



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Responses to the list of issues and questions
(CEDAW/C/TCD/Q/4) in the absence of initial
and periodic reports**

Chad^{*,}**

[26 August 2010]

* Late submission.

** In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

Unity — Labour — Progress

Office of the President

Office of the Prime Minister

Ministry for Human Rights and Freedoms

General Secretariat

Follow-up committee

Chad

Foreword

The Government of the Republic of Chad presents its compliments to the Committee on the Elimination of Discrimination against Women and hereby submits the present document containing responses to the various concerns raised by the Committee and to be addressed in the interactive dialogue between the delegation of Chad and the Committee during its forty-seventh session. Furthermore, the Government advises that the initial report and the second, third and fourth periodic reports of Chad, currently being finalized with the support of the United Nations Population Fund, will shortly be transmitted for consideration during the session.

The Government wishes to take this opportunity to assure the Committee members of its desire to cooperate fully with the work of the Committee.

August 2010

Introduction

General

1. The delay in the submission by Chad of its initial and periodic reports, as a result of its commitments and the treaty body working procedures, can be ascribed in part to the fact that previously there was no dedicated human rights body. A human rights ministry was not established until 2005 but since then the institution filed several reports in 2007 and had the honour of presenting them to the treaty bodies in 2009. It is in the same spirit that Chad will respond to the concerns of the Committee on the Elimination of Discrimination against Women. It should also be noted that Chad has at all times benefited from the technical assistance of the United Nations Development Programme for the preparation of the reports submitted previously.

2. With a view to enhancing development policies and programmes, the Government of Chad, supported by its partners, organized a general population and housing census in 2009. The census yielded the following information on the population distribution by rural or urban area and by sex:

- The estimated population living in rural areas is 8,752,867
- The estimated population living in urban areas is 2,423,048
- In both cases, there are 5,666,393 women

3. The data were transmitted to the National Institute of Statistics, the body responsible for the 2009 general population and housing census, for more thorough and comprehensive processing.

4. The census is estimated to have cost over 15 billion CFA francs.

5. As a part of its efforts to rebuild the country after years of conflict, the Government of Chad has taken steps to promote women's rights. These steps have included:

- Ordinance No. 008/PR/93 of 30 April 1993 on contraception regulations in Chad
- Act No. 006/PR/2002 of 15 April 2002 on the promotion of reproductive health
- Decree No. 186/PR/MASF/2002 of 16 April 2002 on the establishment of a National Women's Week in Chad
- Act No. 19/PR/95 of 4 September 1995 on the adoption of the Policy Declaration on the Integration of Women in Development in Chad
- Act No. 038/PR/96 of 11 December 1996 on the Employment Code

6. The integration of women into the process of rebuilding the country following the period of conflict remains the concern of civil society, a concern shared by the Government, which has allowed women to participate freely and actively in the preparation and work of the Sovereign National Conference in 1993. Women's associations have gradually begun to appear and they are active in the advancement and protection of women in both rural and urban areas. A number of training workshops and seminars have been organized in order to boost the skills of those concerned, and awareness and information campaigns have been launched on the issue of the women's rights recognized by domestic and international instruments throughout the country.

7. Campaigns have also been launched to combat certain customary or traditional practices that are detrimental to women's rights and exclude them from decision-making

processes in families or the wider community. The network of women ministers and parliamentarians actively monitors the process of adopting all of these acts, policies and programmes and speaks about the concerns of women in general.

8. The Ministry for Social Action, Solidarity and the Family was established with a view to meeting the needs of women and men at risk of being marginalized by society as a result of their vulnerable situation.

9. Women who are members of a collective known as the appeal for peace and reconciliation are active in promoting national harmony and stability as well as sustainable development in Chad. Their efforts are aimed at the Government, the rebels, the people and the international community and their aim is to raise awareness and seek genuine peace in Chad.

10. The Chadian Constitution, which reaffirms the fundamental principles of human rights, as enshrined in universal texts, clearly mentions gender equality in articles 13 and 14. No signed agreement, programme or policy can override this principle. For this reason, the provisions of the 2007 peace accords reiterated this principle and gave women and men the freedom to participate in the electoral process both as voters and as eligible candidates.

11. Ever since the advent of democracy, human rights principles have been a constant feature of Chad's domestic and international policies. Human rights violations are punished accordingly. Rapists and other perpetrators of sexual violence against women are prosecuted and punished in accordance with the provisions of articles 273 to 282 of the Criminal Code. In practice, however, confirmed instances are sometimes not reported to the authorities for further action. This may be the result of the victims' resignation or of sociocultural obstacles within communities or clans.

12. Through reform of the legal system, efforts have been made to ensure that the judiciary genuinely combats impunity. Two additional appeal courts have been established and magistrates' courts have also been set up. Areas within court buildings have been converted into courtrooms with appropriate logistical back-up, human resources have been redeployed and the legal system has thus been made more accessible to the public. However, there is still room for improvement in the area of training of judicial personnel and reviewing of legislation.

Articles 1 and 2

Legal status of the Convention on the Elimination of All Forms of Discrimination against Women and integration of the provisions thereof into Chadian domestic law and national policies

13. The revised Constitution of 2005 stipulates that the State must ensure equality before the law for all regardless of origin, race, sex, religion, political opinion or social status. The State has a duty to eliminate all forms of discrimination against women and protect women's rights in all areas of public and private life (art. 14). It makes no distinction between the rights of men and those of women. Men and women all have the same rights and are equal before the law (article 13 of the Constitution). Moreover, according to article 31 of the Constitution, "access to civil service posts is guaranteed to all Chadians without any discrimination, subject to the inherent requirements of each position", and article 32, paragraph 3, adds that "no one may be prejudiced in their employment on account of their origins, opinions, beliefs, sex or marital status".

