less than 18 years (CRC Reports, December 2009). But according to the child soldier global report 2008, forced recruitment has occurred (Child Soldier 2008).

The CPA (2005) obliged its signatories to demobilise all children in their ranks by July 2005. The National Council for Disarmament, Demobilisation and Reintegration (DDR) Co-ordination and the Northern Sudan DDR Commission and a DDR Commission for Southern Sudan was created in 2006. Despite the establishment of dedicated children's desks within these commissions, DDR was hampered by the continued conflict in Darfur and by the lack of basic infrastructure in communities. Large numbers of children were still held in military barracks beyond the CPA deadline and some children returned to the armed forces because of the lack of an effective reintegration programme. The use of child soldiers still occurs, according to the child soldier global report, among the SPLA, armed opposition groups in Darfur, the Lord's Resistance Army (LRA) which has operated in southern Sudan and Chadian-backed Sudanese armed opposition groups (Human Rights Watch 2007). Abduction is often the method of child recruitment. In May 1999, the Sudanese government addressed the problem of abduction by establishing the committee for the eradication of abduction of women and children (CEAWC). Although the CRC committee welcomes the work of the CEAWC in the identification, retrieval, return and reunification of abducted women and children from the North to their communities in the South of Sudan, the CRC committee is concerned that children continue to be abducted for purposes of forced recruitment, forced labour and sexual exploitation, especially in Darfur and South Sudan (CRC Reports, June 2007). There is weak monitoring, weak Sudanese legislation on abduction followed by a meagre allocation of resources to CEAWC (Alternative Report 2010).

### **Street children and juvenile justice**

There is an increasing number of street children. Within the state of Khartoum the number reached 15,000 in 1991 and 34,000 in 2000. The majority of street children are boys, only about 15 per cent are girls (SCS 2001). The increasing number is mainly due to displacement because of war and conflict and most of the street children come from southern and western Sudan. The extended family structure is under severe pressure after many years of civil war. This has resulted in a breakdown of support systems. Most of the street children are located in urban areas. These children are vulnerable to sexual abuse, violence, exploitation, etc. Sudanese laws are weak when it comes to sexual abuse of children. In addition, there is neither a clear national strategy to combat sexual abuse of children nor an acknowledgement that it exists as a problem (Alternative Report 2010). But the General Director of the Ministry of Gender, Child and Social Welfare, South Sudan considers the street children a priority issue and the ministry is planning an assessment to be able to formulate a strategy.

Children living on the streets also lack access to education and adequate health services. The CRC committee is concerned that children may resort to prostitution and/or are forced into early marriages as a means of survival in exchange for food, money or basic goods (CRC Report, June 2007). A welcome development is that the Child Act 2010 (section 23) in contradiction with the Public Order Act (1996) of Khartoum State does not deem vagrancy an offence punishable by law. Street children are often in conflict with the law. According to the Criminal Act from 1991, children who have reached the age of 10 and have been charged with committing an offence can be punished with whipping up to 20 lashes. The Child Act (2010), however, orders the establishment of a children prosecution attorney's bureau and a child court. The child court should follow the UN minimum rules on juvenile courts. It is stipulated that the sentence of whipping and the death sentence should not be imposed on a child. This is a welcome development, but the implementation is slow and police violence against street children is continuing. Homes/institutions for housing street children are found only in Khartoum. The courts for minors are not found in all states; they are found in Khartoum (Khartoum north reformatory, the reformatory of Giraif west), Darfur (Shala reformatory), and the South (Meridi reformatory) and in Sinnar (Abu-Jabal reformatory) (Alternative Report 2010). In Southern Sudan, however, children are imprisoned with adults in most states. According to the Director General of MoGCSW, one of the ministers during a recent visit to one of the states had to pay the fine of 600 Sudanese pounds to release a child from prison.

### **Child labour**

The Labour Act from 1997 states that employment of children below 16 years is prohibited. But the Act also allows for exceptions: children under 12 years may be employed in government-run training schools, non-profit workshops, businesses owned by the child's family, and when the child works under a contract of industrial apprenticeship (SCS 2006). According to 1996 data from the Ministry of Labour 46 per cent of children aged 6–9 were working. But no information is available on the type and amount of work (ibid). The Child Act (2010) prohibits work by children (except in agriculture) under the age of 14. The Act acknowledges that there are discrepancies in the existing legislation, and that the aim is to remove this inconsistency with the Child Act. Nonetheless, allowing children under the age of 15 to work contradicts the International Labour Organisation (ILO) regulations. Concerning child labour, programmes have been successfully initiated for the return and reintegration of children working as camel jockeys from the Gulf States (notably Qatar and the UAE), implemented by the NCCW in collaboration with non-governmental organisations (CRC Report, June 2007). But child labour will remain a critical issue as very young girls and boys in all states of Sudan are engaged in burdensome activities in the markets and houses. The girls are working in domestic service which is covered by a Domestic Servants Law 1955 to favour the employer, without consideration of the CRC.

### **Civil rights and freedoms**

A positive development is that the Interim Constitution (2005) guarantees that every person born to a Sudanese mother or father shall have a non-alienable right to enjoy Sudanese nationality and citizenship. Since the first Nationality Law of 1957, nationality has been granted to an individual based on the nationality of the father. Only a child with an unknown father could claim the mother's nationality. A woman married to a foreign national could not pass on her Sudanese nationality to her child even if her spouse consented (Tønnessen 2007).

There are, however, several areas of concern on civil rights and freedoms which are in conflict with the principle of non-discrimination and the best interest of the child in the CRC. But they also contradict sections of the Child Act (2010) which provides a child's right to protection against all forms of discrimination and that a child's best interest should have priority in all decisions, or measures relating to childhood and family (Chapter 1 (c) (d)). The legal minimum age of marriage is regulated by the Muslim Personal Status Law from 1991 and the Marriage of Non-Muslims Act from 1926. The Muslim Personal Status Law, which is based on Islamic law, stipulates that boys and girls can get married when they

reach puberty. Puberty is generally recognised in girls between the age of 9 and 15 and boys between the age of 14 and 18. For a girl to get married she needs the permission of a *wali* (a male guardian). According to the Non-Muslims Act from 1926, girls can get married at the age of 13 and boys at the age of 15. In practice, non-Muslims' civil rights (including marriage) in southern Sudan are regulated by non-codified customary law. The general rule is that girls can marry when they start menstruating. Generally, girls marry earlier than boys, mainly because of the dowry. In order to get married the boy's family has to pay a dowry (often cattle) to the girl's family. This is costly. There are two important issues in this regard. First, the (informal and formal) legislation is gendered. About 36 per cent of girls marry before the age of 18, according to the UNICEF background report 2007. Second, there are different marriage laws for Muslims and non-Muslims. It is also important to note that early marriage is related to health risks for the children. For girls, child birth at an early age might cause both physical and psychological damage. More significantly these marriages are arranged by families without giving the girls any voice in the matter.

Custody of children is also gendered and differences exist between northern and southern laws and customs. According to the Muslim Personal Law of 1991, the mother has custody (*hadana*) of her daughters until they are nine years old and of her sons until they are seven years old when she divorces the father. After this, the principle of the best interests of the child (*maslaha al-tifl*) applies in some cases. But if the woman remarries, the father will automatically get custody of the children. Custody is traditionally a contentious subject in southern Sudanese society, much more so than in Sharia Law which is very clear on the issue. In southern Sudanese communities custody of children is a complex issue, being bound up with marriage payment (dowry) of 'bride wealth' and divorce. The most complicated aspects concern girls who might attract considerable 'bride wealth' to a family upon marriage. It is not uncommon for a young woman to become pregnant and the man refuse to marry her. She and her child would remain with her parents. Whenever the child is a girl and grows up to be an attractive, marriageable (and valuable) individual, biological fathers commonly claim these girls as daughters in customary law courts (Jok et al. 2004).

## Participation

According to the second CRC report, Sudanese girls and boys are given a range of opportunities to freely express their views and develop their abilities and talents within the framework of school activities, which could include the production of newspapers, school broadcasts and drama activities. Furthermore, in 1998, a project to establish Children's Parliaments was initiated. Groups of children were selected from nine schools in the states of Khartoum and Gezira, to form the core of a Children's Parliament. The project is to be extended countrywide, in order to ensure children's right to participation and freedom of opinion, as well as preparing them for democratic and political activities, including the respect for other people's views, according to the Government's Written Replies to the CRC Committee's List of Issues. Children's Parliaments have been established in 13 states, but their activities and efficiencies depend on the local governor in the state. According to Gamar Habbani, Secretary General of the NCCW, the Children's Parliament in Gedarif is quite strong with a building and a budget, because the local governor in that particular state is concerned with children's rights. Norway's child strategy particularly views participation as a major area of intervention and suggests appointing a commissioner of children.

In a traditionally hierarchical society, children's participation is a new and unfamiliar concept. Introducing and implementing children's participation will, however, require changes and transformation of deeply rooted traditional attitudes and practices; and it will take time, effort and persistence, especially in the case of the girl child. To involve children in the process of preparing and drafting the reports on the implementation of the CRC, by letting them participate, express their views and be listened to is of great importance and a prerequisite for producing an accurate and honest CRC report. However, the

CRC reports do not provide any information on children participating in the preparations of the reports.<sup>2</sup> While welcoming the efforts to establish children's parliaments, the CRC Committee remained concerned that the views of children, in particular girls, are often not respected and may be seen as conflicting with traditional concepts of the role of the family, clan and tribe.

## Summary

In summary, the CRC concluding observations and recommendations from the latest reports in 2002 and 2007 are the following:

- a) *Data*: there has been and still is a lack of reliable data/statistics provided by the Sudanese government;
- b) *General measures of implementation*: there is a need to strengthen child rights legislation in accordance with CRC stipulations; to intensify the National Council for Child Welfare's (NCCW) collaboration with NGOs and civil society organisations and to provide the council with necessary human and financial authority in order to form national strategies;
- c) *Dissemination and training*: there is a need to develop systematic training programmes on human rights, including child rights, for all professional groups working for and with children; there is also a need to disseminate the CRC to children and families, especially in remote areas;
- d) *Resource allocation*: the low government spending on children is a source of concern. Specific budget allocations are recommended;
- e) *Non-discrimination*: it is necessary to ensure that all children, regardless of geographical origin, enjoy equal rights, including access to basic services. Particular efforts must be made to prevent discrimination between girls and boys and of children with disabilities;
- f) *Civil rights and freedoms*: the treaty body is troubled by the very low birth registration. It is also a concern that corporal punishment is widespread. The committee additionally draws attention to the protection and support of children born out of wedlock as well as their mothers;
- g) *Participation*: full respect for the views of the child should be ensured and ways considered for a child's views to be given due consideration in accordance with the age and maturity of the child within the family, clan and tribe; this recommendations give particular attention to ensuring respect for the views of girls and encourages the idea of children's parliaments;
- h) *FGM*: the prevalence of FGM is a concern. The treaty body recommends that Sudan continue and strengthen its efforts to eradicate the practice and to seek cooperation with other countries in the region to that end;
- i) *Education*: the low state spending on education, the low enrolment rates and especially the differentials between girls and boys are a serious concern. Also, the quality of schools, teachers and curriculum is not satisfactory;
- j) *Basic health and welfare*: the high infant and child mortality is a huge concern and there is a need to redress regional inequalities. Basic health services are not available. Also, there is a need for more awareness on HIV and AIDS;
- k) *Protection of vulnerable children*: the high number of IDPs, refugees, child soldiers and street children are a major concern for the CRC committee. It recommends measures to be taken to ensure that oil exploration activities do not lead to the forced displacement of families, including children, and that the rights of all children are respected in regions where such activities are taking place. There is a further need to strengthened legislation, juvenile justice mechanisms, reintegration and protection of vulnerable children.

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<sup>2</sup> The alternative report 2010 refers to the consultations with groups of children as part of the preparation and information collection. These groups include vulnerable children such as street children and children with disability.

## Methodology and collection of data

The main purpose of this evaluation is to comprehensively evaluate Norwegian and Swedish aid interventions in Sudan with regards to child rights. It will assess both results of interventions and the processes that lead to outcomes, including the efficacy of the procedures and tools that Norwegian and Swedish aid agencies employ in support of child rights.

The evaluation addresses the following:

- The effectiveness of the projects selected in terms of child rights approach/focus, quality and sustainability;
- The areas that needs to be strengthen in Norway's and Sweden's aid intervention as regards child rights; and
- The achievements and challenges of the implementing partners and the government institutions working together to target the needs of children in Sudan.

Field work took place in June 2010 in northern Sudan. Owing to the organisation of two workshops the time constraints were severe. Field work continued in southern Sudan by the local consultant into the month of July. The time constraint was aggravated by the vastness of the country, not only in terms of surface area but also regarding contexts and challenges ranging from Darfur in the west, eastern Sudan, northern Sudan and southern Sudan. After the peace agreement in 2005, the country has increasingly been preparing for the referendum on Southern Sudan's possible independence in 2011. It is still one country, albeit with two very different administrative systems. In reality, two country case studies were conducted for this evaluation, one on northern Sudan and one on southern Sudan.

The following methodologies were used during the evaluation:

1. Document analysis of project proposals, assessment memos, previous evaluations, reviews, reports, laws and other relevant academic publications;
2. Semi-structured interviews with representatives of donors, international and multinational organisations, implementers, local partners and government officials (see appended list of respondents);
3. Small focus group discussions with children and other beneficiaries;
4. Visits to schools, reformatories and health centres;
5. Workshops: The initial workshop was held on 9 June 2010 to select the projects to be examined in greater detail and to solicit the stakeholders' views on the state of the child in Sudan (achievements and challenges). A concluding workshop was held on 21 June 2010 to validate the preliminary findings in northern Sudan. A third workshop was also conducted in southern Sudan on 28 June 2010 on challenges of child rights promotion, the approaches of interventions and on the selection of projects for southern Sudan.

### Evaluation constraints

At best, Sudan offers an extremely complex environment in which to operate for humanitarian and development agencies. At worst, it is also extremely dangerous, with many areas inaccessible not only to expatriates, but also to local Sudanese staff. Owing to both security concerns and time constraints it was not feasible to conduct field work in Darfur. However, we were able to interview local implementers from Save the Children Sweden (SCS) who were passing through Khartoum on their way back to north-

ern Darfur on the SCS project on education and protection in emergencies. Due to lack of infrastructure, time constraints and security concerns it was also impossible for the local consultant to visit project sites and beneficiaries outside Juba in Southern Sudan. Conducting monitoring and evaluation activities in Sudan is about as difficult as it gets and calls for a great deal of flexibility, both in approach and in response to the inevitable difficulties and constraints that continuously emerge. Also, when visiting Mayo Farms, an IDP camp in the outskirts of Khartoum, the security guards insisted on accompanying the evaluation team. Their presence put constraints on the questions the evaluation could and should ask without putting the informants and the Sudanese NGO accompanying us at risk.

