



Specialized Course on Child Rights

**Outline of the Sixth Course: Specialized Course on
Child Rights (42 hours).**

Prepared by: Dr. Ahmed El Mufti

Activity No.1 (one hour):

- **Welcoming statement by the Director General, Dr. Ahmed El Mufti.**
- **Briefing about Khartoum International Centre for Human Rights (KICHR) and its activities (See the Information Note):**
 - Courses
 - Awareness-raising series
 - Advisory services, studies and designing and executing workshops
- Introducing the technical and administrative staff and the administrative arrangements.
- **Distribution and filling pre-course questionnaire (see Annex 1) .**
- **Distribution of documents.**
- **Human rights' sources:**
 - Instruments (international and regional), resolutions of the Commission on Human Rights and reports of its mechanisms and the resolutions of the UN General Assembly
 - National legislation
 - Guidelines on the form and content of reports to be submitted by States Parties
 - General comments and general recommendations adopted by human rights treaty bodies
 - Concluding observations and recommendations issued by the treaty bodies after consideration of reports submitted by the States
 - Resolutions adopted by treaty bodies on considering complaints
- **Training methodology: participatory.**

Presentation: 40 minutes

Questions and answers: 20 minutes

Activity No. 2 (90 minutes):

- **Historical background about human rights:**

First: Development of human rights before World War 1:

 - Human rights and freedoms during Greek and Roman times
 - Separation of powers
 - Codification in the 19th century (bilateral agreements)
 - Minority rights
 - League of Nations

Second: Exceptions to sovereignty:

- Humanitarian intervention
- Human rights conventions
- Exceptions by the Charter of the League of Nations
- States' responsibility
- Humanitarian law

- **The international human rights system:**

First: The Charter of the United Nations signed in Sanfranciso Conference on 26 June 1945:

- Prohibition of the use of force
- Tolerance
- Univerality
- Equality between men and women
- Non-discrimination on the basis of race, sex, language or religion
- Self-determination
- International cooperation in the social and economic fields

Second: International human rights instruments (see Annex 2)

Third: International monitoring and follow-up mechanisms:

- Charter-based
- Treaty-based

Fourth: regional systems for human rights (see Annex 3)

Presentation: 60 minutes

Questions and answers: 30 minutes

Activity No. 3 (150 minutes):

- **Overview of the international and regional human rights standards (see activities 3-16 of the First Course)**

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 4 (150 minutes):

- **Overview of the international humanitarian law standards (see activity No 17 of the First Course)**

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 5 (150 minutes):

- **Overview of the national human rights and humanitarian law standards (see activities 3-17 of the First Course).**

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 6 (150 minutes): Selected international instruments relating to the child rights:

- *Geneva Declaration of the Rights of the Child 1924, includes five principles:*
 - **Developing child physical and spiritual capacities**
 - Feeding the hungry child, taking care of the sick child and helping the hesitating child
 - Helping children firstly in emergency cases
 - Education and protection from exploitation
 - Brining up child in a way that advances his talents
- **Declaration of the Rights of the Child 1959, includes ten principles:**
 - Non-discrimination
 - Best interest
 - Right to nationality
 - Right to social security
 - Protection of children in special circumstances
 - Responsibility of parents
 - Free and compulsory education

- Offering protection and care for children in all circumstances
- Protection from all forms of carelessness, cruelty and exploitation
- Protecting the child from practices that leads to racial and religious discrimination and all forms of discrimination
- **The African Charter on the Rights and Welfare of the Child**
- **The Arab Charter on the Rights of the Child**
- **Declaration on the Protection of Women and Children in Emergency and Armed Conflicts 1974**
- **Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples 1965**
- **Declaration on Social and legal Principles relating to the Protection and Welfare for Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally 1986**
- **Declaration on the Elimination of Violence against Women 1960**
- **Convention against Discrimination in Education, UNESCO 1960**
- **United Nations Standard Minimum Rules for the Administration of Juvenile Justice "The Beijing Rules" 1985**
- **United Nations Guidelines for the Prevention of Juvenile Delinquency "The Riyadh Guidelines" General Assembly 1990**
- **United Nations Rules for the Protection of Juveniles Deprived of their Liberty, General Assembly 1990**
- **United Nations Standard Minimum Rules for Non-custodial Measures "The Tokyo Rules", General Assembly 1990**

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 7 (150 minutes): The need to the Convention on the Rights of the Child:

- **Why do we need another instrument on child rights? Is 1959 declaration not enough?**
 - The Declaration has settled certain ideas, values and principles, which are still valid
 - The Declaration is a common achievement of all nations
- **There are some differences:**
 - Declaration:
 - Not binding and is a political and moral document
 - No body to follow-up its implementation
 - Old
 - The participation and interaction of States parties is weak