14. The 1996 bill on the prohibition of discriminatory practices in the Republic of Chad has yet to be reviewed.

15. Pursuant to article 222 of the Constitution, the Convention once duly ratified and published takes precedence over domestic legislation. The Constitution specifies that in the event of an inconsistency between statutes as a result of customs or religions, national law is applicable. In civil cases, the conventions can be invoked in areas where domestic legislation is lacking. In one case, the Supreme Court was able to deliver a ruling, dated 13 December 2005, in the case of *The Association of Women Forwarding Agents of Chad v. the State of Chad*. It sought the annulment of Service Note No. 102/DGDDI/DLDCCS/DLR/05 of 21 November 2005 issued by the Director General of Customs and Excise, barring the women from Customs offices on the grounds that their association, which consisted solely of women, had to be represented by men in all the transactions in which it might engage. The Supreme Court considered that in “thus forbidding the women forwarding agents from carrying on their activities solely because they are women, the Director General of Customs and Excise had violated the provisions of article 13 of Constitutional Act No. 08/PR/05 of 15 July 2005 and those of article 13 of the Convention on the Elimination of All Forms of Discrimination against Women which read, respectively, as follows: ‘Chadians of both sexes have the same rights and the same duties’ and ‘States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women ...’.”

16. However, because of ignorance, few conventions are invoked in court by citizens, which is why it would be beneficial to popularize them.

17. In general, during campaigns to raise awareness of women’s rights and disseminate information, the Convention on the Elimination of All Forms of Discrimination against Women is mentioned as one of the international instruments for the promotion and protection of women’s rights. However, the Convention has not been popularized or translated into all languages, including local ones. The French version is not accessible to all because of the high rate of illiteracy, and translating it into local languages would be very costly because of the large number of languages spoken in Chad and understood within only one community. Furthermore, many local languages are not written languages. In order to adapt human rights and international humanitarian law to the context of national defence missions and operations for the maintenance of public order and security, a reference centre on international humanitarian law was established by the Ministry of National Defence in March 2002 by Order No. 059/MNDR/EMP/02. The Convention on the Elimination of All Forms of Discrimination against Women, like other legal instruments, is mentioned in the section on human rights of the instruction manual of the armed forces and security forces. The “human rights forum” organized on 9–11 March 2010 issued recommendations in which the rights of women and children featured prominently. The committee will be informed of these recommendations before its forty-seventh session is held, at which time the report will be finalized.

18. The current process of reviewing national legislation to bring it into line with international commitments, within the framework of a reform of the legal system, is taking full account of the Committee’s concerns about changes to customary practices that discriminate against women, and the criminalization of discrimination in the Criminal Code. These concerns are also being taken into account in the draft code on the person and the family. Throughout the process of reviewing, considering and validating the draft project, women have been closely involved through their representative bodies in the workshops and seminars.

19. The Judicial Reform Programme is being implemented and efforts are being made to train judicial staff and raise awareness of the legal system among citizens. Brochures and leaflets have been produced and posters have been put up on roadside billboards. In the east, the human rights section of the United Nations Mission in the Central African

Republic and Chad and the legal clinics of human rights associations support the Government's activities in the field. Women whose rights have been violated thus receive advice and assistance from the Chad Association of Women Lawyers and the Women's Associations Liaison Unit, and legal remedies are available to them. Similarly, the Ministry for Social Action provides assistance to women who have been the victims of sexual violence during conflicts, helps them to seek justice in the courts, and pushes for legal aid to be granted to them. There are frequent radio broadcasts intended to raise public awareness of available remedies and access to the courts. Provincial workshops are also organized. A regional human rights forum was organized in Abéché in 2009, bringing together the eastern and northern regions of Chad. Recently, after the events of February 2008, women victims of rape were paid compensation by the State and their cause was brought before the courts. In partnership with the United Nations Development Programme and the Ministry for Social Action, Solidarity and the Family, the Government launched a project entitled "human rights/assistance for women and girl victims of sexual abuse, rape and armed conflict" in October 2007 with the aim of providing legal and psychological protection to women and girls who have been the victims of sexual abuse, rape and armed conflict.

20. A bar association has been established in the east of the country to assist victims of human rights violations, particularly women and children, with the support of the United Nations Development Programme.

21. A national campaign to combat gender-based violence was also organized from 17 October to 15 December. One of the aims of the campaign was to raise awareness among judicial staff (judicial officers, judges, lawyers, registrars).

Article 3

National mechanism for the advancement of women

22. The Ministry for Human Rights and Freedoms is responsible for implementing Government policy in the area of human rights. It represents the Government before international bodies on all human rights-related matters (Decree No. 1442 defining the general structure of the Government and the responsibilities of its members). The Ministry comprises five directorates of which one is responsible for the rights of vulnerable persons.

23. The directorate responsible for matters concerning the rights of vulnerable persons, namely, women, children, persons with disabilities, persons living with HIV and the like, participates in the preparation of strategies for the protection and promotion of women's rights, and complies with and implements domestic and international legislation on the rights of women, children, etc.

24. The directorate for the advancement of women and gender mainstreaming in the Ministry for Social Action, Solidarity and the Family has a team of managers and officers with a wide range of skills. The 45-strong staff is made up of 11 men and 34 women, including lawyers, administrators, economists, sociologists and social workers responsible for activities in the field, and support staff.

