Please cite as: EUAA, '3.10.2. Child labour and child trafficking' in *Country Guidance: Sudan*, June 2025.

3.10.2. Child labour and child trafficking

COMMON ANALYSIS
Last update: June 2025

The analysis below is based on the following EUAA COI reports: Country Focus 2024, 2.5.2., 2.5.3.; Country Focus 2025, 2.6. (a) (d), 2.7. (c) (d); Security 2025, 1.3.1.. Country Guidance should not be referred to as a source of COI.

The 2010 Sudanese Children's Act indicates that the minimum working age is 14 years old, although persons under that age can work in pastoral and agricultural activities. The conflict has forced many children into child labour, a phenomenon already widespread in the country. It is reported that child labour is often one of the purposes of child trafficking.

The 2014 Anti-Human Trafficking Law criminalises sex and labour trafficking, with penalties of three to ten years' imprisonment for offences involving adult male victims and five to 20 years' imprisonment for offences involving adult female and child victims. Nevertheless, Sudan has historically been a country of origin, transit, and destination for victims of modern slavery and human trafficking. See also 3.9.4. Trafficking in women and girls.

Step 1: Do the reported acts amount to persecution?

Child labour amounts to persecution.

Not all work done by children should be classified as child labour, an assessment should be made in light of the nature of the work and the age of the child. Work that is likely to harm the health, safety or morals of children could be considered to reach the severity of persecution[12]. In Sudan business owners, informal mining operators, community members, and farmers reportedly exploit children working in brick-making factories, gold mining, collecting medical waste, street vending, and agriculture; victims endure threats, physical and sexual abuse, and hazardous working conditions with limited access to education or health services, and in these cases acts are of such severe nature that they amount to persecution.

Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution. The impact of child labour on access to education should also be taken into account. Other risks, such as involvement in criminal activities and trafficking should also be considered.

Trafficking in children amounts to persecution. Common forms of trafficking include early and forced marriage, forced or bonded labour, child labour, child recruitment, domestic servitude, and forced prostitution.

Step 2: What is the level of risk of persecution?

The individual assessment of whether there is a reasonable degree of likelihood for a child to be forced into labour or trafficked should take into account risk-impacting circumstances, such as:

- **Gender**: girls are more likely to be victims of trafficking for the purpose of sexual exploitation, sexual slavery, domestic servitude, child marriage, while boys are trafficked for the purpose of forced labour or child recruitment in armed conflicts. See also 3.9. Women and girls.

- **Socio-economic status of the child:** unaccompanied and homelessness children are exposed to a heightened risk of being forced into labour or being trafficked.

- **Family status**: unaccompanied children or children without a caretaker are exposed to a higher risk.

Step 3: Is there a ground for persecution?

The individual circumstances of the child need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated in relation to the risk of child labour as well as the risk of trafficking in children.

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  International Labour Organization (ILO), Minimum Age Convention, C138, 26 June 1973, available at https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT
  Worst Forms of Child Labour Convention, C182, 17 June 1999, available at https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182

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