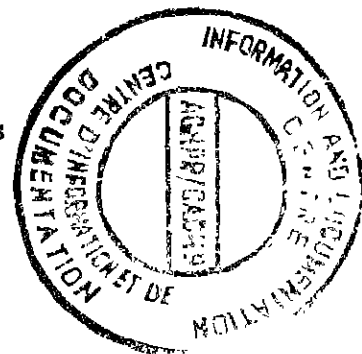


In the Name of Allah, the Gracious
the Merciful



Republic of the Sudan

The Sudan State First Periodic Report

to the

African Commission on Human and Peoples' Right

Mauritius 21/31/ October 1996

Contents

	<u>Page</u>
<u>Chapter I:</u>	
Part I Introduction.....	1
Chapter I.....	2
Acquainting with the Republic of the Sudan.....	2
<u>Chapter II:</u>	
Cultural Heritage of Human Rights in the Republic of the Sudan.....	4
<u>Chapter III:</u>	
Human Rights Guarantees in the Laws and Constitutional Political Systems of the Sudan.....	15
<u>Chapter IV:</u>	
Civil and Political Rights.....	20
<u>Chapter V:</u>	
Economic and Social Rights.....	27
<u>Chapter VI:</u>	
Maternity and Child Care.....	42
<u>Chapter VII:</u>	
Other Miscellaneous Rights.....	63

Part I

Introduction

The Government of the Sudan, having signed the charter of the African commission on Human and Peoples' Rights, on the 3rd. of September 1982, and ratified the same, on the 8th. of February 1982, congratulates the African commission on Human and Peoples' Rights, on the occasion of the 10th Anniversary of entry into implementation of the African charter on Human and Peoples' Rights.

Taking into consideration the objects and principles of the charter of the Organization of African Unity, and the African commission on Human and Peoples' Rights.

Taking, into account, that the Charter of the Organization of African Unity between that freedom, equality, justice and dignity are among the main objects for the achievement of the aspiration laid before African Peoples.

Putting, at the summit of their priorities, the importance of true justice in African, as a very important element for securing security, peace and development.

Having reviewed their assertion of firmly holding to the principles of human and peoples' rights, freedom and duties included in the other declarations and conventions, made by the Organization of African Unity and the other international organizations in words and deeds.

Forcefully encouraging the activities of the commission aiming at strengthening such rights and duties, as may be prescribed and approved by the commission.

Believes that the principles and objects which govern the rules of the African commission for Human and Peoples' Rights are consonant with the principles and objects of the Organization of African Unity.

Ascertaining their care for reducing efforts, at both the official and peoples' levels, to maintain all human rights and ascertain that the citizens enjoy all the fruits thereof, in the shade of independence and national sovereignty. Calling the international community, and the world, at large, to ensure and give due regard to justice, in the guages relating to human rights.

In accordance with the provision of Article 62 of the charter of the African Commission on Human and Peoples' Rights, hereinafter submit the actual steps followed, in order to put into effect the provision of the African Convention on Human and Peoples' Rights especially the legislation made by the Sudanese legislature to guarantee the rights mentioned in the charter.

Chapter I

Acquainting with the Republic of the Sudan

Location: The Republic of the Sudan lies in the North Eastern part of the continent of African.

Area: The area thereof is 967498 square miles. It extends from approximately latitude 3° North, to latitude 22° North, and longitude 22° North, and longitude 22° East. Thus, becoming the largest state in area, in all the African Continent.

Population: the census of the population is 27 million persons, according to the last census, carried in 1993. The population consists of more than 570 tribes, who are found by unity of the country, object and destiny.

Borders: The Republic of the Sudan has common borders with nine states; namely the Republic of Egypt, in the North, the Arab Libyan Republic, in the North West, Chad and Central Africa, in the West, Zaire, in South West, Uganda and Kenya, in South East and Eritrea and Ethiopia, in the Eastern part.

Climate: The Republic of the Sudan is characterized by tropical climate. The sun is vertical, in all its parts, twice a year. And for the fact that it extends from latitude 22° North to latitude 3° North, we find the climatical zones vary from the desert, in the North, to Equatorial climate, in the far South.

Economic activity: The Republic of the Sudan depends largely upon agriculture; for there work, in the sector, more than 66% of the population, and the agricultural crops constitute more than 90% of exports.

Arable lands are estimated at one-third of the total area of the Republic of the Sudan. It includes several geographical ecologies, which help in diversifying agricultural activity, and number of crops. The Great River Nile runs through it, providing irrigation water, for arable lands, which extend between the shares thereof.

Also part of the population practice rearing, in the areas where climatical conditions do not allow agriculture and urbanization, wherein 15% of the population work as herdsmen.

The approximate census of Sudanese animals is about 24,560,000 heads of cattle, 4,414,000 camels, 22,358,000 sheep and 18,604,000 goats.

Industry also plays an important role in supporting Sudan economy, for these, in it, are modern, light and converting industries, together with tourism.

Sudan, like other countries, has many trade relations with other states, whereto it exports the surplus of the needs thereof, and imports whatever it needs of commodities.

Chapter II

Cultural Heritage of Human Rights in the Republic of the Sudan

Care for, and preservation of human rights and preventing the loss, or violation - in addition to the absolute moral and principal value thereof - is a condition without which no liberation of human beings from betters of bondage in the versions types thereof, political, economic and social. As well, it is a pre-requisite for the achievement of progress and co-operation, between human beings, in the various walks of human life, and at the various levels, local, national regional and international.

As it is well known, and attested to, the Sudan - due to its cultural background, and by virtue of the cultural inclinations of its people and their religious and social values, and due to such tribulations of the viscidities of colonization and foreign domination, and its being obliged, as such, to get entangled in a long series of pitched battle, for the sake regaining its sovereignty and freedom. As it plainly shown in many of the legislation and laws thereof, in addition to striving, by many of its citizens, individually and collectively, to resist various types of corruption, injustice and dictatorships, with which it had been tried, since it obtained independence, did not log behind the caravan of those, who strive to promote human beings, and who care for the protection of the rights and dignity thereof, against violation, polarization or degrading, but was the vanguard of the same, in the several attitudes and times.

Of the most striking features, characterizing the Sudanese Peoples, is that they are one of several races, creeds, languages and cultures. Where many of the people of the Sudan have Arabian or other Asians origins, Kurdi, Turkish, for example, many others have old African lineage, such as Nubians, Beja and Negroes. If most of the people of the modern Sudan are Muslims, a high percentage of them are christians, Copts, Catholics and Protestants. They follow traditional African religions, as well.

However, those, and these, all have intermixed, along the millinea through their lineage, languages, traditions and religions. Arabic language, which used to be the language of Arabs and immigrants, in the first place, has spread, in particular after adopting, by many of the natives, of Islam, and care thereby, accordingly, to learn the language of the Quaran, until it became the language of joint communication between many groups of them, who speak various tribal languages, nearly six hundred, in number, most of whom are in the South of the country.

While the Arabs, who immigrated to the country, in various periods, especially since the advent of Islam, by reason of their intermixing with the natures of the country, through the centuries. This appear clearly in the features of the modern Sudanese Arabs, as well it is clearly apparent in many of the traditions and manners of lives thereof.

Co-existence and intermingling, between races, cultures and languages, became a striking feature, in the life of the Sudanese society. Thus, co-existence between religions, and beliefs, has been a feature parallel to such phenomenon and to the conciliatory mood which, as yet characterises the Sudan and Sudanese, in a general way, up to this dog.

We see, today, several examples, for the continuance of the conciliatory spirit, and co-existence which we have seen growing between the two major religions. For we find in various parts of the country many families and clans embracing, within them, Marlinis, Christians and pagan, or those who believe in some of the old traditional religions, as well.

This may be attributed to the entrenched values of conciliation in the various creeds and religions, which the Sudanese have known, and from which they derive divination and guidance, in their individual and communal lives, up to now. Christianity has, by its Gospel, preached peaceful co-existence, between human beings. Thus, Chapter XII, the message of St. Paul, the Apostle to the people of Rome, reads, for example: "Then, as far as possible, be in peace with all the people, according to your ability", whereas Islam 133 includes his speech: "How good and how beautiful, for brothers, to live together". As is expected, the Gospel reiterated notifying the importance of justice and care for human rights, for they are the foundation of social peace. It preached the same in a great number of Chapters and verses. Thus in Chapter I, Issaya's Bible: "Seek the Truth! Do justice to the aggrieved! Adjudge to the orphan! And defend the widow! Likewise, in the Chapter XXXI: "Open your mouth defending the dumb! In the suit of every ostracised, open your month, in judgement with justice! And defend the rights of paupers and those in need! "As well, it commands, in the Book of Lawyeen, Chapter XIX: "Do not be unjust, in judgement! And do not be harsh, to the pauper! And do not repotize the great!".

As for Islam, which is the sealing message, it ascertained the values, which have been enunciated by the previous abrahamite religious and, as is expected, it further illustrated; and elaborated them.

Of the most striking features, upon which the attitude of Islam is established, with respect to conciliation and peaceful co-existence, and concerning human rights, in general, reference may be made to a limited number of basic values, upon which Islam laid the foundations thereof, we briefly set out, in phrases derived from Quaranic texts, in four main axes:

- (i) Almighty Allah created human beings in the best of moulds, Aya 3, Surat Al-Tin. He commanded the Angels to prostrate for him, after He gave him such knowledge, as he did not give any of them. He assigned, to him, the responsibility of succeeding Him on Earth, Ayat 29 to 33, Surat Al Baqara. Thus he made him, with all this, an object of honour and benevolence. "We have honoured to sons of Adam", Aya 70, Surat Al-Israa".

Accordingly, there has settled, into the conscience of Muslims, through the centuries, an intense belief, which they strived to put into practice, each according to his belief and efforts, that all the people are dependents and servants of Allah, and that they, by virtue of the humanity thereof, are encompassed all, as commentators said, by veneration and honour, Muslims, as well as infidels, the righteous and the errant. The care for their rights, inviolable and dignity is, thus, a duty imposed upon the state and the society and individuals. Whoever discharges the same, Allah will recompense him graciously, both in the world, and hereafter, and whoever violates, or neglects performing it, will be subject to punishment, in this world, and due torment awaits him, on judgement day.

- (ii) As for the difference of human beings, with respect to race, languages and colours, the Quran sets forth that Almighty Allah of various forms and colours, and trees and fruits, of various types likewise, He created human beings as well. He rendered them nations and tribes of various colours and tongues:

"Seest than not that Allah sends down rain from the sky? With it we then bring out produce of various colours. And in the mountains are tracts white and red, of various shades of clour, and black intense, in hue. And so amongst men, and crawling creatures, and cattle, and they are of various colours. Those truly fear Allah, among His servants, who have knowledge. For Allah is Exalted, in Might, Oft-Forgiving "Aysa 27 and 28, Surat Fatir.

He directed, their attention, to the fact that such diversification, and differences are but miracles of His miracles, in the same way as His creation of both Heavens and the Earth, and the variations, in your languages and your colours. In that are signs, for those who know "Aya 22, Surat Al-Rum.

The faithful scients are bound to ponder into such signs, and think there about, while remembering that He, sublime and Ascendant He is, has made them, in order that they may know each other and co-operate, not to boast and antagonize; for no one has a better status than another, save by piety and goods deeds: "O'mankind! We created you from a single, of a male and a female. And made you into nations and tribes, that many know each other. Verily, the most honoured, of you, in the sight of Allah, is the most righteous, of you. And Allah has full knowledge, and is well acquainted". Aya 13, Surat Al-Higurat.

Due to their steadfast holding to such values, Muslims have escaped, even in the most miserable of historical ages, from relapsing into such pits of racial arrogance, as has characterized the cultures of the others, even in this twentieth century. Certainly, it drove the extremists thereof, who advocate racial discrimination, to seek justifications, for their barbaric systems, even in the Bible,

under which, as they allege, Allah adjudged the son of Ham (i.e. regress) to be cup bearers, and lumber jacks (i.e. slaves) for the son of Sam. Muslims, however, due to their initiated knowledge of the aforesaid Quranic values and Lordly teachings, not only are devoid of the spread of racial arrogance, among them, but also were able to frame such unique types of human relations, in various human structures, and between various customs and communities, as had convinced many, from among those, who have been scorched by the fires of racial discrimination (like the blacks and all the coloured in the United States) to seek salvation in Islam, and its human message, As well, the same led a number of great western thinkers, christians and otherwise, to say that escape, from such as endanger it, of risks, which almost blow it away, is by framing the future thereof, as to such model, as has been invented by Islam and Muslims, in unifying various human communities.

iii) With respect to freedom of thought and belief, Almighty Allah has commanded the people to ponder and seek knowledge, by the proofs and evidence thereof: "Say: I do admonish you on one point: that ye do stand, before Allah, in pairs and singly, and reflect'..." Aya 46, Surat Sabaa'. "And pursue not that of which than hast no knowledge: "Any 36, Surat Al-Israa', "Allah will raise up to ranks those of you, who believe, and who have been granted knowledge". Aya 11, Surat Al-Mujadila.

He also prohibited speech, upon mere doubt and work, in initiation and according to custom: "They follow nothing, but conjecture; and conjecture avails nothing against the truth. "Aya 28, Surat Al-Najm." When it is said to them: "Follow what Allah hath revealed; they say: 'Nay! we shall follow the ways of our fathers' What! even though their fathers were void of wisdom. "Aya 170, Surat Al-Baqara.

Then, He prohibited compulsion, in religion, in a very firm way: "Let there be no compulsion, in religion "Aya 256, Surat Al-Baqara.

He, also directed the faithful to be good to others, and do justice to them, unless they trespass, or evict them from their homes: "Allah forbids you not, with regard to those who fight you, not for Faith, nor drive you out of your homes, from dealing kindly and justly with them. For Allah loveth those who are just. "Aya 8, Surat Al-Mumtabana.

Perhaps the holy Quran is the only one, among the holy scriptures, which expressly and precisely provided for the prohibition of compulsion in religion. Thus, it closed the door of religious persecution, as well as closing it against oppression, by reason of race or lineage. It established, as well, the rights of others to practice their religions, not merely upon conciliation, but upon the basis of the same being a religious injunction, through which a Muslim worksshops Almighty Allah, by enabling non-muslims to profess their creeds in the shade of Sharia and Islamic state.

It is upon this basis that Muslims built their systems of protecting those who have different religions and caring for the rights of the People of the Book, in particular. Thus they were safe of the oppression, which was the fate of Jews, in the various parts of Europe, up to this century. They were safe, in the protection of Islam, from genocide, which used to meet Muslims, in Andolucia and Sicily, in the past, and still suffer in the various parts of the continent, and as is in Israel today.