- Convention:
 - Binding
 - Established a treaty-body to follow-up its implementation
 - New and has taken into consideration all developments
 - Accepted by all the States which have participated in its adoption
- **Objectives: promotion and protection of:**
 - The normal child Living in natural environment
 - The child living in special difficult circumstances
- **Information about CRC:**
 - In 1978, Poland submitted the draft to the Commission on Human Rights (CHR)
 - CHR established a working Group in 1979 to review the draft submitted by Poland
 - CRC is the product of eleven years of consultations and negotiations
 - CRC is rich in substance and more successful than the first draft of 1978
 - CRC included many new ideas proposed by many UN bodies
- **CRC and UNICEF:**
 - UNICEF has been established by UN GA resolution 75(1) of December 1946 to deal with children in emergency situations
 - In its resolution 802 (7111) dated 6 October 1953, the UN GA decided that the organization continues but for all children, and at the same time decided that the old abbreviation (UNICEF) should continue to be used
 - UNICEF, is the only body of the UN that deals with children
 - UNICEF is the only body of the UN which has been mentioned in the CRC (Article 45(a))
- **The convention on the Rights of the Child and NGOs:**
 - Many organizations participated in the working group which was established by the Commission
 - At least 13 Articles or basic paragraphs were suggested by the organizations
 - The basic Articles which were introduced by the organizations are:
9(3,4) – 24(3) – 28 – 29(D-E) – 30 – 34 – 35 – 37 – 38(4) – 39 – 41 – 42 – 44(6)
 - The Articles which the organizations have participated in their drafting and have direct impact on them are:
8 – 31 – 16 – 19 – 20(3) – 23 – 25 – 27 (4,3) – 28 – 29 – 32 – 33 – 40 – 45

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 50 minutes

Plenary reports: 50 minutes

Activity No. 8 (150 minutes):

- **Definition of the Child:**
 - Criminal law, criminal responsibility, adolescence and puberty
 - Civil transactions law: Legal capacity and puberty
 - Personal law of muslims and age of marriage
 - Personal law for non-muslims and age of marriage
- **General principles:**
 - Non-discrimination - Article (2)
 - The child's best interest - Article (3)
 - Right to life, survival and growth - Article (6)
 - Respect the opinions of the child - Article (12)
- **General comments and general recommendations of the Committee on the Rights of the Child.**
- **Guidelines on the form and content of reports.**

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 9 (150 minutes): Civil freedoms and rights:

- **Standards:**
 - Name and nationality – Article (7)
 - Preservation of identity – Article (8)
 - Freedom of expression – Article (13)
 - The ability of attaining appropriate information – Article (17)
 - Freedom of thought, conscience and religion – Article (14)
 - Freedom of association and peaceful assembly – Article (15)
 - Protection of privacy – Article (16)
 - The right to protection from being subjected to torture and other cruel, inhuman or degrading treatment or punishment - Article (37)

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 10 (150 minutes): Family environment and alternative care:

- **Standards:**
 - Parents guidance - Article (5)
 - Responsibilities of parents - Article (8)
 - Separation from parents - Article (9)
 - Unity of the family – Article (10)
 - Child's maintenance – Article (27)
 - Child deprived of family environment - Article (20)
 - Adoption - Article (21)
 - Illicit transfer and non-return of children abroad - Article (11)

- Offense and carelessness - Article (19)
- Physical and psychological recovery and social reintegration - Article (39)
- Periodic review of placement - Article (25)

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 11 (150 minutes): Basic health, social welfare, education, leisure and cultural activities:

• **Standards:**

- Survival and growth - Article (6)
- Handicapped children - Article (23)
- Hygiene and health services - Article (24)
- Social insurance, services and utilities of child care - Articles (26), (18)
- Standard of living - Article (27)
- Education, including vocational training and guidance - Article (28)
- Education objectives - Article (29)
- Leisure, welfare and cultural activities - Article (31)

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 12 (150 minutes): Children in special circumstances:

• **Children in emergency situations:**

- Refugee children - Article (22)
- Children in armed conflicts - Article (38), including psychological and physical rehabilitation and social reintegration - Article (39)

• **Children under the administration of juvenile justice system:**

- The administration of juvenile disappearance - Article (40)
- Children deprived of their liberty, including by any form of detention, imprisonment or custody in arbitrary institutions - Article (37)
- Convicting children beside special attention to prohibit death penalty and life imprisonment - Article (37)
- The physical and psychological rehabilitation and social reintegration of the child - Article (39)
- United Nations Standard Minimum Rules for the Administration of Juvenile Justice "The Beijing Rules" adopted by General Assembly 1985

- United Nations Guidelines for the Prevention of Juvenile Delinquency "The Riyadh Guidelines" adopted by General Assembly 1990
- United Nations Rules for the Protection of Juveniles Deprived of their Liberty Adopted by General Assembly 1990
- United Nations Standard Minimum Rules for Non-custodial Measures "The Tokyo Rules" adopted by General Assembly 1990
- **Children in exploitation situation, including physical and psychological rehabilitation and social reintegration:**
 - Economic exploitation of children including child labour – Article (32)
 - Misuse of drugs – Article (33)
 - Sexual exploitation and aggression – Article (34)
 - Children sale, traffic and abduction – Article (35)
 - Other forms of exploitation – Article (36)
- **Children who belong to a minority or a group of indigenous peoples – Article (30).**