25. The directorate is headed by a woman and split into three divisions of which two are headed by women.

26. The financial resources allocated for the operation of the directorate are included in the programme budget of the Ministry. Financial support for numerous one-off projects is routinely obtained from partners (United Nations agencies and international NGOs based in Chad).

27. The directorate works hand-in-hand with civil society organizations, particularly human rights associations and women's organizations, but also major networks such as the collective of human rights associations, the civil society coordinating body for the defence of human rights in Chad, the women's associations liaison unit, the union of Arabic-speaking women's associations in Chad, and so on. These organizations are systematically called upon by the directorate to participate in all relevant activities.

28. The National Human Rights Commission was set up in 1994 pursuant to Act No. 031/PR/94 of 9 September 1994.

29. The tasks of the National Human Rights Commission have remained unchanged ever since it was set up. The organization of a national forum on human rights in Chad was an opportunity to scrutinize the operation of the institution in order to bring it into line with the Paris Principles.

30. The National Office of the Ombudsman is an institution headed by an Ombudsman and responsible for receiving complaints about the operation of Government offices, decentralized territorial units, public-sector establishments and all public service bodies. The Office's budget is provided by the State.

31. On the issue of equality between the sexes and the rights enshrined in the Convention on the Elimination of All Forms of Discrimination against Women, the National Office of the Ombudsman treats men and women as equals. For this reason, article 12 of Act No. 031/PR/2009 establishing that Office stipulates that "any natural or legal person who, in a matter that concerns them, considers that one of the institutions mentioned in article 2 has not fulfilled its duty as a public service provider, may submit a complaint and ask for it to be referred to the Ombudsman of the Republic".

Programme and plan of action

32. The second-generation national poverty reduction strategy, adopted by the high-level oversight committee in April 2008, is scheduled for implementation in 2008 to 2011. In the light of the lessons learnt from the first-generation national poverty reduction strategy, the second-generation strategy is intended to achieve greater integration of women into all activities.

33. Indeed, development policies and projects currently being implemented and those to be implemented within the framework of poverty reduction are required systematically to take into account the status of women. With a view to enhanced advancement of women and effective gender mainstreaming, the second-generation strategy includes the following recommendations:

- A series of complementary activities should be developed with a view to reducing inequality between the sexes, particular in the area of access to education, health services (including reproductive health services), income, information and decision-making processes
- A legal and institutional framework should be set up to ensure the empowerment of women through the establishment of a support fund for gender mainstreaming
- The Code on the Person and the Family should be adopted and enforced
- A national gender policy should be developed, adopted and implemented

34. The members of the multisectoral committee set up by the Ministry for Social Affairs contribute to the development of a national gender policy. This team has gathered data on women's representation in public service jobs, NGOs and bodies. Data gathering tools have been developed for this purpose. A further task will be a literature review and an

analysis of the current situation. A smaller group known as the drafting committee has been set up within the multisectoral committee and tasked with drawing up the document.

35. The members of the multisectoral committee and the gender focal points in each of the various ministries will gradually contribute to the work of the multisectoral committee and the final document will be made available after the completion of the national validation workshop.

36. The level of participation by women and girls in this process has been remarkable. Of the 47 members of the multisectoral committee, 25 are women and so are 4 of the 6 members of the smaller group. Girls are not directly involved but the data gathering tools used to analyse the current situation are also intended for girls. As a result, research has been carried out and the perspectives, opinions and contributions of girls have influenced the process.

Article 4

Temporary special measures

37. In order to meet the 30 per cent quota for women in decision-making institutions, particularly the Government, as demanded by women, the current Government has raised the percentage of its female employees to 21 per cent and is committed to doing the same in the other national institutions once sufficient female human resources are available.

Article 5

Stereotypes and cultural practices

38. Chadian society, like the societies of other African countries, is dominated by ancestral cultural practices or lifestyles in which women are treated as inferior to men. A husband, as the head of household, decides the fate of his wife or wives.

39. The lack of reciprocity with regard to the rate between certain ethnic groups or its variation from one ethnic group to the next is evidence of the fact that, in practice, the principle of non-discrimination remains a utopian dream. The caste system still entrenched in certain ethnic groups is a perfect example. The members of these castes are subjected to discrimination and serious violations of their rights. This discrimination can go as far as a strict ban on intermarriage with members of other groups.

40. Certain practices which international human rights instruments now treat as acts of violence against the person are still accepted in some regions and are a source of discrimination between individuals. Female genital mutilation (FGM) is one such practice, despite the fact that it is prohibited by article 9 of the Reproductive Health Promotion Act No. 006/PR/2002 of 15 April 2002, according to which “all forms of violence such as female genital mutilation, early marriage, domestic violence and sexual abuse of the human person are prohibited”. Women who have been cut consider themselves superior to those who have not gone through these rites, and do not let them into their social circle.

41. The practice of polygamy and repudiation still persists and exposes women to discrimination. It represents an investment for the woman’s family (marriage with a large dowry) and a social asset for her husband’s family, since she continues to be subject to the practice of levirate and sororate.

42. In rural areas, women are treated as a workforce fit only to work in the fields and have babies. In spite of the widespread promotion of equality between men and women, men continue to have a superiority complex and this has repercussions on the status of women. In the vast majority of homes, husbands do not consult their wives before taking

decisions. In the workplace and in the areas of education and decision-making, women are sometimes sidelined and underrepresented, no doubt because of the gender stereotypes that men generally have and the way they perceive women to be inferior.