- iv) In regard to livelihood and family life, Islam prohibits, in many of Quranic ayat, and tradition of the Prophet, monasticism and celibacy. It prohibits shiftlessness and

idleness and life in the name of worship and self abnegation. Instead, it encourages marriage and procreation, as well as preaching work and commanding perfecting the same, in construction of the Earth, of which human beings are made successors, by Almighty Allah, and He put, under his command, whatever He has stored, therein, of goodness. However, without exorbitance, hastiness or inattention to mentioning Allah the Gracious and thanking Him, sublime He be, for His benevolence, which is neither capable of counting, nor may it be recorded.

Then, it laid down a comprehensive symphony of Sharia provision, supported by a parallel group of spiritual and moral inclinations, all of which aim at the establishment of a unique economic and social system, different from each the capitalist and the socialist occidental regions, and characterized by mutual support and balance, not only between individuals, the community and the associations affiliated thereto, but also between practical realism in the worldly livelihood affairs, which commands the human being to strive therein, as if he lives for ever, and between moral idealism, which it sets as its major objective, as is set forth in the Prophets' tradition: "Certainly, I have been sent to complement good morals"

It preaches, as well, that the human being is to exert his effort, in seeking of ascending the steps thereof, as if he is to die tomorrow. Furthermore, Islam, in support of the strive, by humility, in such ways, and in protecting them, against such causes, as may lead to the degradation of their conduct, and injury to the spirits thereof, has ordained, upon the state, to appose the grounds of delinquency and immorality and spreading of such customs, as may feed the propensities towards crime and corruption. It bound it, as well, by establishing and supporting such educational and cultural

institution, as may command spreading of good values, and gushing the springs of goodness, in spirits.

Islam took a great care of the family, which it considers as the basis of the society, and a sign of the signs of Almighty Allah, in the same way as His creation of the Heavens and the Earth. It has been revealed, in the Quran: "And, among yourselves, that ye may dwell in tranquility, with them, and He hath put love and mercy, between you. Verily, in that are signs for those, who reflect "Aya 21, Surat Al-Rum. It joined, as well, between goodness to parents and His worship, in more than one place, in the Guran: "Thylord hath decreed that ye worship none, but Him, and that ye be kind to parents. Whether one or both of them attain old age, in they life, say not, to them, a word of contempt, nor repet them, but address them, interims of honour. And out of kindness lower, to them, the wing of humility and say: 'My lord! bestow, on them, they Mercy, even as they cherished me, in childhood' "Ayas 23 and 24, Surat Al-Israa' As for children, He described them, with wealth, as "Allurements of the life of this world "Aya 46, Surat Al-Kahf.

However, Islam has took a special care, of both women and children. As for women, it, contrary to what had happened in a number of European communities; which questioned, for long ages, whether women are fully fledged human beings. Then, they continued, in denying them, their right to ownership, and being an independent person, up to the twentieth century, has proved their full humanity, from the outset, for Allah has create them like men: "From a singly person" Aya I, Surat Al-Nisa'a. It approved, likewise, their enjoyment of an independent personality, and their right acquire property, and dispose thereof, in addition to assigning, to them, moral and spiritual responsibility, for the deeds thereof, on the day of judgement, like men, on equal frosting: "For Muslim men and

women, for believing men and women, for devout men and women, for true men and women, for men and women, who are patient and constant, for men and women, who humble themselves, for men and women, who give in charity, for men and women, who fast, for men and women, who guard their chastity, and for men and women, who engage in Allah's praise, for them, hath Allah prepared forgiveness and great reward "Aya 35, Surat Al-Ahzab.

Where women are, as the Prophet, may prayers and peace be, upon him, has said are halves of men... equal to them, in creation, responsibility and accounting, as has been aforesaid, then, no venter, that women became, in Islam, equal to men, in fundamental duties and rights, as well as social ones, having the right to work, and upon them, lie whatever may be upon men of injunctions, and they, moreover, are the cornerstone of the family, which is the base of the society.

Islam has elaborated whatever may be said, as to the rights, as to mothers and spouses, in protection thereof, against every injustice or denial, as the society inflict upon them, due to ignorance of their place, or abolition of the rights thereof. It also commanded goodness of treatment thereof, and honouring them, and specified their rights, in case of dissolution of marriage, as a safeguard for them.

Islam, too, set forth the rights of children, between the spouses, lest the children are lost, by reason of family disputes or off sight of the community. It stressed, forcefully, their rights represented in establishing their lives and raising and protecting them, in their tender years, against viscidities of life, delinquency and exploitation, whether they are reared in the scope of the family, or where they are orphans, or foundlings,

v) Concerning international relations, injustice and aggression have been prohibited thereby, and it commanded people to be just and do goodness: "Oye, who believe! stand out firmly for justice, as witnesses, to Allah, even as against yourselves, or your parents, or your kin. "Aya 135, Surat Al-Nisa'a. "Allah commands justice, the doing of good "Aya 90, Surat Al-Nahl. It commanded co-operation, in goodness and fearing of Allah, and in construction of the Earth, and laying down the corner stones of peace: "Fulfil the Covenant of Allah, when ye have entered into it, and break ye not your oaths, after ye have confirmed them "Aya 91, Surat Al-Nahl." Help ye one another, in righteousness and piety. But ye not one another, in sine and aggression" Aya 3, Surat Al Maida.

As for the case of war, which Allah has ordained, in suppression of aggression and deterrence of wrong doers, and prohibited it, where it is for injustice, and aggression, it has laid down the bases thereof, thus lessening the extremities of warning. It prohibited killing the fleeing and finishing off the wounded, maltreatment of a prisoner, and cutting tree. It also imposed protection of refugees and ordained caring therefor, until they reach their homes safely. "If one, amongst the Pagans, asks thee for assylum, grant it to him, so that he may hear the Word of Allah, and then escort him to where he can be secure. "Aya 6, Surat Al-Tauba. Muslims are, then, commanded, whenever their enemies lean towards peace, to lean towards the same trustingly: "But if they incline towards peace, do than incline towards peace, and trust, in Allah, for He is the One that heareth and knoweth. Should they intend to deceive thee-veryly Allah sufficeth thee: He it is the hath strengthened thee, with His aid and with the believers. "Ayas 61 and 62, Surat Al-Anfal. In this civilized framework, there has crystallized the Sudan's civilized character, including, in the depth thereof, a group of social and cultural bases, necessary for caring for human

rights. Thus, Sudanese people, noting the characterization of the society thereof by a great number of races, languages and religions, were able to achieve a high degree of peaceful co-existence and social amalgamation, which became a basis for national unity, upon which modern Sudan is established.

Chapter III

Human Rights Guarantees in the Laws and Constitutional and Political Systems of the Sudan

(I) Legal Guarantees

Independence of the Judiciary

Respect for and care of human rights, in the Sudan, derives from the steadfast holding of the Sudanese society to supreme values, ideals and principles, emanating from its spiritual, moral and civilized heritage.

Whereas legal systems, at large, are expressions of the nations' inclinations, principles and customs, the Sudanese Legislature has been careful to include, such values and principles, in the legislation of the Sudan, and the laws in force, and finding upon all the citizens, governors and the governed, individuals and groups, in such way as such systems and legislation may be, all in all, an integrated and effective framework of guarantees, necessary for the preservation of the civil, political, economic, social and cultural human rights.

From the outset, the Sudanese Legislature laid down the foundations of independence of the Judiciary. As well, they drafted a group of guarantees, aiming to achieve the rule of law, and equity in judgements. The Judiciary Act, 1986 provides that assumption of judicature, in the Sudan, is entrusted to an independent judicial authority (section 8). In being careful to secure independence of

the Judiciary, in the Sudan, it took a group of guarantees, of which:-

- a) non-subjection of the Judiciary to the Executive. Article 5 (c), of the 13th Constitutional Decree (Federal Government Organs), 1995 provides for the paternity, by the President of the Republic, of the Judiciary, and the council of Justice, in accordance with the Constitution and the law.

Regulation 34(2) of the National Assembly (Conduct of Business Organization) Regulations, 1996 prohibits the address, of any question, which deal with any matter, which is within the competence of the Judiciary;

- b) The Judiciary Act, 1986 assigned the function of actual supervision, over the Judiciary, to a Judicial council, known as the Judiciary Supreme Council, which assumes considering matters pertaining to appointment, removal and disciplinary matters, and recommends, to the Head of State, to take the necessary decisions, respecting the same. All this has been detailed in Chapter II of the Act, which is dedicated to the Judiciary Supreme Council;
- c) The Judiciary Act, 1986 guarantees the financial independence of the Judiciary. Thus, it provides for the salaries of judges being in accordance with a schedule attached thereto (section 33), and that they enjoy immunity, against criminal proceedings (section 70 of the same Act). The Judiciary, as Article 61(1) of the 13th. Constitutional Decree, 1995 provides, is responsible, to the President of the Republic, and perform their function effectively, with achievement and chastity, to establish justice. The function thereof is determining, according to straight equity, the constitutional, administrative,

family, civil and criminal disputes, and pass their judgements, in accordance with the law.

A judge is guided by the principle of supremacy of the constitution, the law and guidance of the Sharia generally. He has to protect this principle, without injustice, fear or awe, save of Allah. This is potently shown in sub-article (2) of the same Article. Judges, in the Sudan, are independent, in the discharge of their duties, and they have full judicial authorization, with respect to their functions, and they are not subject, whether directly, or indirectly, to affecting the judgements thereof.

Article 68 of the 13th Constitutional Decree, 1995 ascertains the principle of the rule of law, for, under the same appeal may be made as to the constitutionality of any law made by the National Assembly, a provisional decree of the President of the Republic, or a law made by a State Assembly or a provisional decree of the state government, before the Supreme Court, where such appeal is based upon exceeding the limits of the federal constitutional system, or constitutional human rights.

(II) Constitutional and Political Guarantees

The Sudanese constitutional and political system has been transitional, at first. Since June 1989, it depended upon the leadership of the revolution, which assumed, under the provisions of the 1st. Constitutional Decree, the powers of making and amending constitutional decrees, in addition to the military and security affairs. The chairman thereof assumed presiding, over the state and the Council of ministers, besides being the minister of defence and commander in chief of the Peoples' Armed Forces.

By the beginning of 1991, the features of the new constitutional and political system have begun to crystallize and take shape. Of the most important thereof are, besides whatever has been referred to of the judiciary and the laws, has been the establishment of federal government, under the provision of the IV Constitutional Decree, made in 3/2/1991. The Decree that the Republic of the Sudan is to be administered upon the basis of a federal system, established into nine states. Then they redoubled to twenty six states, each of whom has an independent corporate personality and a separate budget.

Then, the Transitional National Assembly has been established, under the Vth. Constitutional Decree, which has been made on 31/12/1993. It assumed a group of functions, to name some: approval of national plans and programmes, relating to the State and the society, passing federal bills, and the general budget bill, and laws of ratification of international conventions. Then control of the federal performance and submitting recommendations, with respect to the same, to the President of the Republic, and consulting concerning any public affair, and the issue of any political or directive resolution, in respect thereof, in addition to participation in the general mobilization for official and people's work. The political system, in the Republic of the Sudan, stands upon three integrated harmonies of congresses, namely: peoples' congresses, sectoral congresses and constitutional legislative and control institutions. It aims at the achievement of five ends, specified as follows:

- a) achieving participation democracy: by providing, all the citizens, with an active effective role, in national work;
- b) rallying national will, and mobilizing capabilities, to reconstruct the country, and push the wheel of renaissance;

- c) reverting the political and legislative decision to citizens, at all the levels of political practice;
- d) opening the door of political work, to all social powers, especially modern ones, represented in trade unions, associations, societies and groups, of the various interests thereof, through sectoral congresses;
- e) laying down the framework of political work, in such a ways as may achieve freedom, participation, consultancy, equality and justice for all citizens.

The National Charter stressed that the political system is establish upon hightening values of the truth, liberty, dignity, justice and care of human rights, as have been granted by Almighty Allah, to His servants, and approved by Heavenly creeds, international and regional conventions to which the Sudan has acceded, in particular, such of them, as may be connected with freedom of faith and worship, work and expression, and that man is not to be put to fear, terror or degradation and that no restriction may be imposed upon his freedom, neither being confined, nor put under custody save, in accordance with a just law, and under judicial control. Further, every trespass upon freedom, curtailing of the same, or restriction of the avenues thereof, shall not merely be deemed assault upon any of the rights of an individual, or human society, but also a challenge to the Will of the Creator, Sublime may be He. For freedom and trust of the word are inseparable Syamese twins.

The Charter ensures that equality, between citizens, emanates from unity of the common human origin, it being the basis of enjoyment of rights, assignment of duties, and that the Sudanese people are congenitally prone thereto, by nature.

In the light of such principles and inclinations, the necessary elections have been held to form the framework of the political system, whose structure has been completed by the establishment of the National Assembly, which has been elected, in accordance with the provisions of the General Elections Act, 1995, which has been promulgated to implement the provisions of Article 15 of the Constitutional Decree (13th, 1995). The President of the Republic has been elected, as well, into whom, there were vested the supreme executive powers in the country. Thus, the transitional period, which has commenced on 30/6/1989, terminated. Accordingly, the country resumes its political life, in the shade of a system, we hope, to be more appropriate one, to the conditions of the country, and of a greater ability to maintain human rights therein, that both systems: the western democratic and military dictatorship ones, which have both been tried, many and recurrent times, since independence, wherein has been proved the failure of them both to develop the country, and the causing, thereby, of serious injuries thereto, not in the least; ineptitude, as to the protection of human rights therein, yet disposal and violation of the same.

Chapter IV

Civil and Political Rights

1. The right of citizens to life:

The Criminal Act, 1991 prohibits causing death to humans (section 129: types of murder, 130: wilful murder, 131: semi-murder, 132: murder by fault, read with section 12: right of self-defence, 13: compulsion, 14: involuntary acts, 215: necessity, 216: accidental act, 180: mistake of fact, of the said Act). The Criminal Procedure Act, 1991 guaranteed, to an accused of murder, whether wilful, semi-wilful or faculty, fair trial, and provides, in section, 169 that a court shall, where it sentences an accrued to death, show, in the judgement, the manner of death adjudged, for each of the types

of causing death has a manner for executing death sentence, for committing the same, after due confirmation, on the part of the Supreme Court, whenever it becomes final, i.e after exhausting the steps of appeal (section 161 of the same law).

Being careful for the protection of a human being, from his own soft, the Criminal Act provides (in section 133) for punishing whoever tries to commit suicide.

The Criminal legislator decreed suspension of executing death sentence, against the aged, and to be exchange with such penalty as the Supreme court may prescribe, in accordance with the provisions of section 193 of the Criminal Procedure Act, 1991.

It also ensured suspension of death sentence, against a pregnant women, until she delivers her quick child, and suckles him, for two years. A suckling mother shall remain for two years (section 193 of the same Act).

