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# SUDAN

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## Republic of the Sudan

**Population:** 32.9 million (15.1 million under 18)

**Government armed forces:** 104,000 (estimate)

**Compulsory recruitment age:** 17 (regular armed forces), 16 (paramilitary forces), no minimum age (reserve forces)

**Voluntary recruitment age:** no minimum age (regular armed forces), 16 (paramilitary forces)

**Voting age:** 17

**Optional Protocol:** signed 9 May 2002

**Other treaties ratified** (see glossary):

Government: CRC, ILO 138, ILO 182; by signing the Operation Lifeline Sudan (OLS) ground rules, the Sudan People's Liberation Movement/Army (SPLM/A) agreed to abide by the CRC<sup>1</sup>

***Government, government-allied militias and armed opposition groups used child soldiers extensively, including in the conflict in the western province of Darfur. There were an estimated 17,000 children in the forces of the government, allied militias and opposition armed groups, and between 2,500 and 5,000 in the opposition Sudan People's Liberation Army (SPLA). The SPLA claimed to have demobilized over 16,000 children, however, re-recruitment of children continued to take place in the SPLA-held territories.***

## Context

Efforts continued towards ending the civil war that has killed an estimated two million people and displaced more than 4.5 million, most of them in the south, over more than 20 years. In July 2002 the government and the Sudan People's Liberation Army (SPLA), the main insurgent group, signed the Machakos Protocol, aimed at reaching a peace settlement. In October 2002 they agreed a ceasefire, bringing relative peace to southern Sudan, although violence resumed in Western Upper Nile. In February 2003 a memorandum of understanding reaffirmed their commitment to a ceasefire. Negotiations on a peace accord continued in early 2004.

However, fighting continued between militia groups in the south and the SPLA. About 25 government-aligned militias operated in the south, most of them as part of the South Sudan Defence Forces (SSDF), created in 1997 from a breakaway SPLA faction.<sup>2</sup> Another armed group, the former Sudan People's Democratic Front/Defence Forces (SPDF), accepted government support from 2000.

In addition, long-standing inter-ethnic conflict between agro-pastoralist African Fur, Zaghawa and Masalit tribes and nomadic Arab communities in Darfur, western Sudan, intensified from the beginning of 2003, displacing 700,000 inhabitants. In February 2003 the Darfur Liberation Front, renamed the Sudan Liberation Movement/Army (SLM/A), and the Justice and Equality Movement (JEM) took up arms against the government and its allied militias. They accused the government of failing to protect their communities and marginalizing the region. Fighting in Darfur continued in 2004.

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## Government and allied forces

### National recruitment legislation

The 1998 constitution provides for conscription: "Every citizen shall defend the country and respond to the call for national defence and national service" (Article 35). Under the National Service Law of 1992, all men between 18 and 33 years old are liable for military service. Military service is for 24 months, or 18 months for high school graduates and 12 months for university and college graduates. To obtain a secondary school certificate, a requirement to enter university, boys aged from 17 to 19 were obliged to do between 12 and 18 months compulsory military service under a 1997 Decree which was actively enforced up to 2003.<sup>3</sup>

According to the People's Armed Forces Act of 1986, all those who are fit and healthy and capable of bearing arms are regarded as a reserve force and may be called upon to serve in the armed forces whenever the need arises (Article 10). They may also be required to undergo military training.<sup>4</sup>

The government Popular Defence Forces (PDF), established as a paramilitary force in 1989 by the Popular Defence Forces Act, are allowed to recruit 16 year olds. Although Sudan reported to the UN Committee on the Rights of the Child that enlistment in the PDF is voluntary, forced recruitment has allegedly occurred.<sup>5</sup>

### Child recruitment and deployment

Both the government and government-backed militias recruited child soldiers in the north and the south. Recruitment took place predominantly in Western and Southern Upper Nile, Eastern Equatoria and the Nuba Mountains. An estimated 17,000 children remained in government, SPLA and militia forces in 2004.<sup>6</sup>

Southern Sudanese children living in oil regions and the slums of Khartoum were allegedly recruited by government and southern government-backed militia forces, trained in military camps, forced to defend oilfields in Western Upper Nile and, in some cases, made to attack their own or neighbouring communities.<sup>7</sup> Child soldiers were forcibly recruited by the

paramilitary PDF and by government-backed militias.<sup>8</sup> The former SPDF was believed to have at least 3,500 children within its ranks in 2002.<sup>9</sup> In March 2003 forced recruitment of children, mostly by militias allied to the government, was reported around Bentiu in Unity State.<sup>10</sup>