Other constraints included obtaining appropriate documents and statistics at all levels of the projects. At times, we were compelled to conduct interviews before we had received the relevant documentation. Even after our field work was completed, we waited for documents. It was a great challenge to make appointments with implementers in international and multinational organisations. Since we were not provided with the necessary contact details before our field work in northern Sudan, it was impossible to put up a working schedule before arrival in Khartoum. Organisations that mainstream child rights did not always see the relevance of meeting a team whose mandate was to evaluate child rights specifically. In short, the empirical data are inadequate. Some stakeholders were not forthcoming in providing the data we needed, owing to busy schedules and other reasons. There is a high staff turnover which made it difficult to get information on projects dating back ten years. Furthermore, some of the organisations that would have been relevant to include as respondents had been expelled. When the ICC charged President al Bashir of Human Rights with crimes in Darfur tensions ran high, resulting in many organisations suspending their activities. One of them was the NRC. Save the Children UK which had implemented some projects on behalf of Save the Children Norway during the past 10 years was also expelled. An additional challenge was that Save the Children UK, Save the Children US and SCS are in a process of unification in Southern Sudan into the Save the Children Coalition (SCC).

## **Workshops and sampling of interventions**

The sample of projects is by no means representative. We selected projects on education, health and protection and endeavoured to cover a range of protection issues: demobilisation and reintegration of child soldiers; FGM and harmful traditional practices such as early marriages; and juvenile justice. Among the children targeted in the protection projects were child soldiers, street children, IDPs and refugees. The international organisations which receive the largest amounts of funding from Norad and Sida are the Norwegian Church Aid (NCA) and the SCS. Projects from these organisations have thus been thoroughly investigated, both those implemented by the NCA and the SCS and those – in both northern and southern Sudan – for which local Sudanese NGOs are implementing partners, e.g. the Sudan Council of Churches, Sudan National Council against Traditional Practices, Sabah, Child Development Foundation and others. UNICEF is an important multinational agency which has received substantial funding from Norway and Sweden. Both UNICEF and the SCS are important stakeholders regarding child rights in Sudan; they are the two organisations whose projects in this evaluation which are specifically targeting children. The projects were selected from the four different regions of Sudan: Darfur, northern Sudan, eastern Sudan and southern Sudan.

The initial workshop to select projects was held in Khartoum on 9 June 2010. From the shortlist of projects selected and approved by the Steering Group, a range of projects was selected to cover the recommendations from the CRC committee. Also, the ToR insisted that we select humanitarian projects and that we include the perspective of children in armed conflict. We discussed the shortlist of projects at the first workshop in Khartoum, but for various reasons the participation at the workshop was low from the organisations included on the shortlist. Several organisations with funding from Sida and Norad are active in remote regions and it was difficult for them to attend a workshop in Khartoum due

to travel expenses and time constraints. Also, some of the organisations had been expelled from the country or staff members were on travel and unable to attend. Moreover, there is a workshop overload among the international and multinational organisations and people maintain extremely busy schedules. This had consequences for the methodology of the evaluation; the utilisation-focus approach necessitates the participation of all relevant stakeholders. This was not achieved. The stakeholders present on the first workshop was the SCS, a consultant who previously worked for Save the Children UK before the organisation was expelled, UNICEF, Sabah, the National Council for Child Welfare, the Ministry of Social Welfare, PLAN International, the Child Development Foundation, the Child Rights Institute, a trainee from the Swedish embassy and a representative from the Norwegian embassy. The evaluation team was given the privilege of making the final selection of projects from the stakeholders present and the workshop. The participants were satisfied with the selection based on thematic and regional concerns. Also, there was some pragmatism involved in the selection: the organisations which were forthcoming in providing documentation and which the evaluation team had established contact with prior to the fieldwork were given priority. Among those were the SCS, the NCA and the IAS. In addition, we conducted focus group discussion at the workshop on major challenges regarding child rights in Sudan and a discussion on whether child-targeting or mainstreaming is the better way to meet those challenges.

At the second workshop, we presented preliminary findings from the field work on northern Sudan. The stakeholders present at this validation workshop included the SCS, the NCA, UNICEF, Sabah, the NCCW, the Child Development Foundation, the Child Rights Institute, the IAS, PLAN International, and children selected by the SCS. Among the girls and boys (ranging from the age of 10–18) were IDPs, street children, a deaf child. None of the embassies participated in the second workshop due to busy schedules. Both the workshops were facilitated by the SCS. The second workshop in Khartoum included children. The SCS was instrumental in the planning of the workshop. The selection of children was done by the SCS but the sample was not representative. The children included disabled and street children, IDPs and refugees aged 11–18. Both boys and girls were represented. The topics of discussion revolved around the awareness of their rights, whether they were satisfied with the projects in which they were involved, whether their voices were heard in the planning and implementation of projects, what they considered the most important issues concerning children in Sudan and lastly their dreams about the future. The workshop in Juba was facilitated and hosted by the NCA, with UNICEF, the NCA, the Sudan Council of Churches and the Strømme Foundation (SF) as participants.

## Overview of interventions and actors

Norway's four focus areas in child rights promotion are education, health, protection and participation. The strategy reflects the specific challenges of child rights in Sudan. However, Norway's Sudan portfolio (119 projects were listed as child-targeted) in the last ten years indicates that almost half of all projects listed as child-specific projects are actually community-based, meaning that children are but one beneficiary group among others. Education is the main area of intervention, whereas protection and advocacy are given low priority. Only 6 of 118 interventions are related to protection and none to participation. Norway's child rights strategy put particular emphasis on participation, not only in the sense that children participate in the planning and implementation of projects, but also encourages the appointment of a commissioner for children; promoting participation in schools/workplaces/leisure and also in policy dialogue and advocacy more generally. Whereas the two first areas of Norway's child rights strategy are included, the two last ones are marginal. The six projects on protection cover FGM (the NCA and UNICEF), reintegration of child soldiers (UNICEF) and protection of abducted women and children focusing on internal abductions and abductions by the Ugandan LRA (Save the Children Norway) and child labour and street children among IDPs in Khartoum (SCN). The impression is that the Norwegian embassy is focused entirely on CPA implementation and the oil sector. The interest or focus on human rights generally and child rights in particular is negligible. In addition, Save the Children Norway has not been as active as the SCS in Sudan. After Save the Children UK was expelled, all its activities were suspended. With the exception of UNICEF, Norway is not funding child-specific international organisations towards child rights promotion.

**Table 1: Norwegian interventions**

Type of activity	Number of projects
Advocacy	0
Education	44
Health	15
Multiple	37
Protection	6
Training	8
Other	9
Total	119

Sweden's four focus areas with regard to child rights are education, social reform, health services, and disadvantaged children (with disabilities, street children, children in institutions, child labour, children affected by war, i.e. soldiers, refugees, and IDPs). Sweden's portfolio (altogether 421 projects) indicates that the main areas of intervention are humanitarian aid, health and human right/democracy/gender equality. Humanitarian aid is by far the largest (111 out of 421 projects). Sweden mainstreams child rights, but also supports child targeted projects through the SCS and UNICEF (32 out of 421). Among the 32 projects are bloc grants to the SCS. In other words, there are many sub-projects 'hidden' behind the number 32. The SCS has been and still is very active in advocacy. The Swedish portfolio is much stronger when it comes to protection, mainly due to the SCS and UNICEF. Between them they target children with disabilities, street children, children in institutions, child labour, and children affected by war. What is lacking in both Sweden's strategy and in the Sudan portfolio is direct support to child rights institutions, such as children's parliaments, a commissioner for children's rights or the NCCW. As of 2009, all of Sida's bloc grants to the SCS was destined for use by civil society, not governmental organisations and institutions. The SCS is thus precluded from supporting initiatives such as child rights parliaments or joint research and advocacy projects with the NCCW. The SCS, however, partly funded the NCCW to secure the return from the Gulf States of children working as camel jockeys and their reintegration in Sudanese society.



**Table 2: Swedish interventions by sector and beneficiary group**

Theme or sector	All ages	Children	Children and adults	Youth	Adults	Total
Health	53	9	5	0	0	67
Education	29	6	1	0	0	36
Democracy, human rights, gender equality	43	5	1	0	0	49
Conflict, peace and security	20	1	3	0	0	24
Humanitarian aid	94	5	10	1	1	111
Sustainable infrastructure and services	36	1	3	0	0	40
Market development	16	0	1	0	0	17
Agriculture and forestry	20	0	1	0	0	21
Other	49	5	2	0	0	56
<b>Total</b>	<b>360</b>	<b>32</b>	<b>27</b>	<b>1</b>	<b>1</b>	<b>421</b>

## Interventions targeting children

The projects targeting children specifically will be treated first. They form one of the prongs of the Swedish strategy to promote child rights along with mainstreaming. For Norway the strategy involves only targeted interventions.

### Save the Children Sweden (SCS)

The SCS has been working in Sudan since 1984. The organisation mostly employs local Sudanese staff and very few international staff. It is a child rights organisation which continuously puts a CRC perspective into its activities and advocacy. Research is closely connected with advocacy. The organisation has been important in establishing Child Rights Forums aiming at creating a dialogue between civil society and government institutions rather than confrontation. It has been an important stakeholder in preparing ‘shadow’ reports to those submitted by the government as a duty-bearer to the CRC treaty body. Currently, the SCS is in a transition phase. After Save the Children UK and Save the Children US were expelled from northern Sudan in 2008, the SCS has taken over their projects and programmes. According to Waleed El-Bashir, the SCS is therefore in an expansion phase both thematically (broadening the portfolio to include water and sanitation, and health) and geographically (Khartoum, North Darfur, Red Sea State, North and South Kordofan, Abiey, Blue Nile). The main funding source for the SCS is Sida.

The SCS is now part of a SCC together with Save the Children UK and Save the Children US in southern Sudan. The two organisations work separately in the north and the south. Repeated attempts to contact the SCC in Southern Sudan for an overview were in vain.<sup>3</sup> Sida finances the SCC through bloc grants. As a result we are unable to get insight into specific projects and activities. The coalition was not forthcoming in meeting with the local consultant when conducting field work in Juba. For these reasons, we were unfortunately compelled to drop the coalition from this evaluation.

### *Juvenile justice: ‘Children exposed to violence, harmful labour and sexual exploitation’*

We base the evaluation of the project on the following sources: project documents, evaluations, interviews with SCS staff, interviews with Sabah managers and social workers at Sabah, and meeting with children from Sabah and the Youth for Children Organisation who took part in the second workshop on the preliminary findings in Khartoum. The project was selected as it responds to CRC recommendations on the protection of vulnerable children; the dissemination and training and general measures of implementation (see the summary of CRC Committee recommendations above).

<sup>3</sup> Email correspondence with Steve Morgan, country director and Steve Thorne regional director of SCC.

Juvenile justice has been one of the major intervention areas for the SCS and is part of a regional SCS initiative (Endeshaw and Tefferi 2006). It implements its juvenile justice project mainly through a local NGO called the Sabah Association for Child Care and Development (Sabah). In the earlier phases the Friends of Children Society (Amal) and Mutawinat were also local partners. Through these organisations, the SCS supported the training of judges, police officers, legal counsels and prison and remand home personnel. Through its partners, the SCS also provided legal aid to children in conflict with the law. Furthermore, it has been working, jointly with partners, to change the reformatories from institutions that punish children to places for rehabilitation of children in conflict with the law. Accordingly, it has been providing psycho-social support consisting of skills training, recreational and counselling services to children in the reformatories. Moreover, the SCS, together with its implementing partners and other organisations, has been engaged in advocacy for changes in the juvenile justice system. In particular, it has been actively engaged in the establishment of the first-ever juvenile court in the country in Khartoum North and the establishment of child protection units. The SCS and its partners were also engaged in advocacy with respect to the Sudanese Child Acts of 2004 and 2010. The major components of the SCS's juvenile justice project include: (a) law reform to make the juvenile justice systems child friendly; (b) improving the treatment of children by police, public prosecution offices, judiciary and reformatories; (c) promotion of diversion and other non-judicial and non-custodial procedures; (d) supporting rehabilitation and reintegration of children in conflict with the law. The working methods adopted by the SCS in the juvenile justice project are advocacy, capacity building, direct support and research and knowledge dissemination (SCS Progress Report on Juvenile Justice 2004; Magid and Siddig 2002).

*Constraints:* Interviews with the SCS revealed that the organisation was compelled to terminate its relationship with Mutawinat, one of its strongest partners in Sudan, due to the latter's confrontation with HAC over the legal status of Mutawinat. Also, the issue of street children is sensitive for the government which persistently underestimates the number of street children. The core funding from Sida fluctuates from one year to another (approved yearly) which makes it difficult to plan. Yearly auditing makes it difficult to establish long-term partnerships with local NGOs. There is a high turnover of qualified staff who leave for better paid jobs with UN agencies. The government tries to influence the recruitment of new staff.

*Achievements:* The evaluation team found that structural changes achieved through the juvenile justice project include legal reform in relevant areas of the law (Child Acts 2004 and 2010). In the 2010 Child Act, vagrancy is no longer considered a crime which is a great achievement. Also, a juvenile court in Khartoum and child protection units have been set up. Children in rehabilitation centres and reformatories have been provided with counselling services. The judges trained recognises the role of social workers in court and accept assistance of social workers to children in court. Juvenile justice forums of stakeholders engage in dialogue rather than confrontation as a strategy vis-à-vis government institutions such as the NCCW, the judiciary and the police. Finally, the Child Protection Unit in Khartoum has successfully handled cases of reported violence, abuse and other rights violations against children, according to a technical briefing paper from UNICEF (2008).

*Sustainability:* Sustainability is ensured through structural changes and cooperation with local partners. But although the project has a long and rich history, there is no exit strategy. As of today, the main partner organisation, Sahab, is not yet ready to take over in the opinion of both the SCS and the evaluation team. There is need for more capacity building and transfer of SCS capacities to Sabah, particularly regarding the rights-based approach, participation of children in the planning and implementation of activities and reporting/evaluation, and the identification of good indicators to measure progress/results. So far, training manuals/guides by the SCS have not been translated into Arabic and are thus not effectively used by local partners.