The criminal legislator, prohibits abortion, as well, save in cases, which he specifies, namely the:

- a) abortion being a necessary for preserving the mother's life;
- b) pregnancy being the result of rape, and does not complete ninety days, and the women desires abortion;
- c) foetus being dead in its mothers wombs (section 135(1) of the Criminal Procedure Act, 1991).

2. **Prevention of Torment:**

Section 83(1) of the Criminal Procedure Act, 1991 provides for treatment of the arrested persons, in such a way as may

preserve the dignity of man, and that they shall not be harmed in body or soul, and provided the appropriate medical care, for caring, for the rights of people, their invisibles and dignity, is a duty imposed upon the state, the society and individuals.

3. **Principle of Legality:**

Being careful to achieve justice, the legislature prescribed a number of securities. They provides in the Criminal Procedure Act, 1991 for taking several principles, into consideration, upon applying the provisions thereof. We set forth some of them, as follows:

- a) no incrimination, and no penalty, save by a prior legislative provision;
- b) an accused is innocent, until his guilt is proved, and has the right that enquiry and trial against him, shall be fair and expedient;
- c) assault against the person and property, of an accused, is prohibited, and he shall not be compelled to incriminate himself, and he shall not be put to oath, save in non-had offences, to which a private right of others relates;
- d) injury to witnesses, in any way, is prevented;
- d) ease, as far as possible, shall be put into consideration, in the procedure of enquiry and summonses; the powers of arrest shall not be recoured to, save where they are necessary.

4. **Right to equality without discrimination:**

Article 9(1) of the 7th Constitutional Decree (Principles, Rules and Constitutional Developments), 1993 provides the general legal right of a citizen is freedom, without compulsion, in religion, and no restriction, in worship, and neither injustice nor discrimination, in the general right, shall be for more considerations of personal character.

Sub-article (2) of the same of Article, ordains that his legal rightly is that there shall be neither distinction, nor discrimination, merely for sex or social or financial status, save in justice, according to the law. Sub-article (3) provides for his legal right, which is freedom of public expression, and participation in work, save upon the safeguard of law. As for his right of the non-inalienability of lawful ownership, and no restriction of freedom, save on the safeguard of law, it has been guaranteed by sub-article (4), and sub-article (5) secured, therefor, his legal right to freedom of movement and residence, upon the safeguard of the law section 4(1) of the Criminal Act, 1991 provides for the application of the law, which has been, in force, at the time of committing the offence, in order to prevent the application of retroactive punitive or sanctionary provisions.

Section 8(1) and (2) of the Criminal Act, 1991 reads that there shall be no criminal responsibility, save in respect of a person of full capacity and free will, and no criminal responsibility, save in case of an unlawful act, committed with intent, or an act committed, with negligence.

5. **Right of Appeal:**

An accused may appeal against judicial measures, such as orders restricting the freedom of the appellant, in his person or property, provided that each order, subject of appeal, shall be recorded in a separate record, and the record shall

be sent, to the appellate court, without staying of the criminal suit.

The competent court, in accordance with the provision of section 179(2) of the Criminal Procedure Act, 1991, upon confirmation, appeal or cassation, may hear the accused or the prosecutor, whenever it deems necessary; provided that the same shall be in attendance of the portion.

6. **Right of Defence:**

Section 135(1) of the Criminal Procedure act, 1991 provide that an accused is entitled to be defended by an advocate or a pleader. Subsection (3) decrees that the Minister of Justice shall appoint a pleader, for each accused person, of an offence punishable with imprisonment for a term of ten or more years, amputation, or death sentence, where the accused is insolvent, and the state shall bear all, or part, of the expenses.

7. **Justice during trial:**

In accordance with the provisions of section 188 of the Criminal Procedure Act, 1991, the Supreme Court, or the court of appeal, may, of its own accord, or upon a request, require and review the record of any criminal suit, where a judicial measure has been issued, before any court, within the limits of the jurisdiction thereof, for the purpose of ascertaining the propriety of the proceedings and achieving justice, and make such order as it may deem fit.

The Sudanese legislator has been careful to ensure, by provision, that arrest shall not be made, save under a written warrant, including the ground for arrest, and showing the charge which has preferred and signed (section 69 of the Criminal Procedure Act, 1991) It ordained, as well, showing, the arrested person, the arrest warrant (section 27 of the same law).

In addition, to the aforesaid guarantees, which have been secured by the Criminal Procedure Act, 1994 provides for the subjection of the powers of the National Security Organ, in custody, to judicial courts of (section 36 (b)).

8. **Freedom of belief and worship:**

One of the most importance fundamental rights, which have been taken care of, by laws of the Sudan, are such as are connected with the freedom of belief. Article 1 of the 7th. Constitutional Decree (Principles, Rules and Constitutional Developments), 1993 provides the Islam is the Religion, which guides the greatest part of the society, which renews, in transcendence of rigidity, and unifies, in transcendence of sect, and it is the binding and directing sharia, of the laws of the state, and the rules and policies thereof. However, a scripture, a christian or racial religion is the choice of all. No compulsion, in belief, no prohibition, in worship, and the state, and the laws thereof, shall give due regard to the same.

Section 127 of the Criminal Act, 1991 provides for the punishment of whoever abases a religion, or a sect. In addition, the Southern states have been exempted for application of the Islamic Sharia provisions, in accordance with section 5(3) of the Criminal Act, 1991.

The Government of the Sudan is interested in the promotion and development of religions conciliation, in the Sudan. This may be noted, from the convention of a series of conferences, which aim at the promotion of dialogue, between Islam and Christianity, and the rest of other religions.

The last of the same is the dialogue of religions conference, which has been held, in Khartoum, in the period between 8/10 October, 1994, under the auspices of the International

Peoples' Friendship Council, in which participated a number of international organizations interested into dialogue, between religions, of which we mention, for example:-

- The International Council of Churches, Switzerland;
- The Council of the Churches of the Middle East, Switzerland,
- The African Churches Council, Kenya;
- The Swedish Church for Relief, Sweden;
- The Norwegian Church Aid, Norway;
- The International Congress of Churches, Britain;
- St Igidio Organization, Italy.

From this it appears that the Sudanese Laws did not only guarantee the religions freedom right of belief or worships, but they extended to include missionary work of the religion concerned, without differentiation between religions.

9. **Prevention of Slavery and forced labour:**

The Criminal Act, 1991 provides for the probation of violation of personal freedom, for the purpose of slavery, or compulsion to perform work, without the consent of the viction, or practice of forced labour. In accordance with the provision of section 16(1) of this Act, thus there shall be punished, with imprisonment for a term not exceeding seven years, and shall also be liable to fine, whoever kidnaps an infant, or a person of unsound mind, by taking, or enticing him, in order to remove him from the custody of his lawful guardian, without the consent of such guardian.

Section 162 provides, as well, for punishment with imprisonment, for a term not exceeding ten years, or fine, or with both, whoever abducts any person, by compelling or enticing him, in any of the ways of deceit, to leave any place, with intent to commit an offence of assault on the person or freedom of such person.

Whoever forces another, by compelling him unlawfully, to work, against his will, is punished under the provisions of the Criminal Act, 1991, with imprisonment for a term, not exceeding one year, or fine, or with both (section 163). It also punishes for unlawful confinement with imprisonment, for a term not exceeding three months, or fine or with both, under the provisions of section 164. It punishes, like wise, for unlawful custody, with imprisonment, for a term not exceeding three years, and the offender may be liable to fine, in accordance with the provisions of Section 165(2).

Chapter V

Economic and Social Rights

First: Economic Rights

Introduction:

The overall framework of the economic strategy, of the Republic of the Sudan, is based upon a group of fundamental directives, as follows:

- 1) to stick to the style of the supreme eternal message, and the essence of the pure national spirit. This means hightening the meanings of typical progress, and human promotion and filling the soul with faith, before the requirements of pure human and accounting meanings. This, furthermore, means combatting the oppression of acquiring and hoarding, and giving, the upper hand, to mercy, justice and goodness;
- 2) giving, due regard, to justice and equality, not in the specific juristic meanings and formal parity of opportunities, but by taking actual arrangements to redistribute material and immaterial wealth, for the

benefit of the weak, and destitute, so that it may not circulate among the wealthy, and adopting such effective policies, as may erase injustice, and attack all forms of misery and need, in order that progress and development may not be isolated islands, surrounded by seas of destitute and misery. Article 10(4) of the 7th. Constitutional Decree, 1993 sets act, among the principles of rights and rights, that the duty, of a citizen, is to earn living and property, for private and public needs, competing, or participating, and his legal right is that neither acquisition of lawful ownership nor denial of freedom, save upon the safeguards of the law, shall be made;

- 3) depending upon ones self, in the cumulative meanings of nature's resources and capabilities of the spirit, characteristics and the powers of knowledge and skill;
- 4) adopting a strategy for economic reform, whose backbone being national economic liberation and strengthening enhanced market economies, and setting free the innate energies and kinetic capabilities, in the national market, and erasing all the policies, legislation and measures, which destroy the market machinery and strongly initiatives, and lead to deformities of the economy, and pauperdan of the country and the retrogression thereof.

In order to vitalize investment activity, subject to the federal government of the country, the Investment (Encouragement) Act, 1996, which aims at granting such privileges, exemptions and otherwise, as may promote investment, in specific sector was made. This has been given due regard, in the same, to the various levels of government.

5) The economic priorities programmer represents in: drawing a national programme for the priorities of investment, to be co-ordinated with the programme and measures of economic reform, and requirements of achieving the objects of economic performance, and the strategy of the pioneer sector, as follows:

- a) raising the rates of investments of the agricultural sector, and agricultural industry, up to the highest possible levels, and directing the greatest financing, towards producing export crops;
- b) granting a maximum priority, within the framework of the pioneer sector strategy, to vertical development projects, as well as rehabilitation, removing structural impediments, and operating the curtailed capabilities and infrastructure projects;
- c) granting a maximum priority to major utility projects and essential economic services, energy, railways and posts;
- d) calling for redoubling of national income, high promotion of the technological economic standard, and removing structural impediments, by commercial utilization of Sudan's petroleum wealth.

The Bank of Sudan Act, 1959 includes provisions relating to control of circulating currency, besides directing financing, in other banks in accordance with specific rates of financing.

On the other side, the Bank Deposits (Guaranty) Act, 1995 has been promulgated in order to provide the appropriate insurance of depositing in banks operation, and

protecting the same from any dangers. As for the Banking Business (Organization) Act, 1991, it has been made for the control of the banks' and exchange dealers; performance and to ensure the propriety of banking operation thereof:

This requires, too, the necessity of serious combatting of inflation and besieging the poisons thereof, not only by control of offer of currency and restricting public expenses, but also by propagation and application of a sum total of supporting policies, of which are:

- i) directing, credit and bank facilities, towards sectors and successful production institutions, capable of repayment, and refraining from financing such operations as may be leader with deficit and loss;
- ii) refraining from financing non-productive operations, such as purchase of lands and estates, and dealing in foreign exchange, and all the such operations, as may help in storage of commodities, hoarding and evacuation of the market;
- iii) refraining from financing the non-strategic deficit of the public sector, and prompt striving to dispose, of the same, by sale, or dissolution;
- iv) creating major systems and solutions, by encouraging saving and redoubling investment and saving deposits, and directing, the sam, towards to productive sectors, and the successful institution thereof, and taking, the necessary steps, to establish a sawing market, and provide capitals. The savings bank has been transformed, to be the

social development saving bank, in order to encourage savings and utilize, the same, for effecting the required social charge;

- v) strict control of government expenditure and waste of public funds, and application of zero budget system, in a gradual way, in the general budgets, for the stylistic control of the instruments of the budget, over the costs of public expenses, and through effective use of analyzing the return of cost systems, in all the public institutions, and striving to regain internal and external balance and correcting the defective economic balances, and preparing the appropriate climate of investment, in accordance with consecutive phase programmes.

The economic priorities programme includes also, laying down a national programme for maintenance, reform and rehabilitation, whose aim is granting, top priority, to mending the equipment and instruments, which are defective and maintenance of dilapidated roads, buildings and utilities, renewal and rehabilitation of the vast national wealth, which is out of order, in the government departments, and the public sector institution.

The programme contains, as well, laying down a national programme to stock take the government stoves, equipment and accoutrements, which are stranded and berried in all branches of the government and the public sector, and selling the same by auctions and satisfying the need of the market therefrom, and using the proceeds thereof to finance the national programme for maintenance, reform and rehabilitation.

The Right to work:

Sudanese laws consider work an honour and a duty. Thus, Article 10(2) of the 7th Constitutional Decree, 1993 sets out as follows:-

the duty, of citizen, is such knowledge and private work, as may be of allegiance to others ...etc. They secured whatever may be nature, protect the employed person, being considered the weak party, as against the employer. They specified the rights and duties of the employed person, and restricted the cases of dismissal. Arbitrary dismissal has been prohibited, and the manner of determining administrative disputes has been shown, and the right of compensation, of an employed person, in case of dismissal, has been stressed. Specialized courts for labour disputes have been established, and litigants have been exempted from litigation fees, and the hours of work, and leaves have been specified.

In accordance with section 7 (2) of the Public Service Act, 1994, the bodies competent to manage and develop public service consist of the following organs:-

- (a) the Administrative Reform Supreme Council;
- (b) the Federal Public Service Commission, and Public Service Selection committees, in the states;
- (c) the Establishment Chambers, within the framework of whom, the surplus Manpower Centre works, in accordance with the regulations;
- (d) the Administrative Reform Central Organ;
- (e) the Sudan Academy for Administrative Sciences;
- (f) the Administration promotion Centre;
- (g) the Public Officials Chambers;
- (h) the National Training Administration;
- (i) the Public Control and Administrative Evaluation;
- (j) any other organs, as the Council of Ministers, may establish.

The above organs are subject to the supervision of the Minister, in accordance with the provision of section 7(3) of the Public Service Act, 1994. Every unit has such administrative organization, as may include the objects, functions and organization relation, which is approved by the Council of Ministers, upon the recommendation of the Minister.

The Public Service Act, 1994 provides, in section 9(1), thereof for the classification, evaluation and arrangement of all the public service posts, upon the basis of the duties and responsibilities thereof, and the requirements of qualification necessary for the performance thereof, as such way, as may be specified by the evaluation and arrangement of the posts of the public service plan, which is approved by the Council of the Ministers, upon the recommendation of the Minister.

Every unit keeps a functional description of the posts thereof, which are approved, in its budget, as to such manner, as may be specified by the regulations, in accordance with the provision of section 9(2) of the Public Service Act, 1994.

Posts are establish, changed and cancelled, to meet an actual need for work. The regulations show the bases of establishment, charge and cancellation and the rules thereof, in accordance with the provisions of section 10 of the same law.

