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HUMAN RIGHTS COUNCIL
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PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT

**Joint written statement* submitted by the African-American Society for
Humanitarian Aid and Development (ASHAD), a non-governmental organization on
the Roster, Al Zubair Charity Foundation and Child Development Foundation, non-
governmental organizations in special consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[25 August 2008]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

Abduction, Trafficking and Sale of Sudanese and Chadian Children

A) The International community has been terrified by the news regarding the plight of abduction, trafficking and sale of Sudanese and Chadian. The concrete evidence of the crime can be summarized as follows:

- Six French workers with the group Zoe's Ark are accused of trying to fly 103 children to France.
- Zoe's Ark. Six French Zoe's Ark workers have been charged in Chad with kidnapping 103 children they claimed were orphans from war-wracked Darfur on a plane to France.
- Chad will investigate reports that 74 Chadian children were flown to France without their parents' knowledge, a senior judicial official said.
- Aid workers who interviewed the children said most of them had been living with adults they considered their parents and came from villages on the Chadian-Sudanese border region.
- The children have been living in an orphanage in Abeche while authorities and aid agencies try to determine their identities.
- It is believed that most of the children are Sudanese while tracing is performed to identify the nationality and real families of kidnapped children.
- The Red Cross, UNHCR and UNICEF said the 21 girls and 82 boys range in age from about 1 year to about 10.

B) The case can went through the following procedures:

- 16 Europeans (French Zoe's Ark workers & the Spanish crue) faced justice investigation in Chad for abducting Chadian and Darfurian Children.
- Chadian court sent the criminal to spend 6 years in prison.
- French authority make an appeal to debec to set free the Arch de Zoe Group.
- The criminals were sent to France to spend 6 years in prison.
- French authority made a warm reception for the criminals in Paris and releases them after a very short time in custody.
- The incidence can be considered as a classical example of impunity from facing the law in abduction, trafficking and sale of children

C) Abduction, trafficking and sale of children is a tragic violation of the following international conventions and instruments:

1. UN Convention on the Rights of the Child.
2. Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
3. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, UN Convention (Palermo Protocol).
4. Convention on the Worst Forms of Child Labour, ILO Convention 182, 1999.
5. Convention on Protection of Children and Co-operation in Respect of Inter-Country Adoption, Hague Convention 33 .
6. Convention on Jurisdiction, Applicable Law, Recognition, Enforcement Parental Responsibility and Measures for the Protection of Children, Hague Convention 34 .

7. International Humanitarian Law (Geneva Conventions).
8. Council of Europe Convention on action against trafficking in human beings .

D) (ASHAD) and (CDF) request the Human Rights Council to adopt the following recommendations:

1. Condemn the crime of Abduction, Trafficking and Sale of Sudanese and Chadian children committed by (Zoe's Ark) organization.
2. Establish an independent expert committee so as to investigate the incident of current and previous Abduction, Trafficking and Sale of children in Sudan, Chad and France.
3. Since the French authority was active in availing impunity to the criminals we call upon the International Criminal Court (ICC) to consider the case of Abduction, Trafficking and Sale of Sudanese and Chadian children, it seems very clear that the French judiciary system is either unable or unwilling to conduct its mandate!?.
4. Urge the specialized UN agencies especially UNHCR and UNICEF to fulfill their mandate regarding the protection of refugee population in general and children in specific.
5. Help support the capacity building of Sudanese national (NGOs) so as to enhance the national programs in the field of tracing and identification of unaccompanied minors and separated children affected by conflict in Darfur.
6. Encourage the creation of humanitarian space for voluntary repatriation of Sudanese refugees and IDPs affected by conflict in Darfur.
7. Support family reunification, rehabilitation and social integration of Sudanese and Chadian children affected by the latest tragedy of abduction and trafficking in Chad.
8. Call upon the international community, the humanitarian agencies and International NGOs to take the appropriate precautionary measures to prevent t abuse and exploitation of humanitarian activities in conflict zones.
9. To help regain trust in humanitarian agencies that has been jeopardized due to the plight of Sudanese and Chadian children.

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