*Issues of concern:* The success of the SCS's advocacy strategy in law reform is evident, but there is a concern by the evaluation team over the lack of indicators to measure progress in implementation and

progress/results in training of the police. Training of the police about the CRC is a welcome initiative, because violence against street children by the police takes place daily. But in order to ensure sustainability there is a need to mainstream the CRC and the 2010 Child Act in the police curriculum. There is also a lack of substantial participation by children in implementation and planning. Furthermore, the SCS partners have no comprehensive strategy for working with the government and institutionalising important mechanisms in the official process such as social workers in order to transfer or institutionalise best practices in assistance/support to children in court.

### **Darfur emergency: 'Child protection and education in emergency in Darfur'**

We base the evaluation of this project on the following sources: project documents, evaluations, and interviews with SCS staff from the Darfur team. The project was selected as it responds to the ToR's aim to include humanitarian projects in the evaluation and because it responds to the CRC treaty body recommendations on protection of vulnerable children and education (see summary of the CRC Committee recommendations above).

The overarching goal of the programme is to contribute to ensuring that children affected by the crisis in Darfur have their rights to education and protection fulfilled (Save the Children Sweden Annual Report 2008). The main thread of cohesion of the programme is 'Teaching right, learning well and feeling safe' (Sida assessment memo 2009). It is estimated that half of the 4.7 million people in Darfur directly affected by the conflict are children. Education is considered an important protective measure for children affected by emergencies. It restores a sense of normalcy; it prevents young boys from being recruited as soldiers and girls from being sexually abused. The SCS is one of the few NGOs offering educational opportunities for IDP children in North Darfur. The staff members in northern Darfur are all local and working with the following partners: the Sudan National Committee for Traditional Practice (SNCTP); the AMEL Centre – Centre for treatment and rehabilitation of victims of torture; the State Council for Child Welfare (SCCW); the Darfur Centre for Women and Children's Rights. The project is implemented in twenty-one locations (comprising six IDP camps and 15 host/'normal' communities)<sup>4</sup> within the four administrative units of El Fasher, Tawila, Kutum and Fatabarno. Despite the great need, North Darfur has only a small number of INGOs working in the educational sector as compared to other humanitarian sectors. The Sudan Household Health Survey 2006 National Report highlights in particular the poor education indicators in North Darfur. The net intake rate (NIR), i.e. the proportion of children of primary school-entry age attending first grade of primary school was 29.5 per cent in Sudan in 2006 (Khartoum 66.9 per cent, north Darfur 26.4 per cent) (Nicholson 2008).

*SCS main activities in protection:* The SCS works with communities and PTAs through Child Friendly Spaces (CFS) youth groups and child clubs in schools. They also train community groups and CFS animators in psycho-social support and the CRC. Additionally, they are active in advocacy in areas of GBV, FGM, HIV and AIDS as well as advocacy in juvenile justice, the provision of legal aid and rehabilitation of children. The SCS in Darfur also works to strengthen the State Council for Child Welfare (SCCW) to fulfil its duties regarding child rights (Nicholson 2008).

*SCS main activities in education:* SCS works with communities and PTAs in constructing and rehabilitating classrooms in primary schools, providing supplies to schools, including uniforms and textbooks, and training teachers and CFS animators. The SCS has established an Accelerated Learning Programme and an Alternative Education Programme (Nicholson 2008).

*Constraints:* According to the Darfur team interviewed in Khartoum, the area is vast and there are security concerns when travelling. It is also difficult to get travel permits. There is a high staff turnover. Interference by humanitarian aid agencies who merely deliver services often means that beneficiaries of

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<sup>4</sup> El Fasher (Al Salam IDP); Tawila (IDP camps - Rwanda, Argo,Dali; Host communities – Tawila Town, Neima, Tawila Umda, Kunjara, Taalba, Umbrugna, Um-asal, Tebra, Bobai Sigilie, Kushnie North, Kushinie South, Susuwa); Kutum (Kassab IDP, Kutum Town); Fatabarno (Fatabarno IDP, Fatabarno Town, Ensiro).

SCS projects are reluctant to volunteer. Amal was closed down and as a result the psycho-social support component of the project suffered. There is also a lack of qualified teachers. Fees are still charged for entering school which means that poverty continues to be a reason why parents do not send their children to school. After the ICC charges against president Bashir, awareness-raising on certain sensitive issues (child soldiers and GBV) are increasingly difficult.

*Achievements:* the SCS Darfur team pointed to the fact that the increased enrolment rate in the areas in which the SCS is active (8,000 at the start of the project in 2004 and 46,000 currently) is a huge achievement. The SCS currently supports 75 schools and in Al-Salam IDP camp there is 100 per cent school coverage.

*Sustainability:* there are some opportunities for sustaining the results of this emergency project in a difficult humanitarian context, according to the evaluation team: cooperating with government institutions and the Ministry of Education ensures that the education provided in the SCS-supported schools is officially recognised. But the CRC and the Child Act 2010 have not yet been mainstreamed into the school curriculum. The SCS makes use of local partners which promotes local ownership and the transfer of knowledge and awareness. The evaluation team found that an important element of sustainability is guaranteed in the child-friendly spaces which bring children from different ethnic origins together with long-term peace-building potential within the communities.

*Issues of concern:* according to the SCS Darfur team qualified teachers are lacking. The evaluation team found that there is a lack of indicators to measure whether awareness-raising is successful. There are perhaps too many components in awareness-raising: FGM/GBV, HIV and AIDS, juvenile justice and DDR. Since education is the focus area of the project, an increased focus on corporal punishment in schools is needed. The psycho-social support component suffers after Amal was expelled. It is a concern that the aim is to train a great number of awareness raisers in order to reach most beneficiaries, instead of ensuring that the quality of training is sufficient.

### **Norwegian Church Aid (NCA)**

The NCA works with a variety of civil society organisations in Sudan. First and foremost of these are the churches, either individually or through national church councils. It is an ecumenical faith-based organisation with a presence in Sudan since after the signing of the Addis peace agreement in 1972 and an NGO agreement with the Government of Sudan (GoS) in 1974 for the development programme in Eastern Equatoria in South Sudan. As from 1983, when the war between the North and South in Sudan erupted again, the NCA continued working in the South, but was banned from SPLM-controlled areas in 1986. As from 1986, humanitarian assistance was provided to both GoS-held garrison towns in the South and to IDPs in and around Khartoum. An NCA office was formally established in Khartoum in 1986. Work on both sides of the conflict in the South was resumed in 1989. Under the auspices of a tripartite agreement between the government of Sudan, SPLA/M and the UN Operation Lifeline Sudan was implemented. In the expectation of a peace agreement, the NCA made a policy decision to merge the South Sudan programme, managed from Nairobi, and the North Sudan programme, managed from Khartoum, into one Sudan programme. Since 2006 the merged programme has had its headquarters in Khartoum, with a branch for the southern programme in Juba. Most of the NCA's projects in the last ten years listed as child rights projects are located in Southern Sudan and address education. The NCA does not consider itself a child rights organisation. It does apply a human rights perspective and a rights-based approach, but the CRC is not systematically included. Children are regarded as one beneficiary group among others. As the NCA is starting a new programme on gender and peace, including early marriages, FGM and gender based violence (GBV), the CRC is relevant to future projects and operations. Globally, the NCA has decided to phase out its activities on education in the coming three years and the southern NCA office is considering an exit strategy over two and a half years.

### **FGM: 'Local communities stop FGM/HTP and reduce GBV/HIV and AIDS'**

We base the evaluation of this project on the following sources: project documents, internal and external evaluations, interview with the NCA gender and peace programme manager in Khartoum, interview with staff at the Sudan National Committee on Traditional Practices (SNCTP), HIV and AIDS youth trainers, visits and discussions with midwives at two health centres in and around Mayo farms, visit to a school in Mayo farms for discussion with teachers and children. The project was selected because it responds to several recommendations set out by CRC treaty body, namely FGM, basic health and welfare (HIV and AIDS section), protection of vulnerable children as it targets refugees and IDPs and also the issue of discrimination of girls (see summary of the CRC Committee recommendations above).

The NCA has funded the SNCTP since 2003. The organisation was established in 1985 and is part of the Inter-African Committee on Traditional Practices. Between 1987 and 2007 the organisation received funding from the SCS. Currently, the Inter-Church Organisation for Development Cooperation (ICCO) and the NCA are the main donors. The overarching goal of the organisation is to eradicate harmful traditional practices (HTP), such as FGM, early marriages, widow inheritance, and teeth extraction, tattooing/scarring. The main emphasis of the organisation, however, is FGM. The project aims to raise awareness of the target groups through training, workshops/seminars and providing other necessary support to the displaced communities at the Mayo farms camp in Khartoum. The displaced communities make up almost 40 per cent of the Khartoum state population, living in four official IDP camps and unauthorised squatter areas, namely Wad Al Bashir, Al Salam Omdurman, Jebel Awlia and Mayo Farms. Mayo farms camp in the southern outskirts of Khartoum City is inhabited by 65,000 persons, and is a multi-ethnic, multi-linguistic and multi-religious area. A baseline study conducted by the SNCTP in 2003 indicated that 36.6 per cent of the population of the Mayo farms practice FGM. This is below the national average which according to UNICEF is 88 per cent in urban areas and 90 per cent in rural areas in northern Sudan. Since 2008, the project includes seven other localities in addition to Mayo farms (Kassala, Gazira, Gadarif, White Nile, Sinnar, South Kordofan and northern state) where the prevalence of FGM is much higher. The target groups are teachers, influential community leaders, traditional healers, lactating and pregnant mothers, parents' school councils, religious leaders, local committee members, women organisation members and school pupils (SNCTP annual reports 2006, 2007, 2008, and 2009).

The activities can be summarised as follows: training of trainers/circumcisers/midwives/ teachers, workshops on GBV, FGM and HIV and AIDS, home visit campaigns by midwives, girl-to-girl discussions on FGM, celebration of international day of zero tolerance on FGM (6 February) and the FGM Elimination Cup, printing of anti-FGM T-shirts, printing of a booklet on Islamic religious views on FGM (SNCTP annual reports 2006, 2007, 2008, 2009). The SNCTP is now in the process of building a centre to provide psycho-social support and income-generating skills to women who have suffered from gender-based violence.

*Constraints:* long-term funding is a challenge, according to SNCTP staff. The registration with HAC is costly and the SNCTP has difficulties getting travel permits. Ansar al-Sunna, a salafi group, is on the rise in Sudan and is active in the area of the SNCTP head quarters.<sup>5</sup> Salafists advocate in favour of the practice of FGM, i.e. the Sunna circumcision (clitoridectomy), as they regard it as a requirement of Islam.

*Achievements:* although the prevalence of FGM nationally has not been reduced in the last ten years, there has been a change in perception (Ahmed et al. 2009). The SNCTP has been working to eradicate

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<sup>5</sup> Ansar al-Sunna is the biggest salafist group in Sudan. The group is steadily growing in numbers, at least in the city of Khartoum. The literal translation of Ansar al-Sunna is the followers of the Sunna, Prophet Muhammad's deeds and actions. Salaf translates into 'predecessor' or 'ancestor'. Salafism denotes a follower of a Sunni Muslims who takes the first generations of pious ancestors (salaf) as exemplary models. Salafist tend to employ a strict interpretation of Islamic texts.

FGM for 26 years. According to the director there has been a shift in that public discussion about FGM is no longer a taboo and that national Sudanese organisations are putting it on their agenda. The SNTCP took part in designing the national strategy to eradicate FGM together with the NCCW and other civil society organisations.

*Sustainability:* the evaluation teams found that raising awareness against FGM, other harmful traditional practices and HIV and AIDS are important and timely. The use of health centres and schools as vehicles for raising awareness and is a positive step towards sustainability, but there are concerns. Putting these issues on the agenda is extremely important especially considering the high prevalence rate in Sudan.

*Issues of concern:* the approach of the SNTCP as it stands at present focuses primarily on health risks. Discussions with beneficiaries revealed that the CRC is not mainstreamed into activities and many of the beneficiaries are not aware of the child rights embodied in Sudanese domestic legislation and international law. Since the intervention targets children directly, there is a need for both the NCA and the SNTCP to adopt ethical guidelines, method of training as far as involving children in workshops is concerned, and debate sessions, etc. Orientation for women in health centres seems to be too general as women interviewed are not empowered to defend their daughters against the practice. A beneficiary in the Mayo Centre noted: “I know the health complications of FGM from sessions but I do not have the arguments to convince my women relatives not to circumcise my girls”. The manual given to the evaluation team is for ToTs on the eradication of FGM. The content of the manual is generally on IAC and its local branch in Sudan, on health aspects and complications of FGM; the CRC does not feature on the list with the other conventions and no adequate explanation is given of the relevance of the CRC to the practice. After discussions with HIV and AIDS trainers, the connection between FGM and HTP with HIV and AIDS remained unclear and the evaluation team is not convinced that the two components should feature in the same project. As of today, the two components are not integrated sufficiently. HTP is or can certainly be one mode of transmission (Potterat et al. 2007), but that in itself does not justify the inclusion of both components in the same project. The trainers merely point out that it represents a mode of transmission, not that the practices are harmful as such. This is problematic as the overall objective of the project is to eradicate FGM. Also, the trainers pointed to the fact that FGM increases the risk of HIV and AIDS transmission through sexual intercourse. But as of today, there is no agreement on that subject in the academic literature.<sup>6</sup> Furthermore, the CRC and awareness-raising on FGM and HTP is not included in the school curriculum. As of today, the teachers involved in the project are doing these activities outside school hours and are given economic incentives. Therefore, the evaluation team recommends that advocacy in schools be institutionalised in the school programme and activities with shared responsibilities for all teachers and in collaboration with the PTA and the community to have an impact and contribute to changing mindsets.

### **Education: ‘Education and rehabilitation’**

The evaluation of the project is based on project documents, annual reports, and interviews with staff of the NCA and the Sudan Council of Churches (SCC) in Juba as well as meetings with two groups of girls, primary (age group 11–14) and secondary (age group 15–17) school students. This project started in the early 1990s and the support to the SCC Education Programme in Juba and Pibor Counties will be faced out by December 2010, while the rest of the programme will continue until December 2012.

