

Republic of the Sudan

Permanent Mission to the United Nations
New York

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



جمهورية السودان
البعثة الدائمة لدى الأمم المتحدة
نيويورك

No: SUN/219/10

The Permanent Representative of the Republic of the Sudan to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to his Note No. LA/COD/2 dated 9 April, 2010 the Government of the Republic of the Sudan is pleased to attached the information regarding General Assembly resolution 63/125 of 11 December, 2008.

The Permanent Representative of the Republic of the Sudan to the United Nations avails himself of this opportunity to renew to the Secretary-General of the United Nations the assurances of his highest consideration.

A-A

June 10, 2010



**Report of the Sudan Government on the status of the Protocols
Additional to the Geneva Conventions of 1949 and relating to the
protection of victims of armed conflicts**

I. Introduction:-

1. This report is submitted in view of the Resolution adopted by the General Assembly (63/ 125) concerning status of the protocols Additional to the Geneva conventions of 1949 and relating to the Protection of victims of armed conflicts as well as the letter of the secretary general of the united nations to the permanent representative of the Sudan to the united nations dated 9 April 2010.
2. This report provides an update on status of the protocols additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts in Sudan, including the status of ratification, the status of national mechanism concerning with the issues of the international humanitarian law, and the status of compatibility of Sudanese laws with the provisions of the two Protocols.

II. Status of Ratification of the two Protocols:-

1/ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) has been ratified by Sudan since 2005.

2/ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) has been ratified by Sudan since 2005.

III. Status of the national mechanism for the issues of international humanitarian law:-

The concerned national mechanism for the issues of international humanitarian law in Sudan is the National Committee for International Humanitarian Law, which has been established by the presidential decree No' 48- / 2003. The Committee is presided over by the Minister of Justice and, is composed of the State Minister of the Ministry of Foreign Affairs, and other members representing the institutions concerned.

According to paragraph (6) of the said Presidential Decree, the functions of the committee are as follows:-

- Review of legislations concerning international humanitarian law.
- Determination of arrangements for the implementation of the rules of international humanitarian law.
- Participation in conducting studies concerning IHL.
- Rendering advices and recommendations in the field of IHL to the government institutions.

Compatibility of Sudanese Laws with the Provisions of the two Protocols

1- The Criminal (Amendment) Act, 2008 :-

This Act provides, within the context of the Compatibility with the two protocols for the following:-

- Section 2 provides for the definition of "persons covered by protection in international armed conflicts and in non- international armed conflicts.
- Section 187 provides for offences against humanity, Genocide offences.
- Section 189 provides for war crimes against person.
- Section 190 provides for war crimes against property and other rights.
- Section 191 provides for war crimes against humanitarian operations
- Section 192 provides for war crimes of prohibited combating methods.
- Section 193 provides for war crimes concerning the use of prohibited means and weapons.

2- The Armed Forces Act, 2007:-

This Act provides, within the context of the Compatibility with the two protocols for the following:-

Section 14 (1)

provides for conditions of recruitment in the Armed Forces. One of these conditions is that who ever joins service of the Armed Forces shall not be less than eighteen years of age, upon recruitment, or appointment.

- o Section 153 provides for offences against civilians during military operations.
- o Section 155 provides for offences against persons enjoying special protection.
- o Section 156 provides for molestation of humanitarian and international bodies.
- o Section 155 provides for attacks against civilians.
- o Section 157 provides for treachery and misuse of the flag of truce in signals or uniforms of the enemy.
- o Section 158 provides for molestation of protected states.
- o Section 159 provides for threatening and displacement of the population.
- o Section 160 provides for compelling subjects of the enemy to fight.
- o Section 161 provides for use of legally prohibited weapons.
- o Section 162 provides for harming the environment.
- o Section 163 provides for offences against prisoners of war .

3- The child Act, 2010:-

This Act provides, within the context of the Compatibility with the two protocols for the following:

- * Section 44 (1) provides for employment or participation of children in military actions by prohibiting recruitment of children.
- Section 45 provides for demobilization, rehabilitation and re-accommodation of child soldiers.

4- The chemical Weapons (Prohibition) Act 2004:-

This Act provides, within the context of the compatibility with the two protocols for the following:-

- Section 14 provides for prohibition of manufacture, development, possession, transfer, use or licensing the use of chemical weapons.
- Section 15 provides for prohibition of import, or export of substances containing specific chemical materials.

- Section 16 provides for prohibition of development, production, stockpiling or use of specific chemical substances.

IIV Workshop & Seminars in the field of international humanitarian law:-

The National Committee for International Humanitarian Law and other concerned institutions in Sudan have organized many workshops and seminars for training and raising awareness of the Armed Forces and general public in the field of international humanitarian law.