Presentation: 35 minutes

Questions and answers: 20 minutes

Working groups: 35 minutes

Plenary reports: 45 minutes

Group-photo: 15 minutes

Activity No. 13 (150 minutes):

- **Case study:**
 - CEAWC experience
 - Lord Resistance Army (LRA)

Activity No. 14 (150 minutes): Harmful traditional practices affecting the health of women and children:

- **Kinds of practices:**
 - Female genital mutilation
 - Preference of the boy child to the girl child
 - Female infanticide
 - Early marriage and dowry
 - Violence against women
- **Mechanisms for the elimination of harmful traditional practices affecting the health of women and children:**
- **National:**
 1. The Eradication of Traditional Harmful Practices Association
 2. Babiker Badri Scientific Association for Women's Studies
- **Regional:**
 - African Commission on the Elimination of Harmful Practices Affecting the Health of Women and Children
- **International:**

- Economic and social council
- Commission on Human Rights
- The Sub-Commission
- Committee on the Elimination of all forms of Discrimination against Women (CEDAW)
- UNICEF
- World Health Organization (WHO)
- **Some African States which enacted laws that incriminate practices of female genital mutilation**
 - Sudan 1946 – 1974 – 1991
 - Ghana 1994
 - Djibouti 1995
 - Burkina Faso 1996
 - Ivory Coast 1998
 - Tanzania 1998
 - Togo 1998
 - Senegal 1999
 - Kenya 2001

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 15 (150 minutes):

- **Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts and Optional Protocol on the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.**

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 16 (150 minutes): Regional child rights systems:

- **African Charter on Child rights:**
 - Adopted by the Heads of States and Governments of the OAU during the ordinary session No. 26, Addis Ababa, Ethiopia July 1990, and entered into force on November 1999
 - The Charter consists of four parts:
 - First Part: Rights and duties - Articles (1-31)
 - Second Part: Establishment of the Committee on the Rights of the Child - Articles (32 - 41)
 - Third Part: Mandate and procedures of the Committee – Articles (42-45)
 - Fourth Part: Advanced Articles – Articles (46-48)

- **Comparison between the Convention on the Rights of the Child and the African Charter on Child Rights.**
- **Charter on the Rights of the Arab Child:**
 - Adopted by Arab league – General secretariat – General Administration of Social and Cultural Affairs, February 1983
 - The Charter consists of 50 articles divided into five parts:
 - First part: The principles – Articles (1-17)
 - Second Part: The objectives – Articles (18 – 23)
 - Third Part: Methods and requirements – Articles (23 – 39)
 - Fourth Part: Joint Arab work in the field of the development and welfare of childhood – Articles (40 – 48)
 - Fifth Part: General provisions –Articles (49 – 50)

Presentation: 35 minutes

Questions and answers: 20 minutes

Working groups: 35 minutes

Plenary reports: 45 minutes

Correction of list of participants : 15 minutes

Activity No. 17 (150 minutes): Child rights in the national legal order:

- **National laws relevant to the rights of the child:**
 1. Non-Muslims Marriage Act, 1926
 2. Children Welfare Act, 1971
 3. Asylum Regulation Act, 1974
 4. School Health Act, 1974
 5. Public Health Act, 1975
 6. Child Welfare Act, 1983
 7. Civil Procedures Act, 1983
 8. Civil Transactions Act, 1984
 9. Handicapped Welfare and Rehabilitation Act, 1984
 10. Armed Forces Act, 1986
 11. Popular Defence Force Act, 1989
 12. National Council for Child Welfare Act, 1991
 13. Criminal Procedures Act, 1991
 14. Personal Matters Act, 1991
 15. Criminal Act, 1991
 16. National Service Act, 1992
 17. School Regulation, 1993
 18. Sudanese Nationality Act, 1993
 19. Drugs and Mental Effects Act, 1994
 20. The Registration of Births and Deaths Act, 1995
 21. Voluntary Work Act, 1996
 22. Labour Act, 1997
 23. The Constitution, 1998
 24. Education Planning Act, 2000

25.Press Act, 2001

Presentation: 40 minutes

Questions and answers: 20 minutes

Working groups: 40 minutes

Plenary reports: 50 minutes

Activity No. 18 (two hours):

- **Final examinations.**

Activity No. 19 (one hour):

- **Plenary discussion.**

Activity No. 20 (one hour):

- **Course evaluation:**
 - Objectives: improving the technical and administrative aspects and the time frame of the course
 - Distribution and filling of post-course questionnaire (see Annex 4)

Activity No. 21 (one hour):

- **Presentation of certificates.**
- **Distribution of group-photos.**
- **Closing statement by the Director General, Dr. Ahmed El Mufti.**