In April 2003 the UN High Commissioner for Human Rights expressed concern at the continued recruitment and use of children in Sudan, in violation of international law.<sup>11</sup> The UN Special Rapporteur on human rights in Sudan reported “on the forced recruitment by government-allied militias of children and adolescents into the armed factions in Unity State which point to the appalling figure of 667 school pupils – sometimes as young as 9 years old – who have been forced into recruitment, representing 22.2 per cent of the total pupil population enrolled in primary schools in Unity State”.<sup>12</sup> The government continued to make secondary school children wear military uniforms as their mandatory school uniform.

In Darfur, children as young as 14 were observed serving with government armed forces and police. Children also fought with the government-supported *Janjaweed* militias, which reportedly abducted children as young as nine from their villages.<sup>13</sup> In July 2002 a Special Court in southern Darfur sentenced to death two children, aged 14 at the time of their arrest, who had been charged with murder and other crimes in connection with ethnic clashes in Al-Tabet, southern Darfur.<sup>14</sup> In April 2003, a Special Court sentenced a 15-year-old boy to death for taking part in a raid on a village by a nomadic armed group in southern Darfur. The sentence was subsequently commuted to 25 lashes.<sup>15</sup>

## Armed political and other groups

The SPLA and other armed groups in the south reportedly continued to recruit child soldiers. From 2001, over 16,000 children were demobilized by the SPLA, including an estimated 600 girls.<sup>16</sup> There remained, however, between 2,500 and 5,000 children in the SPLA.<sup>17</sup>

Reports indicated that the SPLA frequently recruited and re-recruited child soldiers. According to children formerly associated with the SPLA, between 400 and 500 boys and girls were being trained in SPLA military camps around Rumbek in February 2004.<sup>18</sup> Re-recruitment into the SPLA continued to take place well into 2004, especially in Western Upper Nile and Equatoria.<sup>19</sup> There were also reports that the SPLA used children in areas under its control in northeastern Democratic Republic of the Congo.<sup>20</sup>

Militias supported by the SPLA recruited children in the southern provinces. Tribal groups not allied to government or armed opposition groups also recruited young children to

participate in raids against their neighbours.<sup>21</sup> In Darfur, all armed groups, including the opposition groups JEM and SLA/M, were reported to use child soldiers.<sup>22</sup>

## Armed forces and groups from neighbouring countries

The Ugandan armed group, the Lord's Resistance Army (LRA), was estimated to hold captive 6,000 Ugandan and Sudanese children in government controlled territory in southern Sudan.<sup>23</sup> In 2001 the government of Sudan, a long-time supporter of the LRA, pledged to seek the release of the abducted children. In November 2002 the Ugandan government accused the Sudanese government of resuming support for the LRA.<sup>24</sup>

There were frequent reports throughout 2004 of fighting between the LRA and the SPLA and militias in southern Sudan. The militias accused the LRA of looting food and stealing cattle.<sup>25</sup> Reports in March 2004 indicated that dozens of children fighting with LRA were killed or captured by the SPLA and the Equatoria Defence Force (EDF), a militia group formerly allied to the LRA and the Sudanese government, in southern Sudan. Children captured were allegedly handed over to the Uganda People's Defence Forces (UPDF) inside Sudan territory. No information was available about where these children were taken afterwards.<sup>26</sup>

## Disarmament, demobilization and reintegration (DDR)

The first phase of demobilization of child soldiers in areas controlled by the Sudan People's Liberation Movement (SPLM), the political wing of the SPLA, began in 2001 when UNICEF airlifted 3,551 children from northern Bahr al-Ghazal to Rumbek, in southern Bahr al-Ghazal, for fear of attacks. Most of the demobilized children were returned by UNICEF to Bahr al-Ghazal six months later.<sup>27</sup> There was suspicion that some of the children were not child soldiers but had merely sought educational opportunities.<sup>28</sup>

A second phase started in 2002. The SPLA claimed that over 12,000 children had been allegedly demobilized by early 2004.<sup>29</sup> The program was implemented by a child soldiers task force within the SPLM, with financial support by UNICEF until early 2004. However, no provision was made for interim care, rehabilitation or follow-up to ensure that children were reintegrated within their communities, and non-combatant boys and girls associated with the SPLA were not included in the program.<sup>30</sup>

The peace negotiations between the Sudanese government and the SPLM did not cover the demobilization of child soldiers by their respective allied militias.<sup>31</sup> No official

DDR program was in place for child soldiers in government forces or armed groups other than the SPLA.