43. However, in recent years, Chad has been striving to dispel these stereotypes. A number of steps have been taken to change the sociocultural behaviour patterns that reinforce stereotypes and the perceived inferiority of women:

- Awareness-raising campaigns have been launched by the Ministry for Social Action, Solidarity and the Family in conjunction with NGOs and women's associations
- A directorate for the advancement of women and gender mainstreaming has been set up
- A multisectoral committee has been established to develop a national policy on the promotion of equality between the sexes, etc.
- School enrolment for girls is free of charge

Violence against women

44. In an effort to stamp out gender-based violence, the Government secured the adoption by the National Assembly of Reproductive Health Promotion Act No. 06/PR/2002, which sets out the right not to be subjected to torture or to cruel, inhuman or degrading treatment of a person's body in general and their reproductive organs in particular, and which prohibits, among other things, female genital mutilation, early marriage, domestic violence and sexual violence.

45. A process of reviewing criminal legislation is under way with the aim of setting penalties in this area.

46. These serious issues have long been taboo but are now the subject of debates, activism and proposals essentially on the initiative of civil society organizations and international organizations, particularly the United Nations Population Fund. This increased awareness has led to the setting up of facilities to provide assistance to women victims of gender-based violence. These facilities are run by civil society organizations (particularly the Association for the Promotion of Fundamental Freedoms in Chad and the Chad Association of Women Lawyers). A toll-free hotline has been set up by the Chad Association of Women Lawyers and staff have been deployed to provide psychosocial and legal assistance and support the victims of gender-based violence. A database on violence is currently under construction. The United Nations Children's Fund and the United Nations Population Fund are researching the prevalence of gender-based violence with a view to arriving at a representative picture of this problem in Chad. A team of consultants is working on a document on a national strategy of prevention and response to gender-based violence.

47. On 17 October 2009, the Government launched, with the support of its partners, a campaign to combat violence against women. The campaign will last three years and reach all regions.

48. As regards reparations, the Government has taken various steps, particularly the establishment of a fact-finding commission to look into the events that occurred between 28 January and 8 February 2008 in Chad, and their consequences, in an effort to shed light on the events and determine the responsibility of perpetrators of human rights violations.

49. The commission, assisted by international observers and mainly made up of representatives of civil society, made its findings public in September 2008 after three months of intense work.

50. In response to the commission's recommendations, the Government set up a follow-up committee, which has already begun its work. The Government has lodged a complaint against a person or persons unknown in connection with instances of murder, kidnapping, abduction and rape. A judicial pool made up of judges and police officers has been set up to shed light on the alleged offences.

51. The Government has also paid compensation to women victims of rape.

52. In partnership with the United Nations Development Programme and the Ministry for Social Action, Solidarity and the Family, the Government launched a project in October 2007 entitled "human rights/assistance for women and girl victims of sexual abuse, rape and armed conflict" with the aim of providing legal and psychological protection to women and girls who have been the victims of sexual abuse, rape and armed conflict.

53. Planned activities include:

- Increasing awareness of the beneficiaries of the project
- Setting up community mechanisms and focal points within the host communities
- Arriving at an accurate picture of the supply and demand of psychological services
- Helping programmes and institutions to provide assistance to victims
- Providing psychological assistance to victims
- Providing legal and judicial assistance to victims, in conjunction with partners
- Strengthening the existing project and establishing a counselling centre to raise awareness among the population

54. Many instances of domestic or marital violence against women have been recorded. As a result, the State promulgated the Reproductive Health Promotion Act No. 006/PR/2002, which prohibited all forms of violence such as female genital mutilation, early marriage, and domestic and sexual violence. The perpetrators of such violence are always severely punished when cases are brought to the attention of the judicial authorities.

55. The directorate for the advancement of women and gender mainstreaming in the Ministry for Social Action, working together with women's associations, has made a major effort to conduct wide-ranging awareness-raising campaigns with the aim of eradicating such violence. For this purpose, it has organized workshops, seminars and the like.

56. In Chad, emergency health services are free of charge. Women victims of violence are taken in and treated for free.

57. Women with fistulae are treated for free by social services until they are ready to return to their families.

58. Girls and boys receive the same schooling in Koranic schools. Corporal punishment is prohibited by law under all circumstances. The Constitution clearly stipulates that no person may be subjected to degrading or humiliating abuse or treatment, or to torture (art. 18). The Criminal Code considers such acts to be a violation of a person's physical or mental integrity. No exceptions can be made in Koranic schools. However, unfortunate instances of corporal punishment committed by teachers against pupils do occur. Whenever they are reported to the Government, it takes firm action against those responsible. Indeed, in 2008, 2009 and 2010, a number of Koranic schools were closed and some perpetrators were prosecuted.

59. Sexual harassment is not expressly defined as an offence under the Chadian Criminal Code. However, within the context of the implementation of the Convention on the Rights of the Child, a draft bill intended to amend and extend the Criminal Code to

cover this issue has been transmitted by the Government to the supreme court for it to issue a legal opinion.

60. In one case where a group of women lodged a complaint against a senior police official alleging that they had been the victims of police brutality, the court dismissed the complaint on the grounds that they had been unable to demonstrate that the order had come from the official in question.