Each unit prepares a functional charter, including the numbers of posts approved thereto, the titles and levels thereof, the specification of the duties and the responsibilities of the same, in accordance with the organizational charts, which is approved by the competent authority, in accordance with the provision of section 11(1) of the Public Service Act, 1994.

The right of freedom of choice of work:

Chapter IV, section 18 of the Public Service Act, 1994 specifies that selection for public posts shall be, by way of free competition, upon the basis of merit. It is done by examinations, interviews, or both of them, as the requirements of work, and the various specializations may demand. Notice of vacant posts is published in all the possible mass media, with the exception the leadership posts and posts of promotion, which may be occupied, from within the unit, and the regulations specify the contents of the notice, the procedure and term thereof, in accordance with the provision of section 19 of the Public Service Act, 1994.

The question of specification of hours of work:

The provision of section 21(c) of the Public Service, Act, 1994 state, that, without prejudice to the provision of subsections (2) and (3) of the same law, the regulations shall specify the power of appointment and re-appointment, hours of work and all the terms of appointment and re-appointment, in the public posts.

The principle of equality of wages according to the nature of the work:

There is given due regard, in specifying salaries, or wages, to the principle of equal wage, for equal work, on the basis of the nature of the work, and the extent of difficulty of performing the duties and responsibilities thereof, and the circumstance, in which the same is done.

The right to obtain increments:

In accordance with the provisions of section 29 of the Public Service Act, 1994, there shall be granted, to an employee, periodical increments, for each year of satisfactory service, up to the maximum of the scale of his post, without prejudice to specifying the dates of the next increments, in promotions, and the regulations shall specify the bases and rules of granting a periodical increments.

The rights to award incentives to employees:

Whereas training is considered an important element of creation and perfection of performance, section 42(1) of the Public Service Act, 1994 provides that training is a functional duty, upon all employees, in the public service, and the laws and regulations shall specify the plans and rules of training, and the types thereof. Section 42(2) of the same Act calls every chairman of a unit of training to train employees, upon the styles of work, and the rules which govern the same.

The right of appeal:

The Public Service Act, 1994, allows, under section 33(b) thereof, for the purposes of subsection (1) the establishment of an organ to consider grievances, of employees, and such law specifies the functions and powers thereof. In achievement of this, the Employees of the Public Service Grievances Chambers Act, 1994 has been promulgated, and under the same, there has been established chambers, at the federal level, and chambers at the state levels, with a view to consider grievances, which are submitted by or against state organs, in every thing which relates to service, and the affairs thereof, such as disciplinary boards, promotion, increments and application of the terms of service, and otherwise.

The law differentiated between the state and federal powers of the chambers according to the scale of post of the official or workplan, and the nature of the matter aggrieved of.

The right to obtain annual leaves:

The Sudanese legislator ensured, in the Public Service Act, 1994, section 46 thereof, the right of employees to be granted annual leaves, and the same shall not be deferred, for more than one year, and the requirements of enjoying the same, the rules and the conditions of other leaves, and the rules thereof, have all been provided for thereby.

The right to obtain leaves without pay:

Section 49(1) of the Public Service Act, 1994 provides that the authority provided for in subsection (2) may approve, upon application, granting, any employee, otherwise than such categories, as may be excepted by the Council of Ministers, by a resolution thereof, leave without pay for a period of two years, provided that the same shall not be inconsistent with the requirements of works, and at such proportion as may not affect performance in the unit. The period of leave without pay may be extended to a third year, as a maximum, for absolute necessity and compelling circumstances, although the period of service, according to the provision of section 49(2) of the same law.

Arbitrary dismissal prohibited:

By virtue of the provisions of section 7(1) of the Work Injuries (Compensation) Act, 1981, no contract of service, of any workman, shall be terminated, by reason of his absence from work, for treatment, by reason of a work injury, which occurred to him, until his treatment is complete and his non-fitness, for service, is decided.

Work in the private sector:

The system of work, in the private sector, is governed by the Individual Labour Relations Act, 1981, which specifies the nature of the contract, which govern the service of a workman or official, in the private sector, together with specifying his rights to leave, and his rights, upon terminating his contract of service. The law assigned, the power to consider grievances, against employers, to the labour officies, the decisions for whom are subject to administrative appeal, before the courts, according to the various grades thereof.

Post-service benefits of the private sector and workmen, in lower scales of posts, are governed by the Social Insurance Act, 1991, where a workman contributes with a certain proportion, and the

employer with a greater past. The funds are deposited in a fund, which invests such funds, for the benefit of pensioners, in the private sector, and meeting the pension entitlement of such person.

Work environment:

The comprehensive national strategy plans, of the Republic of the Sudan, which started in the year 1992, aim at preparing a good work climate, in order to achieve stability, enhancement of performance, and increase production, through taking care of the natural environment of work, by providing a place and climate, fit for good work, and caring for the social and cultural activity, and reviewing the role of public relations, in order to achieve functional, psychological and social stability, in such a way, as may insure the future of families, and prevent arbitrariness, and personal bias and social and individual stresses.

Trade unions:

Trade organizations, being considered national, democratic and permanent, aim at the following:-

- (1) defending the rights of the members, and the interests thereof, and caring for their duties and roles, in the light of the laws and requirements of national economy;
- (2) raising the mental efficiency of their members, and raising the cultural, economic and social standards;
- (3) supporting production, enhancement of services, promotion of management and perfection of work;
- (4) striving at stability, economic and social development and achievement of justice, and mutual help in the society;

- (5) co-operation, with the state organs, and powers of the society, for entrenchment of national unity, and protection of independence and security of the nation, and supporting the cultural inclinations thereof, and accelerating the progress of the save towards its ethical ideals, and spreading the international relations thereof;
- (6) the Workers Trade Unions Act, 1992 specifies, in chapter III thereof, by virtue of section 7(1), formation of the trade unions structure of the following:
- a) trade unions and any trade associations, subordinate to the unions, or any subsidiary associations, branching from trade association;
 - b) the general union and state unions;

Freedom of forming trade unions:

The Sudanese Legislator provides, in section 9(1) of the Sudan Women Trade Unions Act, 1992, that workers, in any of the sectors and establishments, specified in the regulations, may from among themselves a trade organization.

Elections of trade unions being just:

In accordance with the provision of section 7(1) of the Sudan Workers Trade Union Act, 1992 the elections of trade associations, in the Sudan, are run with neutrality and independence. The Registrar-General shall, upon the termination of the trade union session, and beginning of elections, set a supervisory committee, for the elections which assumes running the elections, through a neutral committee.

The right to join membership of trade unions:

No application, by any workers, to join the membership of the trade union, or leaving it, shall be rejected, and membership is deemed as complete, by mere application for joining, for the first time, the membership of the trade union; likewise the presentation of any application to leave the trade union is deemed as automatic termination of membership of the trade union.

Dismissal of members from the trade union prohibited:

Section 17(1) of the Sudan Workmen Trade Unions Act, 1992 provides that no member shall be dismissed, from a trade union, or a subsidiary association, save under a resolution therefor, passed by the Central, or executive committee, as the case may be; provided that the same shall be by the majority of two-thirds of the members, in a proper meeting, after discipline of the member, before them, as to such manner, as may be approved in the basic rules.

Right of dismissed members to appeal:

The Sudanese legislator provides a member, who has been dismissed for any reason, with the right to appeal, against such resolution, before the general assembly, whose decision shall, in this respect, be final.

A union may join another unions:

Under section 9(5) of the Workers Trade Unions Act, 1992, any trade union may join membership of any regional, state or international union, by a resolution of the general assembly; on condition that the union approves the same.

Also in accordance with the provision of section 9(6) of the same Act, a union may join membership of any regional or international union, by a resolution of the general assembly of the same. In order to enhance the living conditions of workers, the Sudanese legislator allowed organizations to establish mutual support funds.

They also task interest in providing safety guarantees to workers, in the state, and bound employers to take such sufficient precautions, as may be necessary for the safety thereof. In case of occurrence of an injuries, which result in death, or total or partial disability, the employer shall be bound to pay sufficient and satisfactory compensation, in accordance with the Work Injuries (Compensation) Act, 1981.

The law bound the employers, also, by insuring themselves, to secure the rights of employees, in case of bankruptcy. For the protection of the employees, the Social Insurance Act, 1991 binds employers to insure, with the fund, without causing employees to bear, for being insured, any share of insurance expenses. It prescribes, to those, a pension, to which they are entitled, after pensionable service, and their families, after their death, are entitled to the same.

There have been promulgated many legislation, for the protection of special categories, as follows:

- a) The disabled (Care and Rehabilitation) Acts, 1984, under the provisions of which: a Council for the care of the disabled has been established, which includes, in the membership thereof, the bodies having connection. A fund to subsidise the disabled projects has also been established. The Act sets out the rights, prescribed to the disabled, such as customs exemptions and facilitating chances for education and their procedures;
- b) The Juveniles (Care) Act, 1983: after the spreading of the phenomenon of vagrancy, among juveniles, this law has been promulgated to establish a council, for the care of juveniles, and the procedure of their trial, and treatment of the problems thereof:

- c) The Child Care National Council Act 1991, under the provision of which, a national council, for the care of children, has been established, to lay down general policies, and prepare reports, for the international organizations, in this respect, besides co-ordination of efforts.

Other organizations:

- 1) Under the various laws of labour organization, employers may form their own trade unions. Farmers, as well, may form their associations, and trade union organs, as in provided for by the Employers, Farmers and Herdsmen Organizations Act, 1992;
- 2) Professionals may establish unions, to contribute to the promotion of the profession, and preserve the ethics thereof, as to such basic rules, as may be made in accordance with the provision of the Workers Trade Unions Act, 1992.

Second: Social Rights

Social care is interested in the individual, the group and the society. It strives to protect the individual, rearing and liberating him from social problems. It helps him to develop his capabilities, and provides him with such positive directions, as may enable him to effectively participate, in his community affairs, and satisfy his material, ethical and spiritual needs. It has helps the group, and the society, to find constructive relations, and such appropriate circumstances, as may enhance the conditions and social interaction.

The programmes and projects of social care rest upon directives, which proceed from the principles and values of the religion, and good social customs, and response to such social needs as may have connection with care, by social development and care, with scientific methods which are based upon the practice of the

profession of social care, and the data of development sciences, with a view to achieve a sum total of objects, among which, are raising and enhancement of the living standards of citizens, and secure social interdependence, and direct the social change movement, to achieve the whole national objects, and the national objectives.

Chapter VI

Maternity and Child Care

Sudanese children enjoy full case, on the part of the state, under the Child Care National Council Act, 1990 which specifies, the object of the Council, as drawing the policy, planning and co-ordination, between government bodies, and between the same and people's voluntary and native organization, working in the field of children care, in order to secure the right of children to existence, protection, care and development, and specifying the instant and future needs of Sudanese children, scientifically and lay down priorities of work, as may be appropriate to promote their status. For achieving this, the council shall strive at:

- (1) securing the right of Sudanese children to life, protection and development,
- (2) specifying the present and future needs of Sudanese children, scientifically, and drawing appropriate work priorities to promote such conditions;
- (3) satisfying the Sudan's obligations, towards such conventions, as it has signed, in particular the International Agreement on the Rights of Children. In this occasion, there has been held, in the Sudan, a seminar on the role of the National Assembly, as to implementing the Agreement on the Rights of children, where the legislative measures, for implementing the

Agreement have been passed, as well as the Convention on the Rights of Arab Children, and the African charter on Children rights, and the means to develop and promote such Agreement, and follow up of implementing the same, through a comprehensive development view;

- (4) effecting awareness of childhood issues, and devising methods and means to mobilize national efforts, to determine such issues;
- (5) securing family life, and providing the basic needs, and social securities thereof, with a view to enable the creation of the necessary climate, for upbringing children, in a sound way;
- (6) providing full health care, for children, in with the curative and preventive aspects thereof;
- (7) spreading basic education, for children, including pre-school education;
- (8) securing such social services, as may be of development direction for all children, in an integrated and balance way, in particular children of poor facilities, and adopting, social defence means, to deal with juvenile delinquents;
- (9) establishing an educational system, for special categories of children;
- (10) co-ordinating efforts, between government bodies, and between them and voluntary and peoples' organizations, concerned with childhood sector, and following up and evaluating the activity thereof;

(11) providing means of cultural enlightenment, and the various general activities of children;

(12) evaluating the legislations, in force, in the field of childhood, and proposing amendments and any new legislation, as they may deem necessary, for complementing the care, protection and development of children aspects.

The foregoing Article of the Constitutional Decree, 1993 concerning constitutional principles and rules, provides that, the society is built, upon general education, and the spirit of pity, repentance and free renaissance, and is constructed by spreading of culture, science and sports, and children, youth women, men and the family, and wherein there shall be spread morals and good customs.

Accordingly, such rights which concern children, and the family shall neither be violated, nor liquidated, the state is rather, bound to promote and enrich the same, and even if there is any encroachment, against the rights referred to, in particular the political and civil ones, by any legislation, or administrative measure, the same is subject to appeal, against their constitutionality, before the Supreme Court, under Articles 25 and 68 of the 13th. Constitutional Decree.

With respect to the right to maternity and Child Care Act, there has been established, at the Ministry of Health, a Central Committee for maternity and child care.

In accordance with the provisions of section 58, and subject to the provisions of section 5 and 9 of the same Act, the Maternity and Child Care Central Committee has the following functions, to:-

- a) proposed the bases, standards and national planning to provide the services of preventive and curative medicine, and social services for maternity and children, and

ensure the distribution of such services, in towns and the suburbs, at just proportions;

- b) propose periodical programmes, for inoculation of children, against infectious diseases, and being careful about the health of mothers, the Sudanese legislator, assured, under the provisions of section 68 (1) of the Maternity and Child Care Act, that no midwife shall practice the profession of midwifery, save upon a license, from the assistant commissioner for health, and a license shall not be issued, save the midwife is:
- i. holding the academic qualification, and the required teaching, as to such standards, as may be prescribed by the regulations;
 - ii. registered on the register of midwifery profession, in the medical profession registerar, and there shall be established, in every commissariat, a council, to be known as the mental health council, in accordance with the provision of section 73 of the aforesaid law.

The maternity and families promotion programme:

The Sudanese family promotion programme aims at enabling two million families to acquire, within ten years, means of production, at the rate of two hundred thousand productive families annually, at an estimated cost of twenty milliard Sudanese pounds, at the rate of two milliards, per annum. The productive families, projects are distributed, at the rate of twenty thousand productive families, per annum, for each state.