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<sup>6</sup> The evaluation team includes a researcher with extensive experience in research on the subject (Samia al-Nagar) and has contacted several other researchers (Aud Talle, Astrid Blystad) on FGM and our conclusion is that there has not been sufficient research conducted on this matter to make general statements. The argument is that FGM (i.e. the pharaonic and not the Sunna circumcision) increases the risk of HIV and AIDS is due to wounds and rifts at sexual intercourse. However, there has been research which claims that FGM reduces the number of sexual partners and the frequency of intercourse, which, in turn, reduces the risk of HIV and AIDS. The recommendation that the project should separate the HIV and AIDS component from the FGM/HTP is also a consequence of the primary focus on health risks rather than a human rights perspective (see more in the discussions of FGM under evaluation and analysis below).

The project was selected as it responds to the CRC treaty body recommendations on education as well as non-discrimination of girls (see summary of the CRC Committee recommendations above). These two issues also form important pillars in the Norwegian child rights strategy.

The objective of the project is to increase equitable access to quality education for all children, youth and adults with a special focus on disadvantaged groups and conflict-affected areas (Norwegian Church Aid mid-term report 2008). The programme intends specifically to: a) enhance the quality of the teaching and learning environment for children, youth and adults; b) increase enrolment in basic education including pre-schooling in hard-to-reach areas; c) increase opportunities for non-formal/alternative learning with a special focus on at-risk and out-of-school youth and adults in crisis-affected areas. The target groups (with at least 50 per cent women and girl children) include primary school pupils, PTA adult learners and teachers. Geographically the project covers Eastern Equatoria State (Torit, Magwi, Ikotos and Lopa Counties); Central Equatoria State (Juba County); Upper Nile State (Pibor County); Western Bahr el Ghazal State (Wau, Raja, and Jur River Counties); Warrap State (Gogrial West County); and the Lake State (Wulu County).

The project is implemented by the NCA in collaboration with the Sudan Council of Churches, the Ministry of Education, the African Inland Church and the Catholic Diocese of Torit. The evaluation considered the project component implemented by the SCC in Central Equatoria/Juba County. The project intended to increase access to education for women and girls, for uprooted people and for demobilised soldiers, and to contribute to a national programme for training of teachers. School girls and boys were selected by the SCC from groups of children who were known to be very vulnerable from within the locality, especially orphans, pupils with aging parents who could not afford paying fees for their children. Teachers were selected on merit by the Council's education committee. The activities included providing education materials, school fees, uniforms and cash assistance for purchase of basic clothes, shoes, and school bags; training of drop-out women in Juba on skill in different fields like tailoring, secretarial courses for earning a living; enlightening the girls in Juba on morals and the dangers of HIV and AIDS by conducting two workshops and providing education materials to school age children in 30 basic schools in Juba; supporting destitute/returnee students with cash for school fees and uniforms, and money for a year.

*Achievements:* School fees were paid for drop-out girls in secondary schools; vulnerable girls got money for the purchase of basic needs items such as clothes, soap, shoes, etc. to enable them to continue their education; school material such as books, pens, pencils were provided to vulnerable groups; HIV and AIDS awareness campaigns were conducted in Juba for girls and boys through various schools. A total of 1,500 secondary school students (800 girls and 700 boys) benefited from the project. Some of them (75) had successfully completed the Sudan School Certificate and joined universities either in Juba or Khartoum.

*Constraints:* The constraint noted in the NCA project report was the short duration of the annual programme implementation and subsequent late transfer of funds due to lack of proper reporting from the previous years' activities. The constraints of the Sudan Council of Churches include limited budget for training/orientation of parents as there are many harmful practices which affect education of children, specifically girls. Additionally, partners' lack of capacity to manage and report on funds as required has become a great challenge (Norwegian Church Aid mid-term report 2008). Also, there have been insecurity constraints. For example, the Lord's Resistance Army in Eastern Equatoria disrupted the movement of students from their respective places to school and thus led to school drop-out (Norwegian Church Aid final report 2008).

*Issues of concern:* The evaluation team found that each component of the programme included a list of activities which suggested a relief perspective rather than a development objective. With a relief orientation the programme has not addressed the empowerment of the community and not considered the participation of children, some of whom have a clear vision of how to sustain themselves. A secondary

school student in Juba noted: “if the assistance to us stops we will work during the vacation in water transportation, domestic services, or any market activity and save money for the school.”

*Sustainability:* Some of the activities of the programme included training of teachers and school administrations with a view to ensuring a good foundation for quality education. The training of parents’ associations and community leaders to bolster their role in supporting schools is an important step in building a vision of duty-bearers about the rights of children to schooling. But the Sudan Council of Churches was unfortunately not able to undertake community training. The evaluation team recommends that the exit strategy of the programme address the elements of sustainability. The NCA Education Coordinator should carefully plan jointly with the implementing partners in the processing of school fees and the procurement and distribution of school material. In each school the parents’ associations should be involved and given necessary training for resource mobilisation for poor children in collaboration with school administrations and relevant government institutions.

### **Norwegian People’s Aid (NPA)**

The NPA has been working in Southern Sudan since 1986, mainly in four areas: food security and rural livelihoods, health and medical training, humanitarian mine action, and development programmes which includes vocational training, violence against women, media and civil society and local governance and participation. The NPA currently has five programme areas in Sudan: relief and emergency, rural development (much focus on agriculture and life stock), civil society (media, youth, political participation, women and land and resource rights), and health and mine action. The health programme started in 1992. The NPA has provided curative services in three hospitals throughout Southern Sudan, runs a Medical Training School with over 230 students and a programme for providing quality and reasonable health care to returnees. Currently, the NPA is in a process of phasing out of direct service provision and to hand over the hospitals to local authorities. Focus is increasingly on capacity building of the South Sudan health sector and not on providing curative services. The major health project is currently under the Multi-donor Trust Fund with focus on supporting state authorities in basic health service delivery. All service delivery is conducted in close collaboration with local authorities for the purpose of building a standardised health system in the South. The NPA makes sure that projects and programmes are designed, planned and executed in close consultation with the relevant government structures at various levels in southern Sudan, as well as with communities at the grassroots level. In 2006 a country office was established in Juba, with South Sudan taking over the management of the organisation for the first time. The NPA does not consider itself a child rights organisation; children are but one group of beneficiaries in their projects.

### **Health: ‘HIV and AIDS control and management project’**

The evaluation is based on the project proposal, the MoU for the project and an interview with the NAP Country Director (project manager for the HIV and AIDS project). The project sites and beneficiaries were not included in the collection of data, because the project was completed in 2005 and it is difficult to track down participants within the timeframe of this evaluation. The project was selected mainly because it responded to the CRC Committees’ recommendation on HIV and AIDS awareness (see summary of the CRC treaty body recommendations above).

This project started in 2001 by the NPA in cooperation with the Sudan Relief and Rehabilitation Association (SRRA) and the Sudan People’s Liberation Movement (SPLM) Health Department. The project was closed in 2005. The beneficiaries were youth between 15 and 25 years of age; attendees of ante-natal care clinics (pregnant women); soldiers/military personnel; children (0–5 years of age); and people with high risk occupations e.g. truck drivers, health workers, bar tenders. The activities comprised the establishment of HIV and AIDS committees in the counties; the provision of teaching materials, including audio-visuals; organising workshops/seminars; training of HIV and AIDS personnel; education regarding the use of universal precautionary measures (NPA country report Sudan 2005).



*Achievements:* The project's results included the establishment of an AIDS Council with trained staff and necessary teaching material; implementation of an HIV and AIDS policy; the training of appropriate staff; awareness campaigns among the target population; the coordination stakeholders' activities; undertaken surveys and research (NPA country report Sudan 2005).

*Constraints:* The late release of funds mostly after the first quarter of the year caused delay in the implementation of some activities and the risk of losing the trust of local partners; difficult air and road transportation made many areas unreachable for educational campaigns.

*Issues of concern:* the NPA had not taken into consideration the CRC in the planning and implementation of the project, children were only indirect beneficiaries. The NPA had not yet developed guidelines or manuals for its new capacity-building approach, which would have provided an opportunity for integrating the CRC into the approach. In agriculture there is a need for awareness-raising on child labour. As the NPA is working with civil society and on women's issues, the CRC is relevant to harmful traditional practices, child marriages and civil rights and freedoms related to customary laws. We found that the NPA has an excellent opportunity for integrating the CRC in its future strategy as from 2012. The CRC should be integral to any community-based approach as children are members of the community. Children's right to participation should be incorporated. The CRC is also central to a right-based approach to implementing the rural development programme.

*Sustainability:* Interviews revealed that with the establishment of an HIV and AIDS Council, the institutional and human capacities developed by the project were considered adequate to promote local ownership and ensure the independent functioning of the Council. Expected support from the Global Fund was considered an opportunity for expansion of the Council's activities.

## **UNICEF**

UNICEF has operated in Sudan since 1952 and is the largest UN agency dedicated to supporting women and children. Its first permanent office opened in Khartoum in 1974. The North Sudan Area Programme covers 15 states in the north, including Darfur. The Southern Sudan Area Programme covers the ten states of Southern Sudan. In collaboration with the government, non-governmental and community partners, UNICEF-supported activities aim to bring Sudan back on track to attaining the Millennium Development Goals. UNICEF's seven main areas of intervention are:

- a) **Health:** In the face of high rates of child and maternal mortality, UNICEF is assisting in improving primary health care across Sudan to reduce the risks faced by mothers and children from preventable diseases;
- b) **Nutrition:** UNICEF seeks to tackle the underlying causes of malnutrition through support to community-based services and improving feeding practices amongst families;
- c) **Water, sanitation and hygiene:** With waterborne diseases being a major cause of child mortality, UNICEF works to increase access to safe water and sanitation and to improve household hygiene practices;
- d) **Basic education:** UNICEF supports the development of accessible quality education for all children, with a special focus on girls;
- e) **Child Protection:** UNICEF contributes towards the protection of children from all forms of abuse, violence, exploitation and discrimination;
- f) **HIV and AIDS:** In the face of limited public understanding of HIV and its transmission, UNICEF is helping to raise awareness and knowledge of HIV and AIDS and provides support to those affected by the virus;

- g) Darfur emergency programme: UNICEF is at the forefront of providing vital humanitarian assistance to the 4.7 million people affected by the conflict in Darfur – half of whom are children.

*Education, health and protection: 'Child-friendly community initiative in eastern Sudan'*

We base the evaluation of the project on the following sources: project description, final report, graduation indicators and interviews with UNICEF staff (planning and research unit). The project was selected as the evaluation team and the workshop participants deemed it important to include projects from all regions in Sudan. This project in eastern Sudan seeks to deal with several of the CRC recommendations as it is a community-based project. It particularly deals with the training of local government officials, community groups and leaders, education and basic health and services. Additionally, the community-based approach invites participation of children in the decisions of the community (see summary of the CRC treaty body recommendations above).

The Child-Friendly Community Initiative (CFCI) is a community-driven project supported by UNICEF and the Federal and State Governments. The project is currently operational in nine states, including Kassala, Gedarif, Blue Nile, Red Sea, North and South Kordofan, North, West and South Darfur, and Abyei. UNICEF has assisted partners in developing, maintaining, managing and regularly updating a community database containing information from surveys of those identified as the most vulnerable and deprived, using selected indicators. The indicators are gross enrolment rate in primary school; percentage of school-age girls not enrolled in school; drop-out rate; population per midwife (the standard is one per 2,000); population per trained health cadre (the standard is one per 500). Norwegian funding from the embassy in Khartoum has specifically benefited the CFCI in Kassala, Red Sea, Gedaref and Blue Nile. Norway's funding was terminated in 2009, but the project is still ongoing.

The five components of the programme are (project proposal 2007 and final report 2010):

- h) Building capacity of the CFCI coordination units, counterparts and Technical Committees at the local level: field staff and government counterparts were trained on programme management, child-to-child approach, the Theatre for Life (TFL), basic skills on the peace building, conflict prevention at the grass roots level, leadership to coordinate programme synergy and integration, monitoring of programme activities, promotion of the social integration;
- i) Community Capacity Development and Empowerment: sub-committees were elected, formed, legalised and sensitised to the integrated community-based approach and community organisation; CDC members (women, children/youth) acquired basic skills on leadership, community management, participatory planning, monitoring of local projects and revolving fund management;
- j) Community Development Sub-projects: community centres were established and equipped. One community in Kassala was supported to establish a productive project composed of a generator and accessories to generate electricity for the health unit, the school, the mosque and so forth. The revenue of this productive project generated by selling the surplus on a commercial basis is meant to accrue to the community. Productive associations have been established in 38 communities in Gadaref State. The projects range from supplying generators, water irrigation pumps, canvas for community meetings/festivals and video show clubs and others. The generated income is usually used for paying the local contribution to the community-initiated projects, such as schools and health units;
- k) Child Protection: Children were trained on the child-to-child approach in the dissemination of child protection messages including FGM, land mines and girls' education; 24 TFL groups of adolescents have been formed and supported in Kassala, Gadaref and Red Sea to raise local communities' awareness on child rights and child-related issues using drama and theatre shows; women in Kassala State were oriented on the CRC, women's rights and leadership; a comprehensive awareness-raising

campaign was conducted on child protection as part of the psycho-social support in the child DDR programme of the CFCI in Blue Nile State, four children and youth centres were established and activated. One hundred children and youth have been involved daily in the activities of each centre;

- l) Communication and Advocacy; Community Radio Listening Groups (CRLG) were recently established in Blue Nile and Red Sea in total with radio programmes in local languages.

*Constraints:* Interviews with UNICEF staff revealed that limited funding from the state line ministries sometimes hindered the implementation of the project. Apart from the funding challenges, more efforts by the local government entities to follow-up project implementation are expected for the future activities in the CFCI. Due to poverty, many CFCI communities could not afford to maintain the cost recovery policy to sustain their resources of the community properties.

*Achievements:* The gross enrolment rate (GER) has increased to 53 per cent in Kassala State and to 72 per cent in Gadaref State during 2009. Indicators are in place to 'measure' the effects of interventions related to child and maternal health, nutrition, basic education, water, sanitation and hygiene-related services that promote Integrated Early Childhood Development (CFCI final report 2010).

*Sustainability:* A participatory approach was adopted throughout the project cycle, with emphasis on building community capacity, according to UNICEF staff. The evaluation team found the ownership and cost-sharing among communities, stakeholders and partnership with localities and NGOs working in the area promising. The utilisation of local government administrative structures as a conduit for implementation has absorbed recurrent operating cost. Well-organised pro-active structures have been established, whose members have the requisite skills to carry on the project. Strong and enduring links have been forged between communities and outside sources of advice and assistance such as government institutions, UN agencies, NGOs, etc. Community access has been secured to financial and material resources required to implement future activities (CFCI final report 2010).