Article 6

Trafficking, prostitution, exploitation

61. Although Chad has adopted the Abuja Declaration, and particularly the Multilateral Agreement on Regional Cooperation, the joint Action Plan against Trafficking in Persons, especially Women and Children, and the resolution on efforts to combat trafficking in persons, it has yet to complete the process of revising its Criminal Code in order to fully implement these agreements. However, on 10 August 2009, as part of the implementation of the regional plan, Chad ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Given that, in Chad, trafficking in persons occurs mainly within the country and is often condoned by parents who entrust their children to relatives or intermediaries in return for promises of education, apprenticeships, rewards in kind or money, the Government has made efforts to eradicate this practice. Specific operations have been launched nationwide with the support of the United Nations Children's Fund. The operations have included the preparation of a national action plan against trafficking in persons, especially women and children; a comprehensive plan to combat trafficking, the worst forms of child labour and the exploitation of children; a comprehensive plan to raise awareness of efforts to combat trafficking in children in the city of Kélo, which is considered a recruitment area; the provision of training on the subject of trafficking in persons to officials in the various ministerial departments responsible for children's issues; and the establishment in a number of cities of local child protection committees with suitable means of transport.

62. Trafficking in persons, like harassment, is defined in the revised Criminal Code and the penalties are specified.

63. A regional meeting entitled "Ending the recruitment and use of children by armed forces and groups in conflicts" was organized in N'Djamena in June 2010, and led to a declaration known as the "N'Djamena Declaration".

64. The action plan includes a range of actions such as the denial of entry into Chad, or the cancellation of visas, for persons wanted for crimes relating to trafficking in human beings. Mutual judicial assistance can also lead to the extradition of persons accused of such offences.

65. The Government then turned to the issue of the recruitment of children in armed conflicts.

66. For this reason, once the United Nations Children's Fund noted the presence of children recruited by armed forces and groups, child soldiers or children associated with armed forces and groups, the Government immediately signed the relevant legislation and, in June 2007, with the technical assistance of the United Nations Children's Fund, set up a national body within the Ministry for Social Action to coordinate a programme to protect, remove and take temporary custody of such children and reintegrate them. The Government then adopted the programme's organizational framework on 10 October 2007.

67. As is already known, the objectives of the programme are to implement international and domestic provisions and, in particular:

- To prevent the use of children by armed forces and groups
- To develop strategies specifically tailored for girls
- To facilitate a return to civilian life by reintegrating children
- To contribute to creating conditions under which the protection of children is sustainable over time

68. Under the programme, to date 555 child soldiers aged from 7 to 18 years, including 20 Chadian children removed from Sudan by the International Committee of the Red Cross at the time of the attack on the Sudanese city of Omdurman, have been accommodated in seven transitional and orientation centres. Eighty children currently live in the various centres, of whom 39 are enrolled in workshops, 38 go to school, 1 supports himself and 5 have jobs.

69. Title 5 of the Labour Code prohibits forced and bonded labour, for which fines of 100 to 1,000 United States dollars are stipulated; articles 279 and 280 of the Criminal Code prohibit child prostitution, which is punishable by prison terms of 5 to 10 years; and the procurement and exploitation of prostitutes are prohibited by articles 281 and 282 of the Criminal Code.

Articles 7 and 8

Political participation and participation in public life

70. The Electoral Code as revised in 2007 ensures equality between men and women when it comes to the right to vote and the right to stand for election. According to article 3 of the Code, “all Chadians of either sex who are at least eighteen (18) years of age on election day, are in enjoyment of their civil and political rights, are registered on the electoral rolls and are not subject to any incapacity provided for by law shall be entitled to vote”. Article 111, meanwhile, specifies that “any citizen of Chad can stand for election and be elected subject to the age requirements and the cases of incapacity and ineligibility provided for by law”.

71. Act No. 17/PR/01 of 31 December 2001 on the General Civil Service Regulations recognizes that access to civil service posts is open to all on a basis of equal rights; it regulates the conditions under which civil service positions may be filled, the rights and duties of civil servants, the development of their careers, and the like.

72. Act No. 45 of 1994 introduced a charter of political parties and was revised to reflect the new political environment in Chad in the aftermath of the 2007 political agreement.

73. Of the 42 members of the Government, 9 are women. There are also 9 women among the 155 members of the National Assembly, and there are 2 female secretaries-general out of 29 in the ministries. There is 1 female ambassador, there are 2 female prefects out of 222, and 3 political parties are led by women.

Article 9

Nationality

74. The Chadian Nationality Code is governed by Ordinance No. 33/PG-INT of 14 August 1962.

75. Nationality can be acquired through marriage in accordance with the Code, as follows: “the foreign spouse of a Chadian national retains their original nationality unless they expressly ask for Chadian nationality at the time of their wedding, and their national law allows them to do so”. According to article 9, paragraphs 2 and 3, “children born in or out of wedlock in Chad, or abroad to Chadian forebears, are Chadian. The present provisions are applicable only to weddings in Chad”.

76. Chadian nationality can be acquired by descent pursuant to the following rules: “Children who are

- born in or out of wedlock to two Chadian parents
- born in or out of wedlock in Chad to one Chadian parent
- born in wedlock abroad to one Chadian parent

are Chadian.”

