**Sudanese Organization for Research and Development (SORD)**

**Report to OHCHR on Child marriage in Sudan**

**Background:**

Child marriage, particularly girl child marriage, is a common practice in Sudan that very much relates to customs and livelihood systems. Fertility and family size are highly valued in rural and pastoral areas in Sudan. The status of the family, men in particular, measures by the family size but also by the labour force the family brings that rests on young wives in a family. However, by the spread of education especially among women and by the increase in women and men awareness, child marriage started to substantially decrease mainly in urban areas and in rural areas that had good chances of schools. In one generation the age of marriage has increased from an average of 12 years to 24 years among families whose girls have had the chance to go to schools.

A major turn occurred in Sudan in 1991 when the Islamic radical dictatorship decided to legalize child marriage in the 1991 personal status Act for Muslims. Article 40 of this Code premises marrying girls as of the age of 10 years. That means what used to be a gradually decreasing practice is been legalized since 1991, and hence very much hindering all efforts of awareness that were pursued by women and human rights activists. SORD and partners are working on child marriage in Sudan within its larger programme of gender justice. Our work is adopting two strategies of legal reform and awareness raising to change attitude and practice at the community and cultural level. What we are doing has been the cause behind being a member of Girls Not Brides.

1. **How States are implementing their obligations under international human rights conventions and international human rights treaties on child, early and forced marriage at the national level;**

Sudan is not a signatory of CEDAW a fact that put the work of women rights at the national and UN level very difficult. However, the ratification of the CRC has allowed activists to lobby for a child law that was enacted in 2010. This law conforms with the international definition of who is the child (< 18). It can safely been said that Sudan is not implementing any of the human rights conventions when it comes to child marriage. The fact that Child marriage is legalised by the 1991 personal status act is a clear evidence.

1. **Steps taken to prohibit child, early and forced marriage as well as examples of positive experience and challenges encountered at the national level in adopting polices, measures and implementing strategies to address this issue;**

All steps taken so far to prohibit or even reduce child marriage are taken by civil society and women/girls rights activists. Currently more than 27 organizations, academic institutions, individual activists and other groups are coming together to address child marriage. The work SORD and partners are doing started in 2008, but the efforts to address child marriage started well before that by civil society and women groups with support from UNFPA. However, the serious work on changing the current family law is pursued by SORD and partners and has resulted in suggesting an alternative family law that is currently been used as an adv0cacy and awareness raising tool. As a result of the continuous work and several public seminars and media work, the ministry of welfare and women affair has conducted a seminar to discuss the age of marriage in the current law. However, the resistance from the Islamic radicals is so strong to have positive results at the legal front. At practice level, a considerable change of practice is observed and documented where the emphasis of the negative impact of child marriage on girls, families and society is underlined and highlighted during our work that is currently covering 6 states in Sudan. The collective effort has culminated in the foundation of the ‘Let Her Grow Up’ coalition of active members who are now widening the outreach and doing excellent work especially in terms of using the local media to raise awareness and to advocate for legal reform. Currently, girls and women victims of child marriage are getting free legal assistance to support them in courts that are evidently biased against them by virtue of the law, culture and religion.

c**) Policies, projects and measures undertaken at national and sub-national levels, including by United Nations agencies, funds and programmes, civil society and other relevant stakeholders to promote the elimination of child, early and forced marriage specifically including action taken to address the issue in practicing communities, and to address or mitigate its impact, making specific reference to the outcomes of such policies, projects and measures;**

As said above most effort is taken by civil society. UN agencies are supporting their partners but the support is very little and is very much activity oriented rather than advocacy oriented. The situation in Sudan regarding prevalence of child marriage is worrying as it reaches 52% in certain states as shown in the 2012 UNICEF household survey. The state control media is promoting child marriage and polygamy and the religious clergy affiliated to the government are playing big role that is greatly offsetting and diluting the effort by civil society.

1. **Surveys, assessments and studies carried out at national and sub-national level on the prevalence of child, early and forced marriage and/or its impact on the human rights of women and girls and other affected groups;**

The only national survey that mentioned prevalence of child marriage (not forced marriage) is the UNICEF household survey. Researches conducted by civil society organizations, including SORD, are area specific and although very indicative to the increase in the practice, cannot be generalized at the national level. A recent study by SORD provided court evidence on the impact of the whole family law on women, girls and families. However, around 73% of the cases we surveyed are girls or women who married at child age. The research also provided indicators of the association between child marriage and domestic violence, divorce and abandonment of children.

1. **Recommendations on or examples of good practices regarding possible appropriate measures and strategies to prevent and eliminate child, early and forced marriage.**

According to our experience and our context we recommend the following:

* Child and forced marriage is not an isolated practice, it is very much associated to the status of girls/women rights and the prevailing gender relations, so a more wholistic analysis and approach is necessary.
* The Un agencies have to be more responsive to civil society initiative including venturing into the private sphere instead of the low emphasis that is put now (I am talking about Sudan)
* Working on such a complex issue needs special consideration when it comes to funding and support, so revisiting the project and tangible result oriented approach (donors approach) will not prove effective as funds and support should allow for long term and probably slow progress.
* Cooperation at all levels is vital including sharing of experiences and approaches.
* Pressure should be put on states that directly violate women/girls rights especially at the legal and institutional level
* The interplay between the private and the public is to be made visible in the case of child and force marriage.