*Issues of concern:* There are no indicators to measure the effects of interventions related to child rights awareness, GBV, early marriages, etc. (CFCI graduation indicators). This is of course difficult to measure, but surveys exploring changes in attitudes about these issues could be undertaken. One of the 'graduation' indicators regarding HIV and AIDS is ensuring that the community knows how the virus is transmitted and how to prevent it spreading. A similar indicator might also be employed on other issues of changing perceptions and awareness of the CRC, FGM, early marriages, and GBV. The evaluation team found that there is a good grasp of which elements are needed to ensure sustainability but not a corresponding understanding of how these may be combined in practice and how communities may be empowered to overcome the challenges of poverty, meagre government allocations for services and most significantly changes in patriarchal mindsets that could guarantee support for the centrality of child rights and children's active community participation.

### **Demobilisation and reintegration of child soldiers**

- *'Protection from abuse, violence and exploitation of children associated with the SPLA and other armed groups/forces, and children affected by conflict in Southern Sudan'*
- *'Protection of children recruited or used by armed groups and forces, and conflict-affected children in Northern Sudan'*

The sources for the evaluation on demobilisation and reintegration of child soldiers are project documents, assessment of the reintegration processes, and interviews with UNICEF staff and their partners in Khartoum and Juba. These projects are selected because they respond in particular to CRC Committee recommendation to protect child soldiers and because the ToR specifically asks the evaluation team to deal with the issue of children in armed conflict (see summary of the CRC treaty body recommendations above).

The overall project goal is to build a protective environment for vulnerable children, especially children recruited and used by armed forces and groups and conflict-affected children (Sida assessment memo 2009). The project's planned duration is 2009–2012, funded by both Norway and Sweden. Sweden funds both the North and South components, whereas Norway only funds the South component. Although the project is still in its early phases, we included it in the evaluation on the recommendation of the Swedish embassy. UNICEF has been working within this area throughout the whole ten-year period under review. In earlier periods Norway supported several UNICEF-executed projects: (i) Reintegration of children from armed forces (2007); (ii) Demobilised child soldiers (2001); (iii) Removal of children from armed forces (2004). Sweden has also funded projects through the SCS by means of bloc grants and the project 'Child soldiers and reintegration' (2004–2006). Before the CPA, the projects were confined to advocacy. After the CPA, UNICEF's focus has comprised reintegration and prevention. With a community-based approach they aim to develop child-friendly communities and thereby hinder new recruitment. UNICEF is cooperating with the government, and in contrast to countries like Sri Lanka, Insaf Nizam from UNICEF Child Protection section said: "Sudan has the will, but it does not do enough. The government's commitment does not always translate into action."

### *South Sudan*

The expected results for 2009 were the release of 1,000 children associated with the SPLA and the return to their communities under the CPA; reuniting unaccompanied and separated children with their families; supporting conflict-affected children (18,000) in community-based programmes; raising the awareness and building the capacity of professionals (estimate 1,000) working with children to improve their knowledge and practice in dealing with child victims of abuses and violence. In order to ensure the sustainable reintegration of children associated with the SPLA, UNICEF takes a three-phase approach: first, the release of child soldiers; second, the return of the children to their communities/families; and third, follow-up care and reintegration of children associated with the armed groups. UNICEF also plans to support the following activities which will have a direct impact on the reintegration of the demobilised children: (i) capacity building and child protection coordination with the Ministry for Gender and Social Welfare (MGSW) in the South and with the State Ministries for Social Development and State Child Protection Working Groups in the South; and (ii) social work skills development with the MGSW, including social work training at Juba University. Some UNICEF partners for DDR are: South Sudan DDR Commission, the SPLA, Ministry of Education, Ministry of Youth Culture and Sports, World Vision World Wide, the UNMIS, the UNDP and the UNHCR (UNICEF proposal for funding southern Sudan 2008).

*Accomplishments:* According to interviews with UNICEF staff most of the targeted child soldiers were reunited with their families and reintegrated; initiatives for income generation activities and vocational training for demobilised children were undertaken; training of social workers; NGO partners with trained staff in identification, demobilisation, and others with skills in family training and unification, experiences of coordination of activities and follow up of the reintegration process. However, the success to be noted is lobbying for inclusion of child protection provisions in the Military Act and the establishment of a Child Protection Unit in the SPLM and an SPLM directive to commanders banning the recruitment of children.

*Constraints:* Inter-tribal conflicts persist and there are still no-go areas due to insecurity and lack of infrastructure. Difficulties were noted in the reintegration of the age group 16–17 years. There is a need to link adults to child demobilisation to utilise vocational training. Also, no girl soldiers were identified although their presence in the barracks is known. Overall, the DDR efforts take place within the SPLA barracks but other military groups are not yet considered. The approach to reintegration is family-based including all vulnerable children in the community, but communities are not attractive to some children due to poverty and dearth of educational opportunities. As of today, the government partner institutions are completely dependent on assistance as they lack resources for basic activities in DDR

processes. Additionally, the capacities of most NGO partners, both local and international, are not up to the expected standard. Lastly, the vastness of the country and poor infrastructure make the family identification and unification process very demanding.

*Issues of concern:* The assessment of the reintegration of children (Bremier 2008:10) raises several concerns. The inadequacy of the preparation of the children for the demobilisation process; children with health problems may not find health care assistance; no or very scant data are available to enable the measurement of participation of Children Associated with Armed Forces (CAAF) in education, vocational training and other community based reintegration programmes; no measurement has been done to assess the level of stigma attached to the reintegration of CAAF. Girls remained invisible in the official identification records but an unexpected visit by a UNICEF official verified the presence of 23 girl soldiers in one of the barracks. Access to education for the demobilised and other vulnerable children is hampered by high cost of education, long distances to schools or scarcity of schools in some areas, shortage in trained teachers and harsh disciplinary methods. The poverty of families and the lack of income generation activities constrain families from supporting the demobilised children.

*Sustainability:* The directive sent by SPLM leaders to SPLA military commanders is very important in stopping the re-recruitment of children and helping in sustaining re-integration, provided that the directive is respected and monitored. If UNICEF as the lead agency manages to strengthen reintegration, specifically addressing the poverty and marginalisation of demobilised children, the prospects of sustaining the project results are good in the opinion of the evaluation team. Interviews with UNICEF staff reveal that poverty and the lack of other opportunities for children are identified as the main reasons why children join armed forces with the consent of their families and the community at large.

#### *North Sudan*

Activities include releasing 1,500 children from armed forces/groups in North Sudan and providing access to psycho-social services through child-friendly spaces. An estimated 80 per cent of the children are supported with reintegration services including social work support, psycho-social services, and improved access to education and vocational skills/training. This figure includes children released through the new child DDR programme in 2010 in Darfur with the Darfur Peace Agreement (DPA) signatories; child/youth centres and mainstreaming of psycho-social support through education. Separated children (1,000) are supported to reunite with their families and an estimated seven million people in nine states in the North are reached with specific child protection messages through comprehensive awareness campaign (this includes Mine Risk Education, abandoned babies, child recruitment, sexual abuse and GBV). The project also has a child protection service and capacity-building component within government institutions, including the National and State Councils for Child Welfare, the Ministry of Social Affairs, the Family and Child Protection Units of Police, and the North Sudan DDR Commission. The partners of UNICEF in North Sudan are the North Sudan DDR Commission, the NCCW, the Ministry of Education, the Ministry of Social Welfare, the Ministry of Youth, Culture and Sports; the Child Development Foundation; the UNDP, and the UNHCR National Mine Action Centre (UNICEF proposal for funding northern Sudan 2008).

UNICEF's approach has six components:

- a) Data collection and analysis for evidence-based advocacy, development of child protection policies and laws, open discussion and reporting on child protection and rights issues, capacity development and institution building;
- b) Community, adolescent and youth participation in the planning and implementation of community-based child protection interventions;
- c) Child protection coordination and leadership in the government structures by the NCCW, within the UN framework for overall protection and coordination;

- d) Mainstreaming of child protection through the activities and programmes of other UNICEF programmes, UN agencies, as well as GoS bodies and broad-based partnerships with UN agencies in public as well as private sectors;
- e) An area-based approach to programming by scaling up interventions, strengthening the capacity of indigenous NGOs and civil society organisations and convergence with other interventions in the most disadvantaged communities;
- f) Emergency preparedness and response to mitigate child vulnerabilities in times of acute emergency.

*Accomplishments:* As a result of the advocacy by UNICEF throughout the ten-year period with funding from Norway, in particular, there have been some macro-level changes to the effect that Sudan has taken the issue of child soldiers seriously, i.e. the inclusion of a DDR element in the peace agreement and the establishment of DDR commissions. Ratification of the optional protocols of the CRC; enactment of the Sudan Armed Forces Act 2008, which expressly forbids the recruitment of soldiers under the age of 18; the Child Act 2010; the establishment of child protection units within the Sudan Armed Forces (SAF), and a memorandum of understanding signed between UNICEF and SAF and the NCCW in 2008. According to the Gender Focal Point of the DDR Commission, North Sudan, 63 girls were demobilised from militia groups and are currently in a process of reintegration.

*Constraints:* There are insecurity concerns in certain areas, particularly in Darfur. Also, UNICEF staff point to the vastness of the country and poor infrastructure which make the family identification and unification process very difficult. A proper profiling/identification of locations is difficult as the geographical spread is huge. It is also difficult to identify the ages of child soldiers due to lacking birth certificates/registration. Awareness-raising to convince the community that recruiting child soldiers is a breach of the fundamental rights of the child is challenging yet important because recruitment is mostly voluntary. It is a concern for UNICEF that short-term funding makes it difficult to plan ahead. Added to that, recruitment of qualified staff is a continuous challenge.

*Issues of concern:* The new conflict in Darfur has led to new recruitment of child soldiers and child soldiers are retained in SAF. There is lacking institutionalisation of procedures within GoS concerning DDR. Child soldiers from the Darfurian Justice and Equality Movement's (JEM) attack in Omdurman in 2008 was pardoned by the President from the death penalty. But the children should not have been sentenced to death in the first place. The Child Act 2010 is an important step, but enforcement is faulty.

*Sustainability:* The evaluation team finds that a community-based approach is a good way of avoiding individual incentives for child soldiers and their families. A good dialogue with GoS and SAF is an important step towards sustainability.

## **Mainstreamed interventions**

To assess the effectiveness of mainstreaming as the second prong of Sida's approach to child rights promotion, we discuss below some projects and programmes that ostensibly have been mainstreamed.

### **International Aid Services (IAS)**

The IAS is a Christian relief and development organisation formed in 1989 in response to the crisis in southern Sudan. During its first 15 years the organisation used 'Sweden' in its logo and was therefore called International Aid Sweden. In the last couple of years, however, the IAS northern offices have expanded to include Denmark, Norway, Germany and the USA. To make the organisational name more suitable for the partners in these countries, its name was changed to 'International Aid Services' with effect from January 2004. The IAS has been present in southern Sudan since 1989 and in northern Sudan since 2001. In 2004 the organisation moved into west Darfur and in 2007 to southern Darfur. Currently, it is expanding into eastern Sudan (Red Sea State). Sida provides about half of the funding for IAS's Sudan programme which includes water/sanitation, agriculture, education, and

health and community mobilisation. As of 2009/2010, the IAS has focused on two strands: integrated water resource management and special needs education/inclusive education. The organisation has adopted a rights-based approach, but the CRC is not mainstreamed into its programmes and projects.

#### **Humanitarian aid: 'Sudan post-conflict humanitarian response'**

We base the evaluation of the project on the following sources: assessment memo, final report, IAS annual reports, IAS training manuals, and interviews with IAS staff in Khartoum and Juba. The project was selected primarily because it is a humanitarian project, but also because it responds to CRC treaty body recommendations on basic health and services and education (see summary of the CRC Committee's recommendations above). Particularly the training component of this IAS project is in line of Sida's priorities and key CRC recommendations, for example HIV and AIDS awareness, conflict resolution and peace education, CPA dissemination, protection of children's rights, and gender awareness with promotion of gender equality and empowerment of women. The programme also endeavours to increase school attendance among girls (Sida assessment memo 2008).

The overall goal is to improve the living conditions of vulnerable groups (IAS final report 2009). Partner organisations in this project included Community Action for Water Programme, Rural Action against Hunger, Christian Development Action for Sudan, Christian Agenda for Development, Episcopal Church of Sudan, and Sudan Pentecostal Church. The project sought to address three major needs in central equatorial, western equatorial and northern Bahr al-Ghazal states:

- a) Strengthening the emergency response capacity. Returnees were provided with agricultural inputs (seeds and tools) at household level. IDPs were targeted with basic life-saving, non-food items such as blankets and plastic sheets;
- b) Provision of basic and productive services. Conversion of high-yielding boreholes into water yards, construction of ventilated improved pit latrines with hand washing facilities in schools, health centres; livestock/poultry restocking targeting vulnerable female-headed households as a means of improving their livelihood; construction of rain water harvesting systems in schools as a means of collecting surface water and to promote a good learning environment for school-going children; providing material assistance and direct management of two agriculture and teacher training institutions, materials to 28 primary schools and one secondary school and one eye clinic ward. The Episcopal Church of Sudan has taken over the responsibility of the eye clinic in Yei County. The handover of the agricultural training centres to the government did not proceed as planned. The government was apparently not interested and the centres are now run by Christian Agenda for Development. The Ministry of Education has taken over the schools and the teacher training centre;
- c) Grassroots empowerment. Training on operation and maintenance as well as awareness-raising and training on cross-cutting issues. The manual designed in a participatory process with local leaders from the northern and southern Sudan considers the knowledge and skills needed for community involvement and participation in education, sanitation and hygiene, HIV and AIDS, peace-building, gender, environment and legal frameworks on human rights including the CRC which were considered cross-cutting issues.

*Constraints:* According to interviews with IAS staff, logistics and transport of advanced equipment is difficult in a vast country without sufficient infrastructure, and impassable roads in some areas during the rainy season stops work for several months per year; access problems due to insecurity, particularly in Darfur; the lethargy of state and federal bureaucracies slows down progress; cultural notions at the grassroots are difficult to change.

*Achievements:* The IAS staff revealed that the organisation has decided to focus on grassroots empowerment as a means of transiting from 'pure' humanitarian aid to development. They also point to a good track record in water and sanitation provision; maintaining a dialogue with the government which

probably explains why the IAS was not among the humanitarian organisations that were expelled in 2008; capacity building of local staff and partner organisations has resulted in the formation of local NGOs.