## Other developments

As a member of the African Union, Sudan supported the Common African Position, agreed at the Pan-African Forum for Children in Cairo in May 2001. The document included provisions to stop children, defined as anyone under the age of 18, being used as soldiers and to protect former child soldiers. The Common Position was presented to the Special Session of the UN General Assembly on Children on 8 May 2002.<sup>32</sup> In its statement to the Special Session, Sudan announced that it had signed the Optional Protocol and called for the cooperation of the international community in ending the suffering of children exploited as soldiers and “human shields” by “extremist movements” and “illegal groups” in Sudan.<sup>33</sup>

\* see glossary for information about internet sources

- 1 Information from UNICEF-OLS, Nairobi, February 2004.
- 2 IRIN, “Paramilitary forces attack aid workers in the south”, 22 February 2004.
- 3 “Prosecuting A Murderous Regime”, *Sudanese Human Rights Quarterly*, Issue No. 15, June 2003.
- 4 Periodic report of Sudan to UN Committee on the Rights of the Child, UN Doc. CRC/C/65/Add.17, 6 December 2001, <http://www.ohchr.org>.
- 5 Information from Coalition member in Khartoum, March 2004.
- 6 Information from UNICEF in Rumbek, southern Sudan, February 2004.
- 7 Watchlist on Children and Armed Conflict, *Sudan Report*, March 2003.
- 8 Child Soldiers Coalition, *Child soldier use 2003*, January 2004.
- 9 Interagency NGO document, *Key to Peace*, May 2002.
- 10 Amnesty International (AI), *Sudan: Preliminary conclusions of Amnesty International’s mission*, 31 January 2003, <http://web.amnesty.org/library/engindex>.
- 11 UN Commission on Human Rights, The situation of human rights in Sudan, UN Doc. E/CN.4/2003/L.35, 11 April 2003, <http://www.ohchr.org>.
- 12 UN Special Rapporteur on Sudan, statement to UN Commission on Human Rights, April 2003.
- 13 Confidential source, 13 March 2004; AI, *Sudan: Killings, abductions of children and arbitrary detention in Darfur*, 7 January 2004.
- 14 AI, *Sudan: Two children from Darfur face execution*, February 2004.
- 15 AI, Further information on Urgent Action 117/03, 20 November 2003.
- 16 Information from UNICEF in Malual Akon, southern Sudan, February 2004.
- 17 Information from UNICEF in Nihal, southern Sudan, February 2004.
- 18 Coalition members and testimonies collected in Rumbek, February 2004.
- 19 Confidential source in Southern Sudan, March 2004.
- 20 Coalition member in the Democratic Republic of the Congo, September 2003.
- 21 Coalition partner, June 2003.
- 22 Confidential source, 13 March 2004.
- 23 Coalition member in southern Sudan, February 2004.
- 24 Watchlist on Children and Armed Conflict, op. cit.
- 25 Security personnel, OLS, February 2004.
- 26 Confidential source in Southern Sudan, March 2004.
- 27 Coalition members in Rumbek, February 2004.
- 28 Several sources in Rumbek, February 2004; Human Rights Watch, March 2004.
- 29 Member of the SPLM child soldiers’ demobilization task force, February 2004.
- 30 Coalition members working in Sudan, Nairobi, February 2004.
- 31 Representative of the United Kingdom (UK) Foreign Office, Eastern Africa interagency meeting on disarmament, demobilization and reintegration (DDR), Nairobi, 4 February 2004.
- 32 The African Common Position as Africa’s contribution to the special session of the General Assembly on children: Declaration, Pan-African Forum on the Future of Children, Africa Fit for Children, Egypt, 28-31 May 2001, in UN Doc. A/S-27/13, 16 April 2002, <http://www.unicef.org/specialsession/documentation/documents/A-S27-13E.pdf>.
- 33 Statement by Minister for Social Welfare and Development of Sudan (in Arabic), <http://www.un.org/ga/children/statements/SudanA.htm>.