Article 10

Education

77. The frame of reference for the Chadian Education System, which is founded on legal texts and national policy, is as follows:

- The right of all Chadians to education is enshrined in the Constitution, but priority is given to secular public education provided free of charge.
- Act No. 16/PR/06 of 13 March 2006 on The Orientation of the Chadian Education System stipulates in article 4 that: “every person has the right to education and training, without distinction as to age, sex, regional, social or ethnic origin or religious belief”. Like primary education, secondary education is available to all, free of charge, nationwide.
- Decree No. 414/PR/PM/MEN/2007 on the organization of the Ministry of National Education defines the various central technical structures, particularly a directorate for the promotion of education.
- The establishment of a State secretariat responsible for basic education and in charge of literacy programmes, the promotion of national languages, and non-formal education.
- Act No. 007 of 2007 on the protection of persons with disabilities, and Order No. 337/MEN/DG/95 on the exemption from enrolment fees of pupils and students with disabilities.
- The national growth and poverty reduction strategy has placed the development of human capital at the heart of Government policy in this area. Education is one of the priority sectors, with 20 per cent of the annual budget, of which half is for basic education.
- The sectoral policy letter of February 2002, which set 2015 as the target date for the achievement of high-quality universal primary education, allowed for a substantial increase in the share of GDP devoted to education (4 per cent in 2015), 20 per cent per annual growth in non-salary operating costs, and half the education budget ring-fenced for basic education. The programme of support for the Chadian education sector focuses on the measures required to build the foundations for high-quality universal primary education by 2015. The second strategy (2007 to 2010) also

includes programmes for promoting school enrolment by girls, and literacy campaigns.

- As part of efforts to reduce illiteracy, which remains high, Decree No. 006/PR/MEN/90 of 15 January 1990 established the National Committee for the Elimination of Illiteracy in Chad and was adopted by the Government.

78. The effect of these measures on access to education by women and girls is gradual.

79. Enrolment of girls at the primary level was up 41.3 per cent between 2008 and 2009 compared with 41.1 per cent the previous year. The gross enrolment rate for girls was 78.8 per cent in 2008. In 2007/08, of 1,558,966 registered students, 640,821 were girls.

80. In lower secondary education, there were 232,681 pupils, of whom 71,794 were girls. In secondary education, there were 104,846 pupils, of whom 26,588 were girls.

81. In non-formal further education, there were 133,485 adult learners in 2008/09, including 69,520 women, compared with 115,009 men in 2007/08. In 2005/06, the ratio was of 63,193 women to 50,442 men.

82. In internally displaced persons' camps, there are 5,750 female and 8,815 male pupils.

Article 11

Employment

83. The Civil Service Regulations were amended by Act No. 17/PR/01 of 31 December 2001. This Act amended the previous 1986 Regulations promulgated by Ordinance No. 15/PR/86 of 20 September 1986. The new General Civil Service Regulations stipulate (art. 5) that: "access to civil service posts is open to all ... on an equal basis and without distinction of sex, religion, origin, race, opinion, political opinion or social status". To ensure access on equal terms for all Chadians, a civil service recruitment competition has been instituted in accordance with the terms of article 41, which stipulates that "recruitment shall be by competition. However, there is provision for a direct recruitment procedure to meet specific and clearly identified needs, in particular in the case of highly technical posts, where the number of candidates is smaller than the number of vacancies to be filled. A decree adopted in the Council of Ministers defines the conditions and modalities of direct recruitment."

84. The private sector is governed by Act No. 038/PR/96 of 11 December 1996 establishing the Labour Code. Pursuant to article 3 of the Act, a worker or employee is any physical person, irrespective of sex or nationality, "who has undertaken to place their occupational activity, in exchange for remuneration, under the direction and authority of a physical person referred to as an employer".

85. Article 6 adds that employers may not discriminate on the basis of the sex, age or nationality of workers when making decisions relating, in particular, to recruitment, conduct or assignment of work, vocational training, advancement, promotion, remuneration, provision of social benefits, disciplinary action or termination of employment contract, save "where expressly provided in the present Code, or any other legislative or regulatory text protecting women and children, or the provisions relating to the situation of foreigners".

86. As regards remuneration, salaries for both sexes are the same for work of equal value.

Article 12

Health

87. The Ministry of Public Health, working together with its partners, developed and adopted on 4 May 2007 a new national health policy covering the period from 2007 to 2015. The policy is the first step in the process of reforming the health-care sector.

88. The overall aim of the new national health policy is “to provide the population with access to basic health services of good quality in order to add momentum to the decrease in mortality and morbidity and contribute to achieving the Millennium Development Goals by 2015”. Obviously, the policy was drawn up on the basis of the overall vision of the national growth and poverty reduction strategy, in compliance with the other commitments made by Chad in the area of health, particularly the Millennium Development Goals for which this strategy is the operational plan in the run-up to 2015.

89. The new national health policy has six (6) strategic approaches:

1. Strengthening the organization and management of the national health-care system, including the private and traditional sectors;
2. Improving the availability of and access to high-quality health services;
3. Stepping up efforts to control the most common diseases;
4. Improving the delivery of high-quality care to women and children;
5. Developing and ensuring the rational use of resources in favour of health;
6. Promoting health partnerships.

90. In the light of the above approaches, the national health policy within the national growth and poverty reduction strategy is divided into six priority action programmes geared towards achieving the above-mentioned goals. The six programmes are as follows: (1) human resources management and training; (2) working capacity in each district; (3) drugs and vaccines; (4) disease control; (5) empowerment of hospitals; (6) sectoral management and administration.

91. The priority action programmes are being implemented in a context characterized by a scarcity of initial resources and the development of sectoral strategies. Indeed, the review of the national health policy was followed by the drafting of the national health development plan, a key tool for implementing the national health policy. The process of drafting the national health development plan was therefore initiated immediately after the adoption of the national health policy in 2007. The national health development plan was adopted at the end of 2008 for a four-year period running from 2009 to 2012. This timeline reflects the difficulties encountered with the implementation of the priority action programmes during the first year in which they overlapped with the above-mentioned policy revision.

92. Furthermore, a number of sectoral strategies have been developed to tackle the most urgent problems in the area of health (the national road map to reduce maternal, infant and neonatal mortality; the strategic plan on combating HIV/AIDS; etc.).