*Sustainability:* Sustainability is gained through community grassroots empowerment and a strong focus on capacity building of local staff and partner organisations, which has resulted in the formation of local NGOs. The evaluation team encouraged the organisation to continue its work on grassroots empowerment and suggested that manuals be translated into local languages.

*Issues of concern:* From this year onwards there will no longer be staff responsible for humanitarian aid at the Swedish Embassy in Khartoum, according to the IAS. Humanitarian aid will be handled from Stockholm and this is a concern expressed by the organisation. The child rights perspective is not mainstreamed, but the IAS is working on its grassroots empowerment training manuals and considering ways of including it. However, the grassroots empowerment component needs to be strengthened in the monitoring, reporting and evaluation of projects. The cross-cutting issues are put at the end of the manual as separate topics. The major parts refer to the ‘community’ and ‘household’ as undifferentiated units and it may thus not be easy for the trainer using the manual to address the active participation of children in communities that are often hierarchical.

## **UNIFEM**

UNIFEM is the women’s fund at the United Nations, dedicated to advancing women’s rights and achieving gender equality. Established in 1976, UNIFEM has had a presence in Sudan since 1994, but set up offices there only in 2005 and became fully functional in 2007. UNIFEM provides financial and technical assistance to innovative programmes and strategies that foster women’s empowerment. UNIFEM works on the premise that it is the fundamental right of every woman to live a life free from discrimination and violence, and that gender equality is essential to achieving development and to building just societies. UNIFEM focuses its activities on one overarching goal: to support the implementation at the national level of existing international commitments to advance gender equality. Towards this goal, UNIFEM works in the following thematic areas: (i) enhancing women’s economic security and rights; (ii) ending violence against women; (iii) reducing the prevalence of HIV and AIDS among women and girls; and (iv) advancing gender justice in democratic governance in stable and fragile states.

### **Human right/democracy/gender equality:**

- a) *‘Protecting and promoting women’s rights and leadership in Sudan’*
- b) *‘Building capacity for gender equality in governance and protecting women’s rights’*

We base the evaluation of the project on the following sources: assessment memos, project descriptions, reports, evaluations, UNIFEM’s gender mainstreaming guidelines and interviews with UNIFEM staff in Khartoum. This project and organisation was selected mainly because of Sweden’s emphasis on non-discrimination of girls and boys. But also because the project responds to CRC treaty body recommendations on the need to strengthen girls rights legislation in accordance with the CRC and also to train civil society and decision-makers on these issues (see summary of the CRC Committee recommendations above).

In 2005, Sida decided to support UNIFEM’s project ‘Protecting and Promoting Women’s Rights and Leadership in Sudan’ (2005–2006). This project is based mainly on the CPA, the Beijing Declaration, CEDAW and Security Council Resolution 1325. In April 2005, UNIFEM supported the organisation of a conference in Oslo, Norway with Sudanese women delegates from all regions, to establish urgent priorities and actions for donors. Norway has also funded UNIFEM’s activities. The priorities presented at the Oslo donor conference covered six areas: governance and the rule of law; gender-based violence; capacity building and institutional development; economic policy and management; livelihoods and



productive sectors; and basic social services. In 2007, Sida decided to support UNIFEM's project 'Building Capacities for Gender Equality in Governance and Protection of Women's Rights in Sudan' (UNIFEM Country Programme for Sudan 2008-2011), for which the basis had been laid in a previous Sida-supported project. The programme goal is to advance gender equality and women's empowerment, revolving around three cross-cutting programme strategies: (i) institutional capacity-building and development of Sudanese civil society organisations; (ii) advocacy and networking for policy reform; and (iii) documentation, communication and information dissemination (UNIFEM 2008).

*Achievements:* UNIFEM now maintains a presence with adequate staffing in Khartoum and Juba; increased participation of women in governance structures and in decision-making processes; clearly, the 25 per cent women's representation codified in the National Elections Act 2008 is a huge achievement; likewise, strengthened capacities of NGOs and women in advocacy and action for women's rights and the empowerment of women is a major achievement; strengthened capacity of governance institutions to protect women's rights and facilitated gender responsive planning, budgeting and monitoring is notable (UNIFEM Gender analysis of the National Elections Act 2008).

*Constraints:* Women's issues are politicised and sensitive and Sudanese women's struggle for gender justice are fragmented and divided by region, ethnicity, religion and class. After the elections in April 2010 the majority of the women elected to the national assembly were Islamists whose views do not support gender equality in private and public spheres of law; the area of civil rights (family law) for Sudanese women is complex and difficult. Women's civil rights (custody of children, marriage, divorce, inheritance, maintenance) are regulated by religious and tribal customary law which varies vastly across the country. Most of these laws are discriminatory and contradicts the equality clauses in the constitution, but the system of legal pluralism is considered as religious freedom.

*Issues of concern:* A concern is that the girl child seems to get lost between UNICEF and UNIFEM. UNIFEM does not consider the girl child a target of its activities or part of its strategy (Sudan UNIFEM country programme 2008-2012). There is no mainstreaming of child rights in the projects of UNIFEM which has not received any instruction at any stage to that effect. UNIFEM advocates for others to mainstream gender, but does not mainstream children's rights (UNIFEM Guidance note and checklist for gender mainstreaming in Humanitarian, Early Recovery and Development for the Sudan Work Plan 2009). Many of the problems facing women in contemporary Sudan are caused by discrimination of girl children, illiteracy is high among women because girl children either do not enter school due to social custom and house duties or they drop out early to get married. The maternal mortality rate in Sudan is one of the highest in the world and clearly related to harmful practices performed on girl children such as FGM. It is surprising, therefore, that UNIFEM does not fully embrace the rights of girl children and include them in its activities. UNIFEM has taken some initiatives on FGM and early marriages in other projects, but after internal discussions it was decided that it is not within its mandate (Sudan UNIFEM country programme 2008-2012). It is a source of concern that capacity building of women decision-makers focuses mainly on women's human rights (in terms of CEDAW). A much debated topic among Sudanese women is early marriages which clearly are in breach of the CRC. The CRC could easily be mainstreamed into capacity building and advocacy for policy reform within this area of the law.

*Sustainability:* Cooperation with government institutions will, in the view of the evaluation team, contribute to sustainability. UNIFEM has taken part in the development of a strategy combating gender-based violence. The issue of gender-based violence is extremely sensitive, particularly in Darfur. Dialogue with government agencies is considered necessary.

## Analysis and evaluation

The major achievement in the recent history of children in Sudan is the enactment of the Child Act in South Sudan 2008 and the National Child Act 2010. Advocacy by organisations such as UNICEF, the SCS, the SCC and the SCN in cooperation with their local partners funded by Sweden and Norway have been significant in the drafting of these legal instruments. This contribution has been significant in addressing one of the main concerns by the CRC committee on the lack of domestic legislation to protect and promote child rights in Sudan. But there is a challenge of enforcement and a lack government readiness to act. In the words of a deaf child who attended our workshop on 21 June 2010: “We know our rights and we have rights, but it does not matter as long as the government does not respect our rights.” Still, government institutions, in particular the NCCW, have not developed the necessary strategy to monitor the implementation of the Act and in the South the Child Welfare Council is still in the process of being established.<sup>7</sup> However, national strategies have been developed in cooperation with international organisations like the SCS and Sudanese civil society organisations. This is a welcome development and addresses a recommendation by the CRC committee. But it is a source of concern that the NCCW which is tasked to monitor the implementation of the CRC and the Child Act 2010 is shifting towards implementation and raising funds from international and multinational organisations. The mandate of the institution is to monitor, not to implement. All child institutions, in the North and the South and at the state level have to deal with challenges of recognition and resources from political and decision-making leaders. The NCCW’s lack of human and financial resources provided by the government continues to be a concern. It is our impression that the government allocates modest funds over the budget specifically geared towards children and the NCCW. Advocacy for child-sensitive or child-specific budget items ought to be part of the advocacy strategy of civil society organisations. Indeed, it is critical to sustainability. The NCCW regards the low birth registration and the lack of reliable data/statistics with great concern, but without more human and financial resources the NCCW cannot remedy these problems adequately. This is an area which the international organisations could consider, with Sida and Norad funding. The SCS in particular has a good working relationship with the NCCW and more funding to develop this cooperation is recommended, especially regarding birth registration and statistics. Furthermore, the Norwegian child rights strategy puts particular emphasis on participation, i.e. support to child rights institutions. The NCCW would be a good institution to support.

Although both Child Acts are informed by the CRC, the shortcoming of the national act is related to the criminalisation of FGM. Section 13 in the draft law – which banned FGM – was ultimately taken out of the Child Act 2010. Arguments for the FGM practice are complex and criminalisation would not be enough to eradicate it. But it is regarded by civil society and even government institutions as an important tool in combating FGM. The failure to include a ban of FGM in the Child Act 2010 clearly indicates that the government is not at this point prepared to adopt the CRC in its totality. Cross-cutting issues of gender equality and women’s rights are politically polarised and sensitive. FGM, early marriages, forced marriages and the custody of girls are some examples. With the exception of FGM, these practices are regulated by family law, which are clearly not in conformity with the CRC. In light of the high prevalence of FGM over time, there is a need to revisit the strategies pursued by Sudanese and international organisations to combat the practice. It would be advisable to move away from approaching the community by saying that FGM is bad and a health hazard towards a holistic rights-based approach taking the cue from the *saleema* campaign. *Saleema* is a positive messaging tool. “Every girl is born *saleema*. Let her grow *saleema*”, means that *saleema* is the normal/natural state of girls (Ahmad et al. 2009). *Saleema* is a word that means whole, healthy in body and mind, unharmed, intact,

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<sup>7</sup> The Five-Year Strategic Plan (2007–2011) for the NCCW considers advocacy for child rights but such plans are laid without funding from the government. One shortcoming is that the participation of children is focused on cultural and recreational activities.

pristine, and untouched, in a God-given condition. The Saleema Communication Initiative grew out of the recognition of a critical language gap in Sudanese colloquial Arabic: despite great strides made over 30+ years of activism to increase awareness of the harm caused by FGM/C, there was still no positive term in common usage to refer to an uncircumcised woman/girl. In fact, the word in common usage throughout the northern states of Sudan is *ghalfa*, a pejorative term with connotations of prostitution and slavery. The broad objective is to change the way people talk about female genital cutting by promoting wide usage of new positive terminology to describe the natural bodies of girls and women (UNICEF Saleema campaign 2008). According to UNICEF, the intention of older women to circumcise their granddaughters has been reduced over the last ten years, whereas the intention of the young girls has not. Young girls should therefore be the target group of these interventions (Ahmad et al. 2009). Instead of giving local advocates economic incentives, messages couched in the rights language of the CRC and the Child Acts should be mainstreaming into school curricula. It is also important that UNICEF and UNIFEM tackle these cross-cutting issues in conjunction so that the girl child does not fall between two stools. Both Sweden and Norway apply a gender perspective which means that attention is drawn to the differential treatment of boys and girls and the exposure of girls to particular risks. Also, the organisations working on harmful traditional practices should take the CRC committee's recommendation into consideration: seek cooperation with other countries in the region with a positive experience in combating FGM.

In contrast to FGM, there have been important macro-level changes in other areas of child protection during the last ten years. Despite the fact that there is post-conflict violence in southern Sudan, ongoing conflict in Darfur, UNICEF has successfully contributed to demobilising 1,300 child soldiers. Yet, there is still a significant number of child soldiers in the North (6,000) and in the South (1,200). In terms of legal initiatives and government cooperation, great strides have been made after the signing of the CPA. The signing of the optional protocols and child soldiers feature prominently in the Child Act 2010 and UNICEF has signed a memorandum of understanding with SAF and the NCCW. Despite the ongoing conflict in Darfur, UNICEF has also signed an action plan with the Darfur peace agreement signatories. The challenge ahead is to establish good mechanisms for monitoring government institutions and for ensuring transparency in these processes. A community-based approach to recruitment of child soldiers is a good method as it goes to the root of the problem. Poverty and the lack of life opportunities form the backdrop to the persistence of the problem. Most of the recruitment is voluntary, because instead of starving the child gets regular meals whether in the army barracks or in the militias. The community and the families regard this as a form of protection and it is a huge challenge to alter the community mindset. Developments in education, health and so on in vulnerable communities are important steps to prevent future recruitment and to sustain reintegration.

Also in juvenile justice and street children measures there have been important developments, particularly passage of the Child Act 2010 and the establishment of juvenile courts and child protection units. The SCS, through its local partners, has been influential in advocacy and work for juvenile justice since 1988. Although vagrancy is no longer regarded as an offence in terms of the Child Act 2010, it is still so in terms of the Public Order Act (1996) of Khartoum State; police violence against and rape of street children is a tremendously tough challenge. It is important to establish accountability mechanisms and to continuously monitor progress in respect of reduced police violence. There is an awareness challenge among the police which needs to be addressed with the mainstreaming of the CRC and the Child Acts into the police academies. Although major improvements have been made, the future challenge is to institutionalise best practices, ensure transparency of, for example, court records in order to monitor progress and replicate successful developments from Khartoum in other areas of the country.

Education and health are important sectors for Norway's and Sweden's child rights strategies. Most projects in Sudan funded by Norway and Sweden address these sectors. Humanitarian aid often contributes to water/sanitation, education and health. As from 2009/2010, the IAS will focus on two core

interventions: integrated water resource management and special needs education/inclusive education. Sudan is a complex case in an emergency context. The SCS addressed the gap in government interventions in North Darfur by providing education to the vulnerable children of the IDPs and their host communities and reaching the drop-outs with accelerated learning programme. Also, the NCA and the Strømme Foundation (SF) has helped thousands of school-age children in different regions of South Sudan to access education, especially vulnerable children among the IDPs and returnees. With support from Norway, UNICEF has run education projects in the Blue Nile and is planning one in Darfur, and the NRC had embarked on projects of education in emergencies in South Sudan, southern Kordofan and Darfur before the organisation was expelled. Furthermore, the Swedish Mission Council, PMU interlife and the SCS are among the organisations which, with Swedish support, have carried out education projects in Sudan. Ensuring education for all is an important goal in itself and fills a gap pointed as out by the CRC treaty body response to Sudan's periodic reports, but education is also a key to the reintegration of child soldiers. Particularly when it comes to education and health, there is a need to increase the state parties' budget allocations which is generally low (Al-Battahani et al. 2007). Both advocacy and bilateral diplomacy are possible tools. Sweden, which aims particularly to export the Swedish welfare model, should put this on the agenda in bilateral meetings.