Care for orphans:

Sudan's interest in orphans comes within the framework of its programmes connected with children, under hard conditions, which

include vagrants, children of unknown parents and orphans. The programme of care of orphans represents in:-

- 1) census of orphans, and specifying their lives;
- 2) granting priority to families of orphans, in productive families' projects;
- 3) establishing centres for qualifying orphans' families, in co-operation with voluntary effort in the Khartoum State, and spreading the same in other states;
- 4) organizing an enlightenment programme, about guardianship of orphans.

Now the Ministry of Social Planning assumes guardianship of thousands over the whole parts of the Republic.

Care for the aged:

Of the practical steps taken by the Sudan government, concerning care for the aged, there has been done the following:-

- 1) conducting statistical and social surveys, and studies, and a census of the aged, and the retired, among the population, to know their needs and capabilities;
- 2) launching campaigns of enlightenment with the aged issues;
- 3) amendment of the compulsory retirement, to allow for benefiting from the experience, mental and practical capabilities of the aged, as long as they able to offer;
- 4) spreading the umbrella of social security, interdependence and Zakat, to include the aged, and their families;

- 5) periodical revision of the bases of calculating pensions, in such a way, as may secure good livelihood for the retired, and the dependents thereof.
- 6) including the aged in a full health insurance, and granting them priority, in the preventive and curative medicine.

Help of the aged:

In accordance with the provision of section 11(d) of the Public Service Pensions Act, 1992, notwithstanding the provision of the Public Service Act, 1992, the Council of Ministers may grant exceptional pension, in such cases, as they may deem fit, and in such circumstances, as they may specify, and upon such conditions, as they may prescribe, likewise, under the provisions of section 17(1) of the same law, the Council of Ministers may, upon the approval of the Minister, take, from time to time, the necessary measures, for the protection of the factual value of pensions, and gratuities, from inflation and cost of living effects as the resources of the fund may allow.

The Council of Ministers may carry enhancements, in the pensions and gratuities provided for in such law, within the framework of treatment of wages and evaluation of posts. The federal ministry of finance is bound to bear the costs of such enhancement, in accordance with the provisions of section 17(3) of the Public Service Pensions Act, 1992.

Special family pensions:

In accordance with the provisions of section 29(1) of the Public Service Pensions Act, 1992 the family of an official, in pensionable service, who is killed or dies, as a result of an accident, in the course of performing his duties, or by reason of a disease, arising out, in the course, or by reason of his service, a special family pension, equal to the maximum pension, provided

for in section 16 of the same law, at the maximum salary of the post, which is higher than his post in scale, and his family shall, in addition of the due pension, is granted a grant, which is equal to the salary of six months, once upon death.

In case of loss of a pensioner, or official, the fund shall pay to such members of his family, as may be entitled, who are provided or in section 32, a monthly aid, equal to their entitlement of pension, presuming his death, from the month subsequent to the month in which he has been lost, until he reappears, or his death is proved actually, or by presumption (section 30(2) of the Public Service Pensions Act, 1992).

Where an official is lost, in the course of performing his work, the fund shall pay, to such members of his family, as may be entitled, a monthly aid, equal to the pension prescribed under the provisions of section 16 of the same Act. His family shall be granted, as well, in addition to the due aid, a grant, to be paid by the government, which is equal to the salary of three months once.

Establishment of national organizations and societies to care for the aged:

Concerning the disabled, there has been established the following programmes:-

- 1) transforming the existing institutes to centres for rehabilitation of trainees.
- 2) establishing nine institutes, to rehabilitate the disabled, the blind, the dumb and the mentally retarded categories, at the rate of an institute, for each category in the twenty six capitals of the states;

- 3) increasing the number of students, benefiting from the disabled care institutions, to double the number annually;
- 4) providing and training manpower, at the disabled care institutions;
- 5) providing such instruments, as may help the disabled to move;
- 6) including, into the census, data on the number of the disabled, and type of disability;
- 7) striving, with higher education authorities, to establish section, at faculties of education, for specialization, in the field of education, peculiar to the disabled;
- 8) preparing programmes for typing the care and rehabilitation, of the disabled institution, with the universities, where are established sections, for teaching the disabled.

The government institutions working in the field of the disabled:

- 1) The Nur Institute for teaching the blind - academic education at the basic stage (boys and girls), situated in Khartoum North City;
- 2) Salamabi Hearing and Communication Institute, for teaching the dumb and deaf and those of weak hearing (males and females), situated in Khartoum city, Suba west;
- 3) The Model Disabled Vocational Training Institute, at Suba (males and females), situated at the town of Suba West.

The disabled community rehabilitation programme:

This programme began in 1991, in co-operation with the United Nations Development Programme and the International Labour Organization. As a first stage, it covered 6 of the various Sudan states. At the beginning of the year 1996, the community rehabilitation programme, which is centred, in respect of all categories of the disabled commenced.

The disabled productive comprehensive factory:

The same has been established in 1991, in co-operation with the Islamic Relief Agency, the United Nations Development Programme and the government of the Sudan, to engage the rehabilitated disabled (males and females) in a number of trades.

The National Centre for Artificial Limbs:

In the year 1989 there has been signed a tripartite agreement, the parties to which are the Social Care, Ministry of Social Planning, the Ministry of Defence, represented in the Medical Corps, and Red Cross International Committee. The agreement aims at:-

- 1) physically rehabilitating the disabled, to use artificial limbs, and auxiliary aid apparatuses;
- 2) manufacturing the parts concerning the manufacture of artificial limbs, and auxiliary aid apparatuses;
- 3) benefiting from local capabilities and materials, in manufacturing the parts, used in artificial limbs.

Care for the vagrants:

The Sudan did not know the phenomenon of vagrancy, save in the seventies of this century, when it began to be noticed, in some of the big town communities. The rural life style and extended family have a great role in suppressing such phenomenon. However, the economic and social changes, which occurred, in the society, have

affected the ties of the extended family, and decreased the role played thereby. The middle eighties saw the increase of number of the vagrants, at the important towns, in the country. The reason for this are attributed, in general, to the increase of the wave of immigration, from the areas affected by the conditions of drought and desertification, and also the war, to the suburbs of such towns. This is in addition to other traditional elements, which drove the Ministry of Social Planning and some national and alien voluntary organizations, working in this field, to strive to treat this phenomenon, which developed and became a problem for the security and safety of the society.

National camps have been formed to achieve the following objects:

- 1) providing medical treatment;
- 2) development of the religious spirit;
- 3) providing ways and means of academic education and literacy campaigns;
- 4) entrenching the national spirit;
- 5) providing qualification and vocational training;
- 6) effecting incentives for returning to public life.

I. **The First Stage:**

Housing and spiritual, psychological and social rehabilitation camps:

After collecting the juveniles, from the sites of their concentration, at the various towns, they are transported to reception centres, where they are classified, according to age groups. Then, each age group is transported to the camp, which is prepared therefor, where there are conducted social studies and the special syllabus starts to be implemented by spiritual psychological and social rehabilitation. During this period, some children are handed back to their families, where the conditions thereof enable them to receive them, and provide the basic requirements therefor. This period lasts approximately for six months.

II. **The second stage:**

Family reunion:

Juveniles are reunited with their families, after due psychologically, socially and vocationally rehabilitation thereof, and ensuring their ability to fully join the society.

There precedes the reunion conducting social and economic studies of the families, and treatment of the obstacles which impede affiliating the juveniles thereto.

Chapter III (section 5) of the Juveniles (Care) Act, 1991 provide for the establishment, by social care councils, in each commissariat, of juveniles care homes; which supply the juvenile inmates, with various vocational skills, and strive to bring them up and educating and rehabilitating them.

The provisions of Chapter III (section 7) of the same Act binds the social care councils to help a juvenile, who acquires a certain skill to obtain such work, as may suit his skill, and secure good livelihood therefore.

Raising the standard of living:

The agricultural sector is the pioneer sector, and the first to move all economic activities, and occupies the position of eminence and the contribution thereof, to the total local products, is 36% and engages 75% of manpower, and contributes by 95% of the value of exports. Above all, most local industries, depend thereupon, to provide their need of raw materials. The period after the advent of the National Salvation Revolution, (1989) is characterized by a notable seriousness, for the achievement of food security, by the cultivation of the areas cultivated with wheat and concentrating upon cultivation of sorghum, in the irrigated sector, as a precaution against changes of production, in the rain irrigated sector.

The directives of the programmes of the agricultural sector aim at intensifying efforts, which aim at increasing productivity, through introduction of developed and appropriate technology for the elements of production, in the following fields:-

- a) irrigation: introducing new irrigation systems;
- b) soil: adding fertilizers thereto, and protecting the same against erosion;
- c) production: by inoculation of genes;
- d) mechanization: introduction of such mechanization, as may be appropriate to the climate of the Sudan.

The programmes directives also aim at achieving a major jump in production, which supports the real independence of the country, by the securing the food security thereof, and increasing the volume of exports, of the same, or diversify up and up-grading their quality, in such a way as may enable them to compete, in international markets, and concentrating upon subsidizing small producers, as a basic style for agricultural development, and achievement of justice (the Agricultural Bank and Animal Resources Bank).

In promotion of animal wealth, health and hybridization, the plans and programmes have been centred upon:-

- 1) redoubling animal wealth threefold;
- 2) developing the styles of rearing, and curing for animals, and rehabilitation of herdsmen;
- 3) extermination of epidemic and endemic diseases;
- 4) achieving self-sufficiency of the basic serious and inoculents;
- 5) promoting veterinary professions and research.

The programmes aim, too, at co-ordination, between research and guidance organs, and connecting them and strengthening the applied research units by advanced apparatuses, to lessen any losses, which may occur in productivity.

The Sudan owns the largest silos for storage of grains, the first is situated in Gedarif (the largest grannery in Africa) and the other, in Port Sudan, upon the Red Sea. The towns thereof, which lie in production areas, (Gedarif, New Halfa, Kassala, and Medani) are linked, with such, as are situated, in the areas of consumption (Khartoum and other towns) and the areas of export (Port Sudan).

The Sudanese legislator promulgated laws, which restrict smuggling of production, outside the country.

Agricultural research centres tender agricultural advice and consultation, to formers, and aid them, by experts and researchers to help them, in the field work, in fields and plantations. Doubtless, the increase of producing food cereals represents the basic axis of food and political security, and the same is the basis for producing surpluses for export. In order to achieve this, the agricultural programmes, in the Sudan, aim at redoubling production of oil seeds, four times, at the rate of 40%, and redoubling other crops, such as legumes, horticultural crops, fodder, sugar and rice to eight times.

To achieve this, the Sudan participates, in the international efforts of co-operation, and the projects, which aim at securing the right, of all, in liberation from hunger, in co-operation with the International organizations and agencies, subordinate thereto, and the friendly and sister African states.

Physical and mental health care:

Development of health care is a difficult task, which continues by the continuity of the society, and is a fundamental element, in the achievement of the growth and progress of the same. It has to be co-ordinated with the steps of economic development of the society, and each of them, a security for achieving the other, for the sake of establishing the comprehensive cultural renaissance, in achievement of strength and preservation of existence and values.

The human being is the object health development, and the means thereof, and social justice is the supreme aim of the same.

Of the government of the Sudan programmes, in the medical field are:-

- 1) spreading the basic health care, promotion, protection, treatment and rehabilitation, in all parts of the country;
- 2) finally eliminating the endemic and epidemic diseases;
- 3) rehabilitating and upgrading the efficiency of hospital, promotion the management thereof, and providing beds, for the citizens, in accordance with the international proportion;
- 4) establishing medical industries, for hospitals equipment, surgical instruments and medical requirements, and laboratory apparatuses,
- 5) developing human power of physicians, technicians, assistants, nurses and midwives.

Being careful, as to the importance of finding a healthy environment, the Sudanese legislator took, into consideration, in the Public Health Act, 1975, the following:

In accordance with the provisions of section 4(1) of the aforesaid Act, there has been established, at the Ministry of Health, a health council, known as the Public Health Council, which has the following functions:

- a) laying down the general bases and standards, which govern environmental health, and tendering technical advice and consultation to the local government councils;

- b) laying down the required standards and specifications of hospitals, and health institution, laboratories, pharmacies, drug stores, private clinics and obstetric homes, in the public and private sectors;
- c) declaring the state of emergency, in case of occurrence of a quarantine, or epidemic disease, which endangers public health, in all parts of the country; on condition of obtaining the prior approval of the Minister.

Section 5(1) of the same law: in preservation of the human species, and protecting the same, against diseases, the Act itself empowered the Minister, in accordance with the provision of section 41(1) thereof, to establish section subordinate to the Ministry, each of which is specialized in one or more of the endemic diseases. He may specify the place of seat of every section, and appoint a chairman and an assistant chairman thereof and any number of employees, who are qualified in the medical professions, form outside organizations, to work in any of the sections, which are established.

Section 42(2) binds, each section of the endemic diseases sections, to carry a survey, at the country level, to specify the areas wherein the disease concerned is endemic, and the rate of spreading thereof, at the commissariats level, and laying down projects, for combatting the same.

Education:

Education is the key main tool of social and cultural change, and the basis of change, in the body of the society. Therefore, the religion assured the place of education, in worship life, and dealings, and made education as an ordinance and secured, for sciences, the place of veneration and honour.

One of the first functions of education is its being a basis for reformation of individuals and the society, in the form of faith and nationality, and supply, all the citizens, with theoretical and functional knowledge, as well as technical and technological skills, capabilities and innate inclinations, which enable the achievement of the cultural resurrection.

The education programme project, in the Sudan, aims at the establishment, of an original educational system, which unifies sources and objectives, and covers all the elements of building the sound character, and provides it with spiritual and ethical capabilities, which are able to respond, to each new position, by renewable knowledge. Thus, the idea of making the Khalwa and kindergarten an original part of the educational system, and making the basic stage a field for connecting the theoretical and practical sciences.

Basic education:

Basic education is such amount of education and knowledge, as the Sudan may regard as a right of the citizens, and a duty to be provided therefor. It represents the necessary amount of national learning and capabilities, and spiritual education, and skills and inclinations, which an individual has to obtain, at every stage of his life, young or old, regardless to sex, religion, social or economic standing, urban or suburban. It is an integrated education, which joins between theoretical academic studies and practical actual activity, for acquiring manual skills, and productive capabilities.

The basic school, in the Republic of the Sudan, replaced, in the new educational plan, for two elementary and intermediate schools. Study therein extends for eight years, instead of nine. Lessening, of the study period therein, depends upon removing repetition in syllabi, and shortening the period of school holidays, with a view to extend the period of study, and increase the productive age groups. The basic education programme is based upon:-

- a) achieving the spreading of the basic education, before the year 2000.
- b) reaching the compulsory stage, and promulgating a legislation therefor;
- c) adopting the comprehensive syllabus, which espouses between theoretical, and applied studies, and training.