93. Implementation plans and programmes have begun to be developed on the basis of the national health development plan. In short, 2009 was the year in which the activity planning tools were generated. Within the framework of the national growth and poverty reduction strategy, the implementation of the priority action programmes has not always led to satisfactory results.

94. Act No. 019 of 2007 on the protection of persons living with HIV/AIDS and on combating AIDS and sexually transmitted diseases is evidence of the Government's desire to set up a legal framework that guarantees the effective protection of the rights of persons living with this disease from all forms of discrimination, and cost-free access by such persons to health care and monitoring of their state of health.

95. In 2009, efforts to combat HIV/AIDS reached cruising speed. These efforts range from preventing mother-to-child transmission to providing medical treatment for persons living with HIV to organizing awareness-raising campaigns targeted at young people. The following activities have thus been organized:

- Fifteen new facilities have been added to the ones active in the prevention of mother-to-child transmission.
- A comprehensive awareness-raising plan on the prevention of mother-to-child transmission was implemented in 2009.
- 39,418 women underwent their first antenatal consultation.
- 32,780 women were tested, of whom 1,114 tested positive for HIV and 1,026 started a course of antiretroviral drugs.
- 717 children are being monitored and were given antiretroviral prophylaxis at birth.
- 313 children with HIV were put on a course of antiretroviral drugs. Of those born to mothers with HIV, 95 do not have HIV.
- The percentage of pregnant women with HIV to whom antiretrovirals were administered in order to lower the risk of mother-to-child transmission rose to 7.06 per cent in 2009 from 4.81 per cent in 2008.

96. Awareness-raising campaigns intended to change sexual behaviour that involves a risk of HIV transmission were intensified. Specifically:

- The number of operational voluntary screening centres rose to 72 in 2009 from 36 in 2008
- Within the framework of the Lake Chad Basin Project, peer educator training took place in Moundou, Sarh and Bol
- As part of the activities organized during the construction of the asphalt highway from Moundou to Sarh via Doba and Koumra, social action sessions were organized for 800 persons, nearly half (42 per cent) of whom were women, and 433 outreach meetings were also held

97. These activities combined to give the following outcome: the percentage of young people aged 15 to 24 who have accurate knowledge of how to prevent the sexual transmission of HIV and reject the leading myths surrounding the transmission of the virus has risen to 10.69 per cent.

98. To better support the treatment centres in district hospitals and improve the distribution of antiretroviral drugs:

- The Head of State reaffirmed his and the Government's commitment to maintaining the policy of providing medical care free of charge to persons living with HIV and sexually transmitted infections, and treatment for the opportunistic diseases designated in April 2007
- As a part of capacity-building in the treatment centres in district hospitals, (i) 27 doctors were trained to provide comprehensive treatment to persons living with HIV; (ii) nine CD4 test devices were purchased and installed in hospitals; (iii) three

voluntary screening centres were refurbished; (iv) 38 laboratory technicians were trained in the blot sampling technique

99. The impact of these efforts can be seen in the coverage of treatment centres, which rose to 76 per cent in 2009 from 38 per cent in 2008; the number of patients receiving antiretroviral drugs rose to 32,288 in 2009 from 17,900 in 2008; and the percentage of women and men at an advanced stage of HIV infection and receiving antiretroviral drugs rose to 48.92 per cent in 2009 from 33.58 per cent in 2008.

100. There are also plans to build and fully equip a hospital for the treatment of the mentally ill. The psychiatric hospital is operational and the National Centre for Support to Research (CNAR) is likewise operational and able to provide functional rehabilitation.

101. Programme capacity has been boosted. As regards tuberculosis:

- Treatment for tuberculosis and HIV was administered in 70 per cent of estimated cases of tuberculosis linked to concomitant HIV infection.
- The Population Activities Support Fund contributed drugs and other medical consumables worth 136,000 United States dollars.
- The hospitals in Moundou, Bessao, Massakory and elsewhere have been provided with microscopes and inputs; data gathering tools have been revised.
- Integrated supervision of the activities of operational laboratories and the treatments given in the health districts has been implemented.
- Health-care agents (doctors) have been trained and retrained on treatment under the DOTS (directly observed treatment, short course) strategy and laboratory technicians have been given refresher courses on tuberculosis screening techniques.
- These efforts have raised the nationwide DOTS strategy coverage of the national tuberculosis control programme to 61 per cent.
- Missions to boost the skills of local technicians have been organized in Moundou and Bébalem.
- 28 district head doctors have been trained to treat tuberculosis and TB/HIV coinfection ... 89 denominational public and private laboratory technicians were trained, and 304 community workers in 19 regional health offices have been trained

In 2009, with the Chadian Red Cross:

- For the water and sanitation programme, stand pipes and latrines were installed.
- Campaigns have been organized on the issues of polio, the expanded programme on immunization and the treatment of malnourished patients. These activities have benefited from the technical support of the Ministry of Public Health and financial support from other partners such as the International Committee of the Red Cross, the French Red Cross and the Spanish Red Cross.

Article 13

Economic and social life

102. Little information is available on the economic role of women. Women play a key part in rural production, even though they are usually denied the option of owning land. Women are also the main beneficiaries of microloan operations, particularly credits granted within the framework of the committee supporting efforts to reduce poverty and food

insecurity, a committee set up in 2006 by the Ministry for microcredit and poverty reduction. A division for the advancement of rural women has been set up in the Ministry of Agriculture and it is implementing a project on the empowerment of rural women with financing from the United Nations Population Fund within the framework of its fifth programme covering the period from 2006 to 2011. The Ministry for Social Action, Solidarity and the Family (directorate for the advancement of women and gender mainstreaming) is organizing women's groups and training them to start income-generating activities in rural and urban areas.