Many of the projects are relief/activity oriented, e.g. the payment of school fees and the provision of materials for children, without consideration of their other needs for food and transportation and rights awareness. The SCS, however, in its project on education in emergencies in Darfur has not only built schools and provided learning material, but also considered awareness of child rights and protection issues such as FGM, GBV and HIV and AIDS. There is a need, in accordance with the CRC Committee recommendations, to put more emphasis on the problem of corporal punishment. Through child-friendly spaces and the formation of child clubs, participation of children is a priority. But noting the activities of the child clubs, the participation of children seems to be confined to recreational and environmental activities, not their empowerment in taking decisions and becoming agents of change. In general, there seems to be only limited efforts for making children aware about their rights and responsibilities and empowering them to identify their needs and make decisions. Children are treated as recipients, not as actors. Flore, a secondary school student in southern Sudan who participated in the meeting of evaluation noted: "It is the first time that we sit with an elder to express our views and discuss our issues and needs." Another girl added: "Our minds are exhausted with questions (Why have we lost our parents? Why are we poor? Why are we hungry?) but we have no opportunities to discuss our issues." Similarly, a primary school girl who also participated in the evaluation meeting, explained: "We were told of our rights to express our views and needs and when we do that we get no responses." The statements of these girls show that they are ready to communicate and participate but need to understand the context, their rights and responsibilities to manage their lives. If children are empowered, understanding the context would help them to deal with the challenges and their rights and responsibilities. Participation forms an important component in the Norwegian strategy to child rights as does that of Sweden with emphasis on listening to children. Considering the disparity in the enrolment rates of girls and boys, it is important not only to deliver services in the form of school construction and the provision learning materials, but also to engage in awareness-raising to promote, for example, girls' education.

To promote early childhood development, a range of health issues is important to take into account. There is a gross lack of access to health facilities and qualified health personnel in Sudan. In fact, mortality rates among infants and children under five in Sudan are among the highest in the world. Many health problems are related to the lack of clean water. As a result, 40 per cent of under-five deaths are caused by diarrhoea. Humanitarian aid and other initiatives in supply water and sanitation are therefore important. Projects on food security are also found in the Swedish and Norwegian Sudan portfolios, particularly in complex humanitarian emergencies. Indeed, southern Sudan is yet again facing food insecurity against the backdrop of increased violence and poor rainfall, according to USAID (March 2010). The projects selected for this evaluation on health relate to HIV and AIDS. Many projects are

undertaken on HIV and AIDS awareness by the NCA, the Norwegian Red Cross and the NPA. HIV and AIDS is also a cross-cutting issue in many of the projects selected for this evaluation: the NCP, through the SNTCP awareness raising project in Mayo farms; the SCS project on education in emergencies in Darfur; UNICEF's Child Friendly Initiatives in eastern Sudan; and the IAS humanitarian project. Sudan is in the early stages of a generalised HIV and AIDS epidemic. The estimated adult prevalence rate is 1.6 per cent in Northern Sudan and 3.1 per cent in Southern Sudan (UNAIDS reports 2008). In southern Sudan children below five years make up 21 per cent of the population while 53 per cent are under the age of 18. Although the prevalence rate is not among the highest in the region, prevention is important. On a positive note, the government provides free drugs to HIV and AIDS patients, but there is often a shortage of medicine and supplies. Awareness on HIV and AIDS continues to be low and the virus is associated with shame. Thus, the issue has to be tackled from a holistic rights-based approach and not only from a health perspective. However, these projects tend to consider children as passive beneficiaries among others rather than the sole and active beneficiaries. Rarely is the CRC mainstreamed into projects. Consequently, the right of the child to health services seems to be neglected. Also, the projects which specifically target children with respect to awareness raising on HIV and AIDS, like that of the NCA through the SNTCP (undertaken by organisations which do not regard themselves as child-oriented), lack ethical guidelines and methods for including and targeting children. HIV and AIDS awareness is an important component in the child rights strategies, particularly in the Swedish one. But other issues are perhaps more alarming: the maternal, infant and under-five mortality rates. The NPA's initiative to cooperate with the Ministry of Health in southern Sudan is thus most welcome with its focus on institutional learning and capacity building of hospital and medical personnel.

### **Approaches: mainstreaming versus child-targeting**

Sweden pursues a mainstreaming policy on child rights. However, we found that child rights are not mainstreamed in the sampled projects. More importantly, the implementing agencies appear oblivious of Sida's mainstreaming policy. There does not seem to be instruments and tools to ensure that child rights are integrated into Sweden's country programme in Sudan. The broad concept is not translated into practice. Child rights are not systematically addressed in assessment memos and the mechanisms for monitoring and evaluation are inadequate. From our discussions on mainstreaming it emerged that there is a formalistic, narrow definition of mainstreaming of activities not involving children directly. The excuse was made that there are projects in which children cannot be mainstreamed (i.e. included, targeted), such as elections because children under 18 are not allowed to vote or run as candidates for political office. This illustrates the narrow definition of mainstreaming, that is, the view that children have to be physically included or targeted in all projects in order to mainstream. But a child rights perspective can be integrated into capacity building for decision-makers, electoral candidates and party manifestos. It is peculiar that both international organisations and embassies state that child rights are neither a focus nor a priority. Yet, about half the population is below the age of 18, so all aid interventions should be planned and implemented within a child rights perspective because it is inevitable that they will affect children in one way or another. Mainstreaming is not about adding a 'child rights component' into an existing activity. It means bringing the experience, knowledge, and best interest of children to bear on the development agenda. There seems to be a need, in particular, for organisations not considering themselves as child rights oriented to systematically include a CRC perspective into their activities, even though they tend to implement projects not geared to children only. Tackling the marginalisation of child rights in aid interventions requires a broader understanding of children's well-being that not only advances but also looks beyond emergency relief, health and education. Mainstreaming child rights requires an approach with linkages across sectors and between the micro and the macro levels. The fact that child rights have not been mainstreamed and that stakeholders are unaware of the fact that they ought to mainstream is an indication of both a mainstreaming overload (as stake-

holders are expected to mainstream gender, environment, etc.) and reflects the relatively low priority accorded the mainstreaming of child rights. The CRC Committee recommendation to take a specific child-sensitive approach in the oil extraction sector is against this background particularly interesting and important. It thus becomes an obligation for the Norwegian embassy to take this recommendation into consideration notwithstanding the assertion that the implementation of the peace agreement with a focus on power-sharing and oil extraction is the priority. Child rights mainstreaming is here extremely relevant, but unfortunately overlooked.

A rights-based approach was applied by all organisations in their interventions (both the mainstreamed and the child-targeted projects), thus taking into consideration international conventions in the planning and implementation of projects. Although other UN human rights conventions were included, the CRC was not always highlighted or even mentioned. Most children interviewed are not empowered as rights holders and are not given opportunities to communicate and express their views to the duty-bearers.<sup>8</sup> The plan of operation for the SCS from 2007 considered objectives for the right of children to participation but the activities planned are unlikely to fulfil this right. The only participation activity is children's clubs in schools for recreation, not in decision-making. For example, no consideration is given to representation of children in parents' associations in schools. Children should be empowered as advocates of their own rights through, for example, children's parliaments or otherwise through the establishment of child-based organisations. The children's clubs in the SCS project in Darfur, for example, could form the basis of CRC groups turning children into advocates of change within their own communities. The children participating at the workshop in Khartoum on 21 June 2010 demonstrated their capacities to participate, assert their rights and honour their related duties, and to express their views and needs. A boy, Fatalwit, an Ethiopian refugee girl, and a Sudanese girl (aged 11–17) were outspoken about their rights and dreams for the future. Some of them pointed to the fact that the organisations with which they were involved did not listen to their views and needs. But especially the children from the Youth Forum, a local organisation, which uses a participatory methodology to raise awareness of child rights and seek views from children on their problems and needs, has been successful in increasing knowledge about their own rights and life opportunities. Some of the children participated in the second workshop that the evaluation team organised with the help of the SCS. The perspectives and issues raised by the children lead us to believe that the children did have knowledge about their rights as children. The Forum is supported by the SCS and is a welcome initiative which should be documented and replicated elsewhere in the country.

The CRC should not only inform the project descriptions, but also be a reference point throughout the implementation phase. However, in most interventions selected for this evaluation the child's right to participation, enshrined in the CRC and fundamental to Norway's and Sweden's approaches, has not been taken into consideration in the planning and implementation of projects. The shortcomings in recognising, understanding and applying a right-based approach are related to the lack of a national strategy to promote the CRC in local communities. Most communities have not yet internalised human rights as values in their culture. Adding to that, some fundamental human rights are at variance with hierarchical and unequal gender structures within certain communities, which make the girl child especially vulnerable. Thus, in order to efficiently secure the child right to substantial participation within communities, there is a need to chart specific strategies, formulate guidelines and design tools. The review of the projects and our interviews indicate that children are regarded merely as passive recipients of services rather than active agents with visions and ideas of their own. Thus, the implementing organisations are, in effect, reinforcing rather than changing the hierarchical structures of local communities where the male elders are the main decision-makers.

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<sup>8</sup> These include some of the children interviewed in Khartoum and some of the girls interviewed in Juba.

The majority of so-called child-targeted projects (mostly in health and education) do not deserve that label. Children are but one beneficiary group among others and most of these projects are not implemented by child rights organisations (such as the NPA, the NCA, and the IAS). On the whole, these projects can better be described as community-based. Identifying vulnerable communities and approaching them with a service package in cooperation with local and state institutions combined with awareness-raising on a range of issues is a good way to ensure sustainable development, rather than just providing emergency humanitarian aid. It is important, though, to put equal emphasis on the service delivery and grassroots empowerment components in the evaluation of the projects. For example, UNICEF's child-friendly initiative in eastern Sudan has good indicators for measuring early childhood development when deciding whether or not the community has 'graduated' and can allow UNICEF to exit. But CRC awareness on FGM, early marriages and so on are not followed up in the same rigorous manner. How does one go about identifying the needs of the community? Who are included in this decision-making process? In the evaluated interventions a community-based approach is understood to mean the involvement of community leaders – primarily older men – in the assessment, planning and implementation of the interventions. The underlying assumption is that the community leaders represent the interests of the communities and know the needs of the children. While some women participate because gender mainstreaming is high on the development agenda, participation by children, especially girls, remains low or non-existent. The IAS humanitarian interventions, though, were noted to have gradually adopted a strategic development perspective based on the empowerment of communities as a vehicle for owning and sustaining services. A manual, prepared in a participatory fashion with the Sudanese leaders and community representation has been used for community development, especially grassroots empowerment. The manual is a well-designed tool but also neglects the rights-based and mainstreaming approach to gender and the CRC. The sections on gender and the CRC are mere 'add-ons', neglecting the basic right of substantial participation as indicators of the empowerment of women, girls and youth.

## **Coordination and cooperation: Partnership, capacity building and sustainability**

This section discusses various aspects of the relationships between different stakeholders with a view to assessing capacity building and sustainability.

### **Coordination and cooperation**

The organisations active in child rights activities in Sudan have adopted somewhat different strategies or approaches to advocacy vis-à-vis the government. Some organisations and the Norwegian and the Swedish embassies alike describe their relations with the government as strained. The expulsion of certain organisations in March 2009 can be attributed to an approach of confrontation rather than dialogue with the government. The SCS and UNICEF both prefer dialogue to confrontation. As a result, child rights forums with government and non-governmental organisations have been established; civil society organisations are increasingly being included in processes towards formulating national strategies. For example, the Babiker Badri Association, affiliated to the political opposition, was included in the discussions on the NCCW national strategy to combat FGM. In the course of the ten-year period, there has been increasing critical discussion between government and civil society on these issues. For example, there is more transparency in Sudan's reporting to the CRC treaty body which is led by the NCCW. Nonetheless, discussions and analyses suggest mistrust between government institutions and the active national and international NGOs and agencies. The Director of the Partners' Coordination Office in the GoSS Ministry of Education, Science and Technology (MoEST) recommended transparency and accountability to GoSS for active organisations in the South. For example, UNICEF Juba was not able to give figures for DDR children before getting permission from the DDR Commission; Sabah managers similarly noted the difficulty of cooperating with government institutions for training of police, judges, etc.

There seems to be more confusion than coordination in the planning and implementation of child rights projects in Sudan. This is partly due to the fact that Sudan is a vast country with very different and complex contexts in Darfur, the South, the East and the North. In particular, it is a complicating factor that Sudan is one country, but two systems of government structures in the South and the North. And although the NCCW is positive to the implementation of the CRC, other government structures are lagging behind when the NCCW is struggling to give child rights national priority. Added to that, the NCCW does not have branches in southern Sudan. It is a source of concern that the NCCW is mixing its role as implementer and monitor. This is due mainly to the lack of government funding, which compels the NCCW to seek funding from international organisations. Furthermore, government institutions have very poor capacities in most areas of child intervention. They are poor in programming activities as demonstrated by the 2010 work plan of the Directorate of Social Welfare, Khartoum State. The case of South Sudan is rather critical as a council for child welfare has not yet been established.

### **Partnership and capacity building**

Civil society in Sudan is comparatively weak. We encourage and welcome initiatives by the SCS, the IAS, the NPA and the NCA to partner with local NGOs. Strategies for capacity building are important to take into consideration. Strong partnerships exist between international NGOs and local organisations in the North and South. The partnership is based on technical and financial support. However, it was noticed that generally (excepting the IAS) there is a wide gap between the capacities of international organisations and their local partners. Capacity building seemed to be misconceived as confined to training in most interventions. A one-day orientation session is expected to promote the understanding and capacities of participants to claim their rights and comply with their duties. A three-day training course is considered enough to produce trainers on child rights, gender, and programming, etc. The graduates of different social science disciplines in the South were given short training courses and expected to be professional social workers and professionals in psycho-social support for DDR interventions. Training is only one step in a capacity-building process as those trained need to put into practice the skills they have acquired to improve their performance under supervision and close monitoring to remedy shortcomings. Therefore, the capacity-building process must entail organisational development, the elaboration of management structures, processes and procedures, not only internally but also with the external environment in the public and private spheres and at the community level. Capacity-building also means making legal and regulatory changes to enable organisations, institutions and agencies at all levels and in all sectors to enhance their capacities. And it is a long-term undertaking. After many years of SCS support to Sabah, the latter still needs training in programming, continues to produce reports of poor quality and thus remains dependent on assistance. The Sudan Council of Churches has proved unable to submit reports to the NCA to the effect that NCA activities are delayed. According to the Strømme Foundation (Annual Report, 2006:6), the organisation had stopped collaborating with two local organisations for “not making an added value to the project.” An important concern is that the partnership between some international organisations and local ones (the NCA and the SCC; the SCS and Sabah) seems characterised by long-term dependency.