Secondary education:

The programme, pertaining to secondary education, in the Republic of the Sudan, aims at effecting a revolution of categorical change, in secondary education, by making the syllabus of the secondary school inclusive of academic and religious studies, and all the types of technical education, in lieu of the existing system, wherein the balance is tipped, to the benefit of theoretical learning. Thus, the comprehensive secondary school covers scientific, literacy, religions, commercial and agricultural (botanic and zoological) specializations and general fields.

By such comprehensiveness and richness the aim of raising the percentage, of technical education, to 60% may be reached. All this is in such a way, as may be compatible with the natural and social environment, and meet the needs of the comprehensive strategy, together with redoubling acceptance, to secondary schools, to four fold the current number, and raising the percentage of technical education to 60%, with respect to the comprehensive secondary school.

Higher education:

Higher education, in the Republic of the Sudan, represents, the summit of the educational pyramid. Therefore, there lies, upon the same, the responsibility of promoting the society, by providing the same, with thought, cultural, vocational, technical, organizational and administrative leaders, besides such as it assumes, of

preparing successive generation who shall have their positive contribution, in the various aspects of life.

Higher education has become the largest of the social institutions, which affect human history in every victory, which it did achieve, or is going to achieve, in discovering the secrets of the universe, and deriving the laws thereof, and utilization of its resources, and in building the political and economic power, in effecting social change, and organizing human relations, and activities, at the various levels of the same, internationally, stately, regionally, nationally and locally, in whatever affects human life. Higher education programme, and the policies thereof, are built upon the nationality of acceptance for Sudanese higher education institutions, and the nationality of allotment of scholarships, provided by sisterly and friendly states, to secure the availing of just chances, to all students, to compete, upon the basis of academic ability.

The higher education policy assures allotment of 20% o seats in regional universities, each year, for the acceptance of the region concerned, and allotment of seats, for students of less developed regions, for the rare specializations, which are not found in the regional universities, at present. Such specializations include medicine, dentistry, pharmacology, engineering and technological studies.

As for material support of students, it happened actually, by a national fund, for supporting students, which assumes their care, as to livelihood, housing and transport.

There is, as well, as plan which aims, now at developing self resources of the higher education institutions, by way of establishing investment utilities, belonging to higher education institutions, together with the establishment of a consultancy firms, to conduct feasibility studies, pertaining to such

investment, and benefiting fully of the equipment, existing in such institutions.

Eradication of illiteracy and adult education:

The eradication of illiteracy and adult education strategy is established, upon rallying, of efforts, and material kinetic energies, official and peoples, to liberate the Sudanese society, from illiteracy and restricting the sources thereof, by concentrating, upon youth and workers in the productive sectors, from all the states, in such a way as may enable them to promote their productive efficiency and the social effectiveness, and being characterized by good positive inclinations and values.

The teachers:

The teachers are considered the most important inputs of the educational process, a thing which requires the goodness of their selection, from among the best graduates, as to religion, knowledge, morals and character, and to prepare and train them, in such a way, as may secure reaching a high standard of the scientific, professional and conduct efficiency of teachers.

The improvement of the lot of teachers programme includes the following:

- 1) amendment of the salaries of teachers' system, in order that they may be compatible with the standards of qualification and responsibility, and their professional standing, and secure the continuity of application of the system of open gradation;
- 2) establishing teachers' institutions, such as hospitals, and economic institutions, at the federal and state levels;

- 3) developing the institutes of qualifying and training teachers, to become specialized university colleges, to graduate teachers of the basic stage, and increasing the number of faculties of education, in universities, to qualifying and train teachers of the basic stage;
- 4) widening the chances, of post-graduate studies, for teachers, in order to qualify them, to assume leadership of educational work, in the fields of technical planning, and direction, educational management, and teaching.

Private education:

The national salvation revolution strives, since the advent thereof, to make education, at all the levels thereof, a national undertaking, and not a private one.

The aims of private education stand upon concentrating an extension, in the fields of middle education, and preparing the technological and practical cadres, desired in the work market, with a view at stopping the gaps, in the government education.

It has been decided, lately, to up grade the private and foreign education administration to a general administration, to meet assumption of additional tasks, by creating effective machinery, to follow up the implementation of the warrants of establishment, regulation and decisions, issued by the higher education, in the sides of finance, management and science, besides meeting the progressive extension, in the higher education private institutions of all types.

Accordingly, the private and foreign education committee has been formed, being one of the committees, established by the Higher Education and Scientific Research National Council. Of the most important functions, of such committee, is the study and evaluation of the projects concerning the private and foreign education, and

submitting recommendations, to the National Council, to grant the same, the final license to commence the work thereof, in providing studies, at the higher education level.

The private universities now existing are:

- 1) Ahfad University College for Girls;
- 2) The Um Durman Ahlia University;
- 3) The Sudan University College for Girls;
- 4) The Khartoum Applied College;
- 5) Sharq Al-Nil College;
- 6) The Computer Studies College;
- 7) The Africa College;
- 8) The Aviation Sciences College;
- 9) The Khartoum Technology College;
- 10) The Wad Medani Ahlia College;
- 11) The Sudan Open University.
- 12) The Theology University.

Equality among all:

The political system, in the Sudan, is based upon the democracy of participation, and defence of the identity of the country, and spreading of freedom, justice and equality. Dependence, this, is on belief, the mind, the conscience and good intuition and protection of the characteristics, values and traditions of the people and the experience of its cultural and struggle history. This system stands upon direct democracy, whose doors are open, for all citizens, without distinction, segregation or restriction, by reason of previous selection, thought or racial, social or cultural origins. Membership card, of which is citizenship and voluntary desire. It extends to cover all differences of thought, opinion and religions creeds. The existing structure, of the same, works, by group, sectoral and peoples' committees congresses, which are elected by free elections, in the basic open congresses, the local government councils and the legislative and executive federal

organs, and those who being to the existing states, and upon mixture between membership, which comes from the congresses and from the geographical constituencies, and presidency, of the state, which is elected by direct suffrage, on the part of the people, in all parts of the country. Thus, establishing an original consultative democratic system, not restricted by following the ways of others, which are imported, but rather, allows expression of multipartite system, by forms which emanate from the heritage of the people and their experience, in order that the whole matter becomes based upon democracy, consensus and acceptance of the people, which expresses the freedom of will of the citizen, and freedom of the country, away from usurpation of the will, or forgery of the same, by the narrow clan ties, and party system, which divides and disperses such will, or political sectarianism, which utilizes religion to gain personal power and inciting the propensities of disruption, schism and sedition. The provisions of the 7th. Constitutional Decree, Article 2 that the country is unified by the spirit of allegiance, power and common national wealth, and the powers and wealth shall be spread and equitably divided, among states, localities and national sectors, without favoritism or injustice.

Article 9(2) of the same Decree provides that the duty of a citizen is knowledge, and private work, which has allegiance to others, and his legal right is that there is neither, discrimination, nor distinction, for mere sex, social or financial status, save equatably, by the law.

Chapter VII

Other Miscellaneous Rights

The right of self determination:

The Sudan has added a new dimension, and a modern cultural meaning to the denotation of the right of self determination, for it,

notwithstanding the restricted nature of the right of self determination, in the United Nations, Charter and the International Declaration of Human Rights, to the oppressed nations, and falling under the yoke of colonization, and stresses, the Sudan extended this denotation, to cover the members of one people, who may have different views, as to the manner of achieving their political aspiration, within the framework of one state. Refer to Article 3 of the Political Charter (attached), which has been signed between the Government of the Sudan and the Southern Sudan Independence Movement and the Peoples' Army for Liberation of the Sudan, - Bahr Al-Ghazal function - in Khartoum on 10/4/1996. With this the Sudan becomes the first state, in the world, which gives this good example, in assurance of its intense care for human rights.

Non-utilization of the national wealth by foreign powers:

Natural resources constitute a vast wealth for the country. Therefore, preservation and development thereof and stopping desert encroachment hold a distinct site in the basic objects of Sudanese policy. The same requires directing more investments, to this sector, and joining local citizens in this venture, and increasing the awareness, by them, of the necessity of conservation of natural resources, and the strict application of the laws, protecting these resources, and preventing the haphazard use of the natural resources.

I: Conservation of soil:

In the field of conservation and use of soil, the strategy is based upon four main axes, namely:-

- 1) conservation of soil south of longitude 14° North, and conservation of social, north of this longitude;
- 2) preparing plans for renewable natural resources, and land investment;

- 3) planning for utilization of rural water, upon scientific bases;
- 4) intensifying research connected with conservation and use of land.

II. Botanic cover development:

In the field of botanic cover, the current programme, in the Sudan, aims at:

- 1) reaching, with the area to be preserved as forests and pastures, to 25% of the total area of the country, up to about 150 million fedans;
- 2) providing the needs of the Sudan of fire wood, industries wood and round beams (telephone, electricity and building) and railways sleepers;
- 3) achieving agricultural forestry integration, by introducing trees, in the agricultural cycle, at 20% in agricultural irrigated schemes, and 10% in mechanized and traditional rain irrigated schemes;
- 4) increasing the production, of gum arabic, to 60 thousand ton annually, and increasing forestry nonwooden products;
- 5) rehabilitating and conservation of natural pastures, in the regions of the Sudan;
- 6) achieving balance, between the number of annuals, and capacity of pastures;
- 7) enhancement of technological means, pertaining to development of pastures, and introducing the new ones thereof;

- 8) introducing the system of periodical and specialized pasture system, and protecting natural pastures, against the danger of fires.

III. Wildlife:

In the field of wild life, the programme is based upon:

- (1) preservation of live fungi structures (natural) which are untamed, and grafting the same, in ecological integrated models;
- (2) following economic policies, which increase the attraction of preservation of wild life.
- (3) encouraging, the private sector, to invest in the field of wild life;
- (4) strengthening co-operation with neighbouring states, in the field of protecting wild life;
- (5) promoting natural parks, to attract inside and outside tourism;
- (6) establishing new national reserves and parks;
- (7) developing research in the field of wild animals.

In the Field of Achieving International Peace and Security

The government of the Sudan has given, and still gives, maximum importance to the care of international peace and security, in order to evade facing, by humanity, of the outcome of strife and warring. It signed the United Nations Charter, which calls for the necessity of giving due regard to international peace and security, from the premise that strife, which extends to long periods, is always complex and results in negative affects, in the human soil,

a thing which cultivates doubt, suspicion and mistrust, thus building trust becomes one of the hard matters, which need much patience hard work and new policies.

In belief, thereby, that international peace begins by internal peace, the government of the Sudan took the initiative, since its assumption of power, in 30/6/1989, to put the issue of peaceful solution of the problem of dispute, in its southern part, at the top of the priorities thereof. Thus it accomplished the following:-

- 1) before the evolution started constituting the constitutional institutions thereof, it took the initiative of sending a letter, to the leader of the mutineer movement, in the south of the country, calling him to participate in the salvation of the Sudan, by sitting at the negotiating table, but he refused, even receiving the letter;
- 2) the government took the initiative to declare cease fire unilaterally, and continued to renew the same, up to the time when the mutineer movement breached it, in November 1989, by occupying the Sudanese town of Kurmok;
- 3) the revolution declared general amnesty to whoever held arms for political reasons since 1983;
- 4) the government kept being bound by transport of relief to those aggrieved, in the areas of military operations, including those under the rebel movement's hands, within the framework of Operation Life Line Sudan (OLS) (1), (2) and (3), and the government continued to provide the facilities, necessary to the United Nations Agencies and the various non-governmental organizations, to carry food and medicine, to the needy wherever they may be;

- 5) the president of the country has shown the standing of the Sudan, which strives at achieving peace, in the Addis Ababa summit conference, in July 1989, which resulted in the first meeting, between the government and the rebel movement, in Addis Ababa, on 18-22 August 1989;
- 6) the government called for a dialogue conference, on the issues of peace, in the period 9 to 21/10/1989, in which participated representatives of all sectors and categories of the people, and submitted specific recommendations, which have been adopted, by the government, and approved there, as programme of peace;
- 7) another set of negotiations has been held, between the government and rebel movement, by the mediation of the American ex-president Jimmy Carter, in Nairobi on 28/11/1989 to 5/12/1989, wherein the government submitted its programme for peace, to which the mutineer movement agreed, as capable of being a basis for solution of the Sudan issues;
- 8) negotiations continued in:
 - (a) London, Britain;
 - (b) Nairobi, Kenya;
 - (c) Frankfurt, Germany, 25/1/1992;
 - (d) Abuja, Nigeria, 26/5 - 4/6/1992;
 - (e) Enttebe, Uganda 23/2/1992;
 - (f) Abuja, Nigeria, 26/4-17/5/1993;
 - (g) Abuja (2), Nigeria, 26/4-17/5/1993;
 - (h) Nairobi, Kenya, 10-25/5/1993;
 - (i) Fashoda, the Sudan, August 1993;
 - (j) I.G.A.D initiative, 21-22/1994;
 - (k) I.G.A.D initiative (2), 17-20/1994;
 - (l) I.G.A.D initiative (3), 18-29/7/1994;

- (m) I.G.A.D initiative (4), 5-7/9/1994;
- (n) Barcelona, 23-26/9/1995.

Lately, there has been a political charter, between the government of the Sudan, and the factions of the rebel movement (the Southern Sudan Liberation Movement and the Peoples' Movement for Liberation of the Sudan, Bahr Al-Ghazal group) on 10/4/1996, whereby it has been decided, under the charter, for the first time, in the Sudan, to grant the Southern states the right of self determination, in order to achieve the political aspirations of the Southerners (a copy of the charter is attached).

There has joined the peace movement also, each of the Equatoria Defence Force, and there has also been signed, between the government and the citizens of Nuba Mountains, who have been members in the rebel movement, a principles declaration, as a basic step for solution of the Nuba Mountains problem, (a copy of the principles declaration is attached), the same having been done, in the Kenyan capital Nairobi, on 31/7/1996.

As for the outside level, in belief thereof, in the missionary role thereof, as an exemplary nation, and a model to be followed, the government of the Sudan continued to encourage the principle of respect of sovereignty of each state and non-interference in the affairs of others, however, it keeps itself away from whatever, by nature, breaches the international security and peace.

The Sudan adopted the policy of assurance of prohibition of production, marketing and use of personnel mines, for what do these mines constitute of danger, against the right of citizens to life. It, as well, is of opinion that nuclear weapons disarmament is in the interest of humanity, and looks, hopefully that the nuclear arms disarmament conference may succeed in entering into negotiations, concerning nuclear weapons disarmament, at the international level, within the framework of a phased programme,

which aims at removing such arms, accordingly participation is strengthening international peace and security, and protection of human rights, and fundamental freedoms, at the top of which the right to life lies.

The Sudan strives to employ, its international relations and the resources of its food and the affiliation thereof, to rally the international and regional participation, to eradicate, armed violence, from disputes among states, and pushing dialogue operations and solution of internal disputes and building peace, upon the pillars of freedom, independence and equality.