103. The bulk of rural women are victims of poverty. The vast majority are illiterate and have an exceptionally low level of human development, particularly as far as their health is concerned.

104. Rural women are barely present in the formal sector of the economy. Indeed, only 13 per cent of civil servants are women, a proportion that has remained unchanged between 2007 and 2010. Women are extremely underrepresented in management positions (around 20 out of 150 central administrative directors are women).

Article 14

Vulnerable groups of women

105. Act No. 007 of 2007 on the protection of persons with disabilities stipulates that persons with disabilities have the same constitutional rights as all Chadians (art. 4). The right of persons with disabilities to health, education, training, socio-economic inclusion, culture, sport, housing, leisure, communication and security is guaranteed by law, and they are provided with assistance in all areas of public and private life.

106. Women and girls who are members of associations receive Government aid in the form of scholarships, subsidies for their activities, radio and television airtime to inform the public of their programmes, training and cost-free access to certain services, tax breaks for women who run small businesses, assistance with setting up income-generating activities, and the like.

107. The Government's efforts to reduce poverty have included setting up a microcredit programme controlled by the ministry responsible for microfinance, poverty reduction and the advancement of vulnerable groups. Rural women who are members of groupings or involved in income-generating activities have received loans. In 2010, 25,435 women have benefited from microloans.

108. Field surveys have shown that 58.1 per cent of Chadian women are active in the country's agricultural sector. They play a major role in the subcontracting industry and are ubiquitous in the handicrafts sector. The drudgery of bringing nearly 90 per cent of staple foodstuffs to urban and rural marketplaces is left to women. Food security programmes and the national poverty reduction strategy have prioritized an improvement in the living standards of these women by giving them the means to provide for themselves and empowering them.

109. The division for the advancement of rural women in the Ministry of Agriculture is working to assist rural women's groupings, organize income-generating activities, set up grain banks, found mutual benefit societies and research the needs of rural women in order to implement an integrated development and empowerment policy geared towards reducing their poverty.

110. Women and children make up most of the estimated population of 170,000 internally displaced persons. Specifically, 53.2 per cent (88,637) of these displaced persons are women, children aged between 0 and 4 years number 32,670, including 16,689 girls;

there are 39,923 children, of whom 20,577 are girls, in the 5–9 age group; and young persons aged 14 to 24 number 20,185, including 10,073 young women.

111. The Government has worked together with the United Nations Mission in the Central African Republic and Chad to launch major awareness-raising campaigns to ensure that the public and all concerned parties realize that sexual violence is an offence under criminal law, to break the taboos surrounding sexual offences, and to lift the stigma and marginalization that afflict the victims and discourage them from lodging complaints.

112. The Integrated Security Detachment has been deployed near displaced persons' sites and refugee camps in order to protect, in particular, women and children, and a straightforward mechanism has been set up to receive complaints and systematically transmit them immediately to the competent authorities.

113. Local authorities and community leaders have been exposed to the "human rights/assistance for women and girl victims of sexual abuse, rape and armed conflict" project and ongoing awareness-raising among local chiefs will require further capacity-building.

114. Chad currently benefits from the support of the United Nations Development Programme and the United Nations Population Fund. Assistance from other countries and partners will also be necessary to build the capacity of this awareness-raising project.

115. It should also be noted that women who are members of groupings receive loans in amounts that vary according to the size of each grouping. The Government has put in place a national microfinance strategy for the period from 2009 to 2013 with a view to helping to reduce poverty and promote the harmonious development of vulnerable sectors of the population. As part of income-generating activities, other partners such as World Concern, International Relief & Development, OXFAM GB, the Food and Agriculture Organization of the United Nations, and the *La Future Porte du Tchad* agency are active in the east of the country where they provide assistance to displaced women. An overall rehabilitation programme is in the process of being adopted and should lead to a lasting improvement in the living conditions of displaced persons.

Article 16

Family relations

116. The French Civil Code of 1958 is still in force in Chad but the Constitution and the law leave room for local customs that do not threaten public order. The three main religions, namely, Islam, Christianity and animism, have strongly influenced laws and customs, particularly in the area of marriage.

117. Thus, influenced by Islam and animism, Ordinance No. 03/INT/SUR on regulations governing marital status authorizes polygamy on the express condition that this is indicated at the time of signing the marriage contract. The choice of monogamy is irreversible.

118. There are also Islamic and animist procedures for settling matters relating to inheritance and succession. However, people tend to turn to civil courts in the event of disputes arising from poor handling of such matters by these authorities, which discriminate against women and children.

119. A major national campaign was launched in 2009, under the patronage of the first lady, to raise the people's awareness of violence against women and practices that discriminate against women and prevent them from fulfilling their potential.

120. Regarding the concerns expressed by the Committee on the Rights of the Child over the fact that the only public establishment for children who are deprived of parental

protection did not admit girls, the reality at the time was that there was a problem with providing a facility to accommodate girls. The centre in question has now closed owing to a lack of resources. Discussions are under way with an NGO based in the United States in the hope of reopening the facility and thereby dispelling these concerns.

Optional Protocol to the Convention and amendment to article 20, paragraph 1

121. The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women was submitted by the Government but, regrettably, rejected. No further efforts have since been made to have it ratified. However, the Government is still actively engaged in dealing with this issue.

122. As regards the amendment to article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, pertaining to the