### **Sustainability**

Sustainable development is a pattern of resource use that can meet human needs not only in the present but also in the future. Partnerships between state and non-state actors and agencies are vital to ensure sustainability. In particular, the government needs to assume overall responsibility. The Juvenile Justice project of the SCS evaluation in 2002 noted that “the current level of NGOs must be tuned to be supportive and complementary in nature. Concerned government departments must be brought into the arena of the project so as to shoulder their own responsibilities with the cooperation and complementarity support of NGOs” (Sidig et al. 2002:16). This is ensured through dialogue rather than confrontation. But the dialogue should be critical and the partnership with the government transparent. In order to move from confusion to coordination there is a dire need for transparency. Moreover, the lack of baselines and reliable statistical data does not only make the task of evaluators difficult, but it makes



it hard to measure progress over time and to identify gaps. Sudan is an extremely difficult country context to tackle, especially the areas in acute emergency, but it is nonetheless important to make long-term plans to transit from humanitarian aid and relief so sustainable development. If not, Sudan will remain in the same state of affairs ten years from now as it is in today. In order for organisations to make the leap from emergency relief to sustainable development, they also need long-term funding of activities. But without the government's political will to prioritise child rights in national budgets and plans, it will be difficult for organisations to hand over projects to local authorities who at present have neither the capacities nor the finances to sustain the interventions. For example, the IAS intended to hand over the agricultural training centres to the government of southern Sudan, but GoSS was not interested and the attempt failed.

## Conclusions

The total Norwegian and Swedish aid interventions in Sudan cover education, health and protection. Taking the cue from the CRC reports, the interventions are timely and filling gaps in the government's efforts to implement the CRC. Gaps pointed out by the CRC treaty body that are yet to be filled are birth registration, reliable data/statistics, budget allocations for children and more systematic CRC dissemination and training also in remote areas of the country. Sida and Norad should note that new recommendation and Concluding Observations will be made by the Committee on the Rights of the Child after its 55th session during which Sudan's periodic report will be examined. These Concluding Observations and recommendations should be used to inform and influence Norway's and Sweden's strategies for child rights in Sudan in the coming years.

The projects sampled for this evaluation indicate that Sweden's mainstreaming policy is not put into practice. There are no tools and institutionalised mechanisms for mainstreaming child rights as evidenced by assessment memos, evaluations and reports. Most of the projects listed as child-targeted in the Norwegian portfolio do not really target children but rather communities. All of the selected projects have adopted a rights-based approach, but it is not always informed by CRC concerns. Only the explicit child rights organisations systematically incorporate the CRC into planning and implementation. Sweden as a whole has a comparatively stronger portfolio on protection. This is mainly due to the strong presence of the SCS.

The SCN has not been equally active and its projects were implemented by Save the Children UK before the latter was expelled. Norway does not have a strong presence of child rights organisations in Sudan. In view of Norway's role in the peace process, it would be advisable to strengthen the child protection portfolio. The Norwegian Embassy considers its main objective to be the follow-up of the CPA. Hence, the attention to child rights is scant. However, the CPA should be regarded as a document not speaking about power sharing and oil revenues only, but also about rights and duties. In particular, the demobilisation and reintegration of child soldiers should be a high priority area for Norway when following up the CPA in both the North and the South. At present, Norway supports a demobilisation and reintegration project only in the South. The MFA and Norad put particular emphasis on the gender perspective in peace building and development, yet the Norwegian portfolio in Sudan includes only one project on the cross-cutting issues related to girls' rights, i.e. FGM, early marriages and GBV.

Both Norway's and Sweden's portfolios are weak on children's participation. Participation and support to child rights institutions should be strengthened. In contrast to Norway, Sweden, through the SCS, is active in advocacy, but should consider including children themselves as advocates for their own rights. The macro picture shows important developments in legal reform. The future challenge is sustained implementation. Although several child rights institutions have been established and laws enacted, there is a need for ardent advocacy to make sure children's rights are a priority in national and state budgets. To ensure successful implementation and sustainable development, stakeholders need to build on the critical dialogue and continuous cooperation with state and non-state actors, organisations and institutions. Towards that end, increased government capacities (particularly with regard to baselines and statistics) and transparency are needed.

## Recommendations

Long-term funding (at least 3 years) of programmes is necessary, rather than short-term projects in order for multilateral and bilateral organisations to contribute successfully to the building of capacity in local civil society organisations as well as state institutions.

### *To Norad and the MFA:*

- Norway should strengthen its project portfolio on protection and participation. The best vehicle for doing so is the funding of international and local child rights organisations, child parliaments and NCCW;
- There is a need for a critical discussion between Norad, the MFA and international organisations with Norwegian funding on the community-based approach, and about tools for integrating the CRC in community-based projects;
- The Norwegian Embassy should carefully take into account a child rights perspective in their engagement and follow up of the CPA, particularly power-sharing and oil.

### *To Sida:*

- Erstwhile approaches need revisiting and clear guidelines and tools adopted for the mainstreaming of child rights, ensuring child sensitivity of project/programme design, reviews, evaluation and reports;
- Bearing in mind the strong presence of the SCS in Sudan, there is a unique opportunity for the Swedish Embassy to take a leading diplomatic role concerning human rights generally and child rights specifically in the country.
- Sida should financially encourage the SCS's good working relationship with the NCCW, particularly with regard to capacity building and funding in birth registration and statistics.

### *To the governments in the North and South:*

- Establish NCCW branches in all the states in southern Sudan;
- The NCCW can and should play an important role as an advocate and monitor, but desist from becoming a fund-raiser and implementer;
- The lack of reliable statistical data and birth registration is a source of great concern and there is a need to build capacities in this regard in both North and South;
- Transparency is required in the allocation of funds for child rights in the national and state budgets. There is a need for increased government spending on child rights in education, health, protection and participation;
- Child rights awareness and mainstreaming of the CRC and of national and southern Child Acts into school curricula should be a top priority.

### *To bilateral, multilateral and civil society organisations:*

- Organisations not oriented towards child rights specifically need to develop tools, ethical guidelines and methods to include and target children in their interventions;
- The active participation of children needs to be strengthened throughout the planning and implementation of the organisations' interventions;

- Civil society organisations and local partners need strengthening and their capacity-building strategies to be revisited;
- Legal reform and child rights institutions are important tools in order for Sudan to honour its commitment to the CRC, but there is a corresponding need to develop rigorous tools and mechanisms for the active monitoring of implementation processes;
- Discussion and sharing of best practices and lessons learned between organisations are important in future cooperation and coordination of CRC projects;
- Although CRC dissemination and training are initiated by international and multilateral organisations, there is a need for more systematic capacity building at all levels, especially in remote areas.

*To local organisations:*

- Local Sudanese organisations need to specialise and adopt a clear vision and focus rather than generalise and try to do too much with modest funding;
- Quality in training and capacity building should be stressed rather than the quantity of trainers and outreach to a maximum of beneficiaries. It serves no purpose to reach many beneficiary if the training of the trainers is inadequate or poor;
- The active participation of children needs to be strengthened throughout the planning and implementation of the organisations interventions;
- Local organisations should consider forging partnership with government institutions at the central and local level to share experiences in order to gradually share financial responsibilities of programmes to ensure sustainability.

## Appendices

### Overview of Norwegian and Swedish interventions

Title	Type	Local Partner	Duration	Amount
<b>Norway:</b>				
Female Genital Mutilation	Targeted	Sudan Council of Churches/ Sudan National Committee on Traditional Practices	2003-2009	NOK 1.9 mill.
Education and Rehabilitation	Targeted	Sudan Council of Churches	2006-2009	NOK 36.2 mill.
HIV and AIDS Control and Management Project	Targeted	Sudan Relief and Rehabilitation Association	2002-2005	NOK 10.6 mill.
Child-friendly Community Initiative in Eastern Sudan	Targeted	UNICEF	2008-2008	NOK 5.6 mill.
Protection of Children affected by Conflict in Southern Sudan*	Targeted	UNICEF	2009-2012	-
Protection of Children affected by Conflict in Northern Sudan*	Targeted	UNICEF	2009-2012	-
<b>Sweden:</b>				
Juvenile Justice**	Targeted	Save the Children Sweden	-	-
Child Protection and Education in Emergency in Darfur**	Targeted	Save the Children Sweden	-	-
Post-conflict Humanitarian Response	Main- streamed	International Aid Services	2001-2009	SEK 113 mill.
Protecting and Promoting Women's Rights and Leadership in Sudan	Main- streamed	UNIFEM	2005-2006	SEK 9.5 mill.
Building Capacity for Gender Equality in Governance	Main- streamed	UNIFEM	2007-2012	SEK 25 mill.

\* Not registered in database

\*\* Part of framework agreement

## List of persons interviewed

### North Sudan: Khartoum

Name	Designation	Institution
1. Gamar Habbani	Secretary General	National Council of Child Welfare
2. Insaf Nizam	Acting Team Leader, Protection Unit	UNICEF
3. Mahjoub Mahjoub	Child Protection Officer	UNICEF
4. Nawshad Ahmed	Manager	Research, Planning and M&E Unit, UNICEF
5. Manal El-Gaddal	Programme Manager/Protection	Save the Children Sweden
6. Amin El-Fadil	Country Director	Save the Children Sweden
7. Waleed El-Bashir	Country Programme Manager	Save the Children Sweden
8. Ismail Rashid,	Programme Officer	Save the Children Sweden, Darfur
9. Osman Adam	Programme Officer	Save the Children Sweden, Darfur
10. Babiker Muhammad,	Programme Officer	Save the Children Sweden, Darfur
11. Amna A.R.Hassan	Director	Sudan National Council against Traditional Practices
12. Samel Kabi Simon	Coordinator	National Council against Traditional Practices
13. Maha Fregoun	Gender Focal Point	DDR Commission North Sudan
14. Daniel Zetterlund	Sudan Country Director	International Aid Services
15. Tarig Mustafa Ali	Gender & Peace Programme Manager	Norwegian Church Aid
16. Sofia Zitouni,	First Secretary, Development Cooperation	Swedish Embassy
17. Petter Meirik	First Secretary, Development Cooperation	Swedish Embassy
18. Hege T. Magnus	First Secretary	Norwegian Embassy
19. Muna Mustafa Khogali	Director of Social Welfare Directorate	Ministry of Social Development, Khartoum State
20. Amal Mahmoud	Director	Child Development Foundation
21. Mohamed Abdallah	Projects Director	Child Development Foundation
22. Sana Faroug	DDR Manager	Child Development Foundation
23. Khalafalla Ismail	Director	Sabah Organisation
24. Sara Abdallah	Programme Coordinator	Sabah Organisation
25. Tawdud Mohamed	Social Worker,	Detained Children Programme, Sabah Organisation
26. Safaa Khalil	Social Worker	Legal Aid Programme, Sabah Organisation
27. Fatma A. Abdelkarim,	Programme Specialist, Gender, Justice and Human Rights	UNIFEM
28. Rabab Baldo	Programme Specialist, Gender, Justice and Human Rights	UNIFEM
29. Hazel De Wet	Senior Child Protection Officer	UNMIS

## South Sudan: Juba

Name	Function	Institution
1. Regina Ossa Lullo	Director General, Gender and Child Welfare	Ministry of Gender and Social Welfare
2. Margret Many	Inspector of Child Protection	Ministry of Gender and Social Welfare
3. Nina Schjelderup	Consul for Development	Royal Norwegian Consulate
4. Utem K. Wataba,	Director	Development Partner Coordination Office, Ministry of Education
5. Henry Solomon Taban	Executive Director	Rural Action Hunger
6. Anita Ingabire	Child Protection Specialist	UNICEF
7. Roger Djiohou	DDR Officer	UNICEF
8. Kenyi Emanuel	Education Coordinator	Norwegian Church Aid
9. Androga Avelino	Education Consultant	Norwegian Church Aid
10. Edward Waiwai	Education Officer	Sudan Council of Churches
11. Tabibious Lecca	Facilitator	Sudan Council of Churches
12. James Laku	Administrator	Strømme Foundation
13. Elias Girma	Country Director	Norwegian People's Aid
14. Maurice Abure	Administrator	International Aid Services
15. Onesimo Yugusuk	Country Director	International Aid Services

### Group discussions with trainers, beneficiaries and children

1. Midwives and women beneficiaries in two health centres in and around Mayo farms (project by Norwegian Church Aid, implemented by Sudan National Council against Traditional Practices);
2. Girl pupils (age group 11–14) at a school in Mayo farms (project by Norwegian Church Aid, implemented by Sudan National Council against Traditional Practices);
3. HIV and AIDS trainers (project by Norwegian Church Aid, implemented by Sudan National Council against Traditional Practices);
4. Social workers at Sabah (Project by Save the Children Sweden, implemented by Sabah)
5. Children (age group 11–17) at the second workshop in Khartoum (Selected by Save the Children Sweden from Projects by Save the Children Sweden);
6. Girl pupils (age group 15–17) from Juba Commercial Secondary School (project by Norwegian Church Aid, implemented by Sudan Council of Churches);
7. Girl pupils (age group 11–14) from Juba Commercial Secondary School, (project by Norwegian Church Aid, implemented by Sudan Council of Churches);
8. Girls (age group 11–14) from Usratuna Primary School (project by Norwegian Church Aid, implemented by Sudan Council of Churches).

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## Sudan Country Case Study: Child Rights

Commissioned by Norad and Sida

The Convention of the Rights of the Child (CRC) was signed by Sudan in July 1991 and ratified in September 1991. Sudan's first periodic report to the UN committee on the rights of the child was submitted in 1993, the second in 1999 and the combined third and fourth in 2007. Sudan signed the Optional Protocol on the involvement of children in armed conflict in 2005 and the Optional Protocol on the sale of children, child prostitution and child pornography in 2004. Sudan has also ratified the African Charter on the Rights and Welfare of the Child. The greatest achievement in the past ten years in Sudan is the enactment of the Child Act in South Sudan in 2008 and the National Child Act in 2010. Advocacy by organisations such as Save the Children Sweden (SCS) and UNICEF in cooperation with local partners funded by Sweden and Norway have been significant in the drafting of these legal instruments.

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