In the African field, the Sudan strives at the thick intensification of the Sudan African connections, and widening diplomatic representative, in all states and transcending all circumstantial occurrences, which led to coldness of relations, or the tightening thereof, with our neighbours, and brothers, in service of international peace and security.

1. **Ecological Situation in the shade of Constitutional Decrees:**

By the promulgation of the 4th Constitutional Decree (Establishment of Federal Government), 1994, and after it the 12th Constitutional Decree, 1995, the powers have been divided, between the federal and state government organs, and powers for the protection of the environment and natural resources, in general, are among the joint powers.

2. **The National Comprehensive Strategy:**

The national comprehensive strategy included:-

- a) including, into the Constitution, a provision which decrees for the right of the citizen in a sound environment;

- b) interest in the powerful development, which fights poverty and preserves the resources, while secures the rights of all the future generations;
- c) giving due regard to the ecological dimension of projects.

3. The importance of the comprehensive ecological law:

For the achievement of these strategic dimensions, the competent Sudanese authorities have exerted admirable efforts to promulgate the comprehensive ecological law, by procuring many legal scientists, in the ecological law field, from the United Nations Ecological Programme, in 1994, and those scientists have exerted great efforts, to study the laws and policies and ecological institutions, and submitted specific recommendation, summarized as follows:-

- i) the Agricultural Pests Prevention Act, 1997, which is a legislation aiming at enabling the local authorities to take all the measures to control agricultural pests, with a view to secure the agricultural requisites for citizens;
- ii) the Plants Diseases Act, 1913;
- iii) the Locusts Destruction Act, 1907;
- iv) the Forests Act, 1989, which is a law aiming at the conservation of the plant cover, for the ecological importance of forests, in securing the human needs, for forests crops, and securing strategic stores of subterranean water, freshening the air and grazing for animals.

(b) legislation aiming at the protection of animals:

- i) the Diseases of Animals Act, 1901, which is a legislation for the prevention of animals diseases, in such a way as may conserve the right of citizens to preserve the animals thereof, sound and unaffected by any diseases, besides the danger of spreading of diseases, among animals, and what it entails of destruction of economy;
- ii) the Wild Life Protection and Federal Parks Act, 1986, the touristic importance and biological diversification, which prompted the promulgation of such law is plain enough.

(c) Legislation aiming at the provision of a sound healthy ecology:

- i) the Public Health Act, 1975, which envisages the organization of some profession and may practices, which require due consideration of certain health conditions, with respect thereof, such as cemeteries, assylums and otherwise;
- ii) the Environmental Health Act, 1975, which is the law caring for the health of places, water and air, and service of food and otherwise;

(d) Legislation of land use:

- i) the land Settlement and Registration Act, 1925, which is the law, whereby the authorities recognize the various rights of individuals and groups, in land, as to housing, agriculture, wood cutting, pasture, forests and otherwise. Under the Unregistered Lands Act, 1970, the government became an owner of every unregistered land, since the time of the promulgation thereof, in such a way, as may enable the state to secure land for investors;

- ii) the Land Disposal and Architectonic Planning Act, 1994, which is the legislation, under the provisions of which, the dealings of allotment of land for various purposes are done. Such dealings are registered under the Land Settlement and Registration Act, 1925;
 - iii) there are several legislation, which organize mechanized farming, and irrigation and drainage and the systems of survey and otherwise;
- (e) the Societies (Registration) Act, 1957, and thereafter the Human Aid Commissariat Act, 1995, secure the right of citizens, to form societies, and many societies interested in the environment. Thus, the Sudanese Protection of the Environment Society, which exerts appreciable efforts, to disseminate environmental awareness, at all legal, industrial, agricultural, educational and other levels. The society played a great role, in facing environmental contravention, and strives, to enable citizens, to institute suits, for compensation, against the persons, who contravene the law;
- (f) the Environment and Natural Resources Supreme Council exerts a good efforts, in order to follow up the implementation of such environmental agreement, as the Sudan may be a party thereto, besides the efforts of government organs, in the field of the environment, and guarantees of environmental human rights.

The Right to Participate in Cultural Life

The Sudanese society, in its spiritual and intellectual origins, is a society of mono-deistic calling, to whom Islam has secured, through long eons, a peaceful dialogue, between its cultural and racial identities, a thing which constitutes the characteristics of the Sudanese cultural character.

The cultural identity of the Sudanese people is a product of diversification and intermingling, between the Islamic, Arabic and African origins. The Sudan, is bound, in the shade of its federal system, by the denotation of nationality of culture, and effectiveness of this denotation, in giving and taking, without inclination towards regionality, in order to form, out of the diversification and intermingling, one and unified Sudanese culture.

The development of cultural life, in the Sudan programme, aims, among other objects, at:

- (1) renewal of Sudanese culture, at its all aspects, intellectual, conduct, folklore creation and performance, and applied and compositative modernity, in revival of the cultural mission of the Sudan;
- (2) patronizing the creative persons and protecting the intellectual property thereof;
- (3) providing the requirements of cultural creativeness and the basic structures thereof, by using the following implements;
 - (a) the central house for publication, distribution and publicity;
 - (b) the Sudanese cultural production house;
- (4) the registration and authentication of Sudanese life centre;
- (5) the central museum;
- (6) the national library, and public libraries network;
- (7) the theatre national chamber;
- (8) the National Group for Singing and music;
- (9) the specialized periodicals and general cultural magazines;
- (10) the National Theatre;
- (11) the Film National Centre.

These institutions work, each in what concerns it of activities, in full co-ordination between them, in order to move the cultural activities, through supporting initiatives, which envisage keeping apart from beaurcracy, and cultural work, being an assisting framework to activate such cultural movement, as may be free from official restrictions, together with paying a special attention to cater for the constructive spirit of cultural dialogue, between all the classes and groups and generations, with those of cultural creative - talent, in the Sudanese society, and a country, like the Sudan, with a vast area, and extensive parts wherein cultures are effective, and features are diverse, even it suffers, as the other countries of the third world like it, of the severity of gap, between urbanism and suburbanism, the role of information has to be integrated in cultivation, education and recreation, and connecting, the parts of the country, with each other.

Information work is established, inter alia, upon the Sudanese national heritage, represented in the cultures, good customs and traditions, and good moral rules of conduct, and being guided by the sublime human values and principles, and national choices.

The Sudan strives to strengthen international amity, and build a new international regime, which believes in freedom, justice and full equality, for all peoples and nations, and enable the growth of national cultures, and remove injustice, from the suppressed cultures.

Freedom of enjoyment of the benefits of scientific progress and its applications

Protection of copy right:

In accordance with the provision of section 4 of the Copy Right (Protection) Act, 1994 the prescribed protection, under this Act, without restriction to the protection, includes the following:-

(1) any inventive original work, in the field of arts and science, or the purpose thereof, and includes, in particular:

a) written works, such as books, magazines, periodical publications, articles and the like;

b) works of fine arts, engraving, drawing, clouring, decoration or any of the works of applied arts, and works of ceramics, arts, and the like. In accordance with the provisions of section 6 of the same law, the copy right includes the following rights;

i. intellectual rights exposing the work to the public;

ii. attributing a work, to himself, and attributing the title of a work, to himself, as long as he uses such work;

iii. publication, or introducing his work, to the public, by himself;

iv. objection to any alteration, or distertion of his work, or of any other work, subsidiary thereto;

v. withdrawal of his work from circulation, where the same does not reflect, or is not congruent with whatever he carnes of intellectual behalf, on condition that the parties concerned, who are aggrieved, by his conduct, shall be specified;

(2) the financial rights, or the rights which he may delegate, are the following:-

- a) publication and copying the works, by any known or unknown way, or by distributing the works, to the public, by way of sale, hire, or lending, upon commercial bases;
- b) public acting, or performance of the work;
- c) bringing the work, to the public, by wire, which includes cables, or visual means, and any other transmission means;
- d) broadcasting the work, through the media of communication, and artificial satellites;
- e) translation, to other languages;
- f) quotation, redistribution, or photographing the work;
- g) publicly exhibiting the work, and allowing any other acts, for the purpose of commercial utilization of the work, by the available means, or any other means, as may be known.

Section 8(1) of the Copy Right (Protection) Act, 1994 provides for the continued protection of intellectual rights, mentioned in section 6, for life. Likewise, section 6(2) of the same law, provides for the continued protection, of the financial rights or the author, in the work, for his life, and for a period of twenty five years, to be calculated, from the date of his death.

Upon the death of a n author, his copy right devolves upon his legal successors, unless the author specifies other persons or certain organizations therefor, in his will, in accordance with the provision of section 13(1) of the Copy Right (Protection) Act, 1994.

1. There shall be deemed, to have committed the offence of piracy, every person who, knowingly does any of the following acts:

- a) the acts mentioned in section 6, with respect to all the work, or a basic part thereof;
- b) reproduces any extract, initiates, sells, hires, distributes or imports, for commercial purposes, or photographs any work, the copy right of whose author has been violated.

2. These be deemed, to have committed the offence of piracy, whoever violates the copy right of an author, and shall be punished with a fine, not less than 1000 Dinars, and not exceeding 100000 Dinars, or with imprisonment, for a term not exceeding three years or with both. Besides the court shall order:

- a) confiscation, or destruction of the work, where it is, in the opinion of the court, that such copies are resulting from infringing the copy right. Likewise, the assisting materials, or those which have been used in committing the offence, or shall order to transfer such materials, to the proprietor of the copy right, or the destruction or disposal, of the same, in such a way, as the court may deem reasonable;

- b) where the person, who committed the infringement of the copy right, receives money, as result of the same, the fine, or the term of imprisonment, shall be doubled, or both of them shall be doubled;
- c) the judgement of the court shall be published, in one or more daily newspapers, at the accused's cost.

The Right of Scientific Research and Creative Activity
International Co-operation in the scientific and cultural fields:

The Sudan strives to acquaint, the world, with the characteristics of Islamic culture, and to sublimate the role of the Islamic and African world, in building the new human civilization, at such amount, as may be compatible with the sublimity of the mission, and values thereof, and whatever is contained therein, of huge human and material resources. It strives, as well, to strengthen the cultural, trade and technical co-operation, with African states, and develop integration therewith, and co-ordinating the attitudes thereof. The Sudan, likewise, strives to facilitate acquiring, by the states of the world, of the modern means of science and culture, and disseminate scientific and cultural knowledge, upon serious and just bases, which negatives the monopoly of secrets thereof, and employ the fruits and applications of the same, for the interest of humanity, without discrimination, between the nations thereof.

The Sudan, also, strives to strengthen the capabilities of developing states, in the field of creative scientific and technological talents, as well as the strive, thereof, to extend the contribution by African culture, in the international world, and giving due regard, to the values, ideals and interests thereof, in framing the gauges of international conduct, together with control of the performance of international organizations.

Likewise, the Sudan strives to strengthen the policies of international amity, and building a new international regime, which believes in freedom, justice and full equality for all peoples and states, and enable the growth of cultures and sublimates values of suppressed cultures. It also strives, its utmost, to discover new opportunities, for scientific and cultural co-operation, with all states, and, in particular, those who are growing, and exchange therewith.

Effecting Awareness of the ten-year period

1. In implementation of the resolution No. 184/49 which has been passed by the General Assembly of the United Nations dated 23rd February, 1994 to strive to effect awareness of human rights, the government of the Republic of the Sudan implemented the resolution. Thus, it started to lay down the plan of work, which is an agenda, to enable the enlightenment committees of human rights, in the states of the Sudan, to implement the national plan, which has been laid down, by the Human Rights Consultative Council, in the Sudan, within the geographical limits of each state, in accordance with specific work programmes, which aim at removing all the impediments, which impede awareness of human rights.
2. The work plan ensures effecting awareness, of all the contents of international conventions of human rights, through publishing and translating, the same, to the local languages, and issuing them, in alternative forms, for the disabled, and persons of low educational standards.
3. The work plan strives to strengthen and protect all the fundamental human rights, through legal illiteracy eradication, in respect of the same.

4. The work plan requires taking parallel and exerted measures, on the part of all, in order to create a society, pervaded with security, work, humanity and justice, on the basis of human rights, and fundamental freedoms.
5. Success of the work plan requires a strong abidance, on the part of state governments, and voluntary, peoples' and professional organizations, as well as the United Nations' organs having connection, by the integrated work, between them, and in co-operation with the specialized United Nations organs, to implement the comprehensive awareness programme, and enlightenment, as to human rights, in order to achieve permanent development, whose axis is the human being.

The work plan has been laid down, in order to be compatible with the national policy, of the Sudan, and the general policy, which has been entered, within the resolution of the General Assembly No. 184/49, together with recognizing that drafting and implementing the strategies, policies, programmes and measures, in the field of enlightenment, as to human rights, is the responsibility of each state, together with according full respect, to the various religions, and moral values, and philosophical beliefs, which are believed by all the members of the people thereof, in order to reach the required strategic objective, which is prescribed for the ten-year-period of the United Nations, to effect awareness of human rights.

6. Objects and strategic measures: there is being conducted, in each field of the vital interests, a diagnosis of the problem of non-awareness of the fundamental human rights, and proposing of strategic objectives and practical measures, which have to be taken, by the various effective bodies, with a view to achieve such objectives, in collaboration with the committee.

The objectives and strategies, leading to dissemination of awareness of human rights are connected together, and have topmost priority in strengthening each other. As for measures, they are directed towards the enhancement of the situation of getting acquainted with such international documents, convention and treaties, as may aim at approving human rights, and his fundamental freedoms, and required to be followed, by the bodies, which specify each strategic objective.

7. Increasing the role of the political organ, as to effecting awareness of human rights: the measures, which should be taken, on the part of state governments, the political system organs and professional organizations, and the employers organizations, and non-governmental and people's organizations:
 - a) drafting and implementing programmes, which lead to effect awareness, by their leadership, of the contents of the international documents, conventions and treaties, of human rights;
 - b) preparing training courses, to secure due regard to human rights, upon drawing policies and plans, and approval of programmes;
 - c) rallying of the efforts, of the membership thereof, to work for the dissemination of awareness programmes of human rights;
 - d) assumption of the task of recommending legislative, and administrative reforms, with a view to enable the citizens of states to enjoy their fundamental and human rights;

- e) recommending the laying down of educational syllabi and creating educational matter, to secure the awareness, by all citizens, of their fundamental rights;
8. The measures, which have to taken, on the part of the state governments, together with non-governmental organizations, supported by international and regional institutions, are:
- a) protecting and strengthen human rights and fundamental freedoms, being considered to be congenital rights a all human beings, and publication of the documents, pertaining to the same;
 - b) abiding by stopping the current gap, between the existence of fundamental rights and actual enjoyment thereof, and preparing reports and statistics, of the same, and publishing them;
 - c) instigating individuals to participate, in the cultural, economic, political and social development, and contribute thereby and enjoy the same and render them aware of their right thereto;
 - d) co-operation and co-ordination, with the organizations and associations concerned with human rights, and bodies having connection with the United Nations Organization, to strengthen and enhance the charts and activities, to disseminate awareness of human rights, together with evading duplicity;
 - e) securing the enjoyment, by citizens of the states, of all the rights set out in the International Declaration of Human Rights, and the International Convention on the Civil and Political Rights, and the International convention on Economic, Social and Cultural Rights, and promoting such rights;

- f) encouraging following, an active and clear policy, towards, the issues of sex, within the main current of all the policies and programmes, in order to secure the enjoyment, by women, of the full human rights, and declaring the same;
 - g) laying down a comprehensive programme, concerning consultancy services and technological and professional aid, and preparing information and education, in the field of human rights, and plan an active role, to implement such programmes, together with the programmes of training, seminars and public and private enlightenment debates;
 - h) calling, the Human Rights Consultative Council, in the Sudan and the High Commissioner for Human Rights, to make effective co-operation, within the framework of implementing the work plan, submitted, with respect to the United Nation ten-year-period, with a view to enlighten with human rights.
9. Effecting awareness, of the necessity of laying down such interests, as may give due regard to human rights, in the policies and programmes, concerning the continuous development. The measures should be taken are:
- a) rendering the leadership, which are at the place of decision making aware and drawing human rights policies, for striving to strengthen the laws, and reform institutions, and encourage such gauges and practices, as may secure enjoyment of the fundamental human rights;
 - b) mobilizing all parties participating, in the development process, including academic institutions, and government organizations, and native groups, to approve

enlightenment programmes of the human rights, in co-operation with the committee, in order that the decision making, and drawing of policies bodies, may be able to give due regard to the same;

- c) instigating the competent bodies to assume legislative and administrative reforms, with a view to enable citizens of states to enjoy their fundamental rights;
- d) increasing the general awareness, by mass media and enlightenment, at all levels, in order to devise a machinery, and take positive measures, to enable citizens of states, to participate, in framing policies, and specifying charts, and making legislations, and measures, which secure their rights;
- e) encouraging social, economic, political and cultural development strategies, aiming at approving all the rights and freedoms, and effecting awareness of the necessity of ensuring and strengthening the same, and giving information, about, and effecting awareness thereof.

10. Achievement of eradication of legal illiteracy, in the field of human rights: the measures which have to be taken, on the part of the government and national associations, the private sector, the professional organizations, the employers organizations, international and regional organizations, and educational institutions, with the support of the United Nations, and other international organizations, are:-

- a) publication of information, about the national and state legislations, having connection with the such rights, as are included in the International Declaration of Human Rights, and the International Convention on Civil and

Political Rights, and the International Convention on Economic, Social and Cultural Rights;

- b) acquainting with such information and distributing the same in such forms, as may, easily, be understood, and substitute forms, which are suitable for the disabled, and persons of lower educational levels;
- c) publication of information, about the effect of legislations, upon the human being, in states, including directive principles, easily obtainable, relating to the manner of use of the machinery of justice, in order that a person may practice his rights;
- d) entering information, pertaining to the international and regional documents, and gauges and information activity and educational and training programmes, which envisage the groups, working in field of advocacy, the unified police and others of the law enforcement officials, members of the judiciary and persons practicing legal professions, for securing the actual protection of human rights;
- e) availing the information, at a large scale, about the existence of national, regional and international equitable machinery, upon violation of human rights, and publishing these information fully;
- f) strengthening the education, connected with human rights, and legal rights, in the educational syllabi, at all the stages of education, and assumption of general campaigns, in the languages, used at the widest scope, in states, and at the official and non-official qualifications institutes;

- g) encouraging education, in the field of human rights, and international human law, of members of security and armed forces, and reminding and rendering them aware, on a daily continuous way, of their having to respect human rights, at all times, and in the course of discharge, thereby, of their duties;
 - h) taking the appropriate measures, to ensure effecting awareness, by refugees, emigrants and the like, of their human rights, and of the equitable machinery available to them;
 - i) holding training courses, seminars, debates and the issue of circulars and booklets of awareness of human rights.
11. Mobilizing information media, to enlighten with human rights: the measures which have to be taken are:
- a) encouraging information media, and publicity agencies, to lay down specific programmes, to increase awareness of human rights, and a work plan for the committee;
 - b) encourage training, which given due regard to human rights, to professionals, in the field of information, to encourage funding and use of positive pictures, not based upon typical styles, in order to effect awareness of fundamental rights;
 - c) taking effective measures, with respect to such measures, including making legislations, against publication of matters, which are inconsistent with human rights;
 - d) producing and distributing information materials of the documents of human rights and producing general and private enlightenment programmes, to publish information about human rights;

- e) laying down syllabi of training information experts, to apply such analysis, as may give due regard to human rights, with respect to the programmes of information media;
 - f) instigating information media, to give due regard to the exerted efforts, whether official or non-official, to effect awareness of human rights, such as programmes training courses, debates, field visits of places likely to be sites of violation of human rights, all the interest, between such programmes and publication of the same;
12. Institutional arrangements: the work plan lays down a group of measures, capable of resulting in effecting substantial change, as to effecting awareness of human rights, which requires taking immediate measures, and giving effect to the principle of responsibility, with a view to achieve the objectives in the year 2004. Where implementation is the responsibility of the government of the state, basically, then, the same depends, also, upon a wide class of institutions, working in the public and private and non-national, regional and international levels.
13. It is expected, during the United Nations ten-years period for enlightenment with human rights (1995-2004), to complete implementing the work plan, in the Khartoum State, by rallying of efforts, between the government, and the national, regional and international institutions, whether the same are public or private institutions, through the clear objectives and specific connections, with such institutions, as may be of connection, and the companies and organizations designated for human rights.

14. Non-governmental and native organizations have to create a social, economic and political and intellectual climate, supported by full awareness of human rights. Also such institutions and nationals regional and international institutions have to be assigned with strong and clear assignments, and supplied with powers and resources to perform such tasks, as may be displayed, in the work plan.
15. Organizations have to be encouraged, to participate, in implementing the strategies, and work plan, in order to complement the efforts of state governments, and, likewise, all the organizations, or institutions, of the United Nations Organization, to assume the responsibilities thereof, by providing all the resources, and the necessary financial and technical support, to implement the work plan.

Independence of Courts

Independence of courts, in the Republic of the Sudan, is built upon the basis of independence of the Judiciary, under the principle of separation of powers.

In accordance with the provisions of section 4(a) of the Judiciary Act, the judicature, in the Sudan, vests in a single judicial body, to be known as the Judiciary, which is responsible, directly, to the President of the Republic, for the performance of its business. He may make such decisions, orders and recommendations, as may secure provision of prompt justice, and spread the rule of law.

Section 13(1)(c) also provides for the exercise, by the Supreme Courts, of the functions of the Judiciary, while the state government, in consultation with the peoples' Committee of Salvation, exercise the legislative functions, in the six Northern States, and the Peoples' Committee of Salvation, and the Wali of

the state concerned, exercise the legislature functions, in the three Southern states (in accordance with the provisions of Article 14(1) or 14(1)(b) of the 4th. Constitutional Decree, 1991).

Specific Individual Duties

The Sudan is a nation for the group. An individual is for all, and all are for an individual, like a single body and the organs thereof. No haughtiness, no classes no selfishness. From this principle, there arises justice, consultation, equality and interdependence, which constitute necessities for the preservation of the body of the nation, and fundamental rights, for the members thereof. The people, therein, are equal in honouration, rights and duties, without any discrimination, on the basis of sex, colour and race, without any preference for any are to another, save upon goodness. From this premise, fundamental human rights sprout, as to preservation of the soul, brain, religion, property and chastity.

Morals, to which the Sudan calls, are neither restricted by time, nor space, and proceed from sound nature and take, out of good experience, in giving due regard to sublime human ideals and values, and creating communication and connection of uterine relations, and obedience of the parents.

The complement of security of the country and the citizen, is not effected, save by complement of the faith of the individual and the group, in such a way, as the conduct of the society may be consonant with the laws of the universe, and taking the reins of power, until every aggression is suppressed, and sticking to unity of the nation and the means thereof, such as freedom, consultancy and allegiance, to the group, interdependence fraternity, preservation of individual and group rights, and keeping away from whatever incites scission, such as clan connections, injustice and favouration.

Defence of identity of the country, the unity, safety of the territories, air space and territorial waters thereof, is the responsibility of all Sudanese. The strengthening of fraternal ties, between it and its sister states from African, aims at rallying international and regional participation, to intensify the close Sudan African ties and extending diplomatic representation, with all African states, and transcending all circumstantial incidents, which led to freezing or tightening of our relations, with some of our neighbours and brothers.

Prevention of discrimination - Part I:

Equality, between the citizen, sprouts from unity of the common human origin, and it is the basis of enjoyment of rights and assignment of duties. The people are prone, by nature, to equality. They live the same as a substantial fact, felt by all, in their life, and demands from the citizen to care for equal rights, to intensify national allegiance and promote the same.

The political system, in the Republic of the Sudan, stands upon sublimation of the values of truth, freedom, however, justice and care for human rights, as the same has been provided by Almighty Allah, to this servants, and approved by Heavenly creeds, and international and regional conventions, to which the Sudan has acceded, in particular such of the same, as may be connected with the freedom of belief, worship, work, opinion and expression, and that human beings shall not be frightened, intimidated or insulted, and no restriction shall be placed on his freedom, neither shall be confined or detained, save in accordance with a just law and under judicial control. Every violation of freedom, restriction of the same, or tightening the avenues thereof is not a mere violation of a right of an individual, or of the human society, but it is deemed to be a challenge of the Will of the Creator, Sublime may be He For the freedom and trust of the word are interdependent twins. The political system approves human rights and aiding the aggrieved and the weak, wherever they may be, in the same way as Almighty Allah

has ordained, and no individual or an institution shall be entitled to suspend or violate the same.

Justice is an eternal religious and equitable value, which has been preached by all Heavenly missions, and made it a fundamental pillar, for building the society of parity, piety and morality. The value of justice is ingrained in the conscience of the Sudanese people, and gave fruits of great traditions and customs, which contributed to the building of the edifice of social peace, and legal justice is established upon principles, the most important of which, are the rule of law and application of the powers thereof, to all the people, where there are neither immunities, nondiscrimination, between the people, for any reason, (sections 22, 23, 24 and 25 of the Political Work National Charter).

Part II: Under, and in pursuance of the provisions of Article 9 of the International Convention on the Removal of All types of Racial Discrimination, Article 2 of the 7th. Constitutional Decree provides that the country is united by the spirit of allegiance, power and common national wealth, wherein the powers and wealth shall equitably be spread and divided, between the states, localities and national sectors, without dan ties, or injustice. Article 9(2) of the same decree also provides that the duty of citizens, is science and private work, which pays allegiance to others, and his legal rights, is that there shall nether be discrimination, nor distinction, for mere sex or social or financial status, save equitably by law. The Sudanese legislator assured the rights of citizens in the following:-

- 1) see sections 22,23,24 and 25 of the Political Work National Charter in Part I, above;
- 2) assault against the self and property of an accused is prohibited, and he shall not, be compelled to incriminate himself, nor shall he be put to oath, save in non-hudd offences, to which a private right of others relates (section 4(d) of the Criminal Procedure Act, 1991).

The Elections Act, which governs the business of the General Elections Commission, ensures the right, of all citizens, to nomination, seconding and voting; provided that no one shall be disenfranchised, by reason of his religions, or political allegiance.

Article 9(4) of the 7th. Constitutional Decree provides for the duty, of a citizen, to earn his living and property, for private or public need, combating or participating, and his legal right, is that there shall neither be expropriation of lawful ownership, nor restriction upon freedom, save by the safeguard of law.

The Sudanese legislator guarantees the right of citizens to marriage and form families, each according to his beliefs and traditions. The Non-Muslims Marriage Act, 1926 availed the right of organizing the marriages thereof, in accordance with the sects to which they belong, without interference from the state.

The provisions of Article 9(3) of the 7th Constitutional Decree, assures, as well, that the duty of an adult citizen is to express his opinion, and tender public advice, and his legal right is freedom of public opinion, and participation, in accordance with the safeguard of the law.

The Sudanese legislator was careful, likewise, to ensure all the rights which guaranteed equality, without distinction, as has been said in the previous chapters of the report, pertaining to the civil, political, economic and social rights.

Prevention os Discrimination against women:

The programmes of promotion of Sudanese women aim at consolidating the status of women, and enabling the society to achieve comprehensive renaissance, and exploding the capabilities thereof, to work and produce, and participate, in public affairs, is a right of the same, and a responsibility thereon, in assurance of the

justice of the society, and spreading of equality therein, without distinction.

Of the most important policies, laid down to promote women, are:-

- 1) strengthening whatever women achieve of rights, and preserving the same, from violation and assault;
- 2) practical application of the legislations promulgated for the interest of women, and complementing the legislative framework strengthening the rights thereof;
- 3) granting women all their lawful rights, and continuous enlightenment, with the necessity of respect of such rights;

Of the main programmes, the implementation of which, has commenced, in the Sudan, concerning women are:-

- 1) the programme of organizing women in unions, groups and societies of the various inclinations, desires and professions thereof;
- 2) the programme of promoting several roles of women, in the various aspects of life;
- 3) the programme of promoting the role of women, as mothers, wives, housewives and agricultural workwomen, small industries, the public service and the private sector, and politically their role in protection of the country.

The Sudanese legislator did not revert to copy the international conventions, by making others, which are parallel, or similar, to the same, or aspire to excell them, at all times. However, they satisfied themselves sometimes by such laws, as may be before them,

and by whatever there are, in the country, of traditions, customs and practices which preserve human rights, in such a way, as may not be subject to double or decrease, whether, or not, the Sudan has signed the conventions concerned, then ratified them or did not.

In this respect, we refer, for example, to the Agreement on Political Rights of Women, which has been passed by the General Assembly of the United Nations on 20th. December, 1952, assuring the right of women to vote, in all elections, on conditions equating, between them, and men, without distinction, and their right to be elected to all assemblies, elected by general elections, and provides for the qualification of women, to occupy public posts, and exercise all public functions, under the national legislation, on conditions which equate, between them, and men, without distinction.

The Sudan has been one of the first state, which enable women to exercise their right, long years since, as to voting and nomination, in general elections and occupy public posts, constitutional and non-constitutional, including the diplomatic corps, the amend forces and the National Assembly.

No. M.F.R./ / /25/1/4

Date: January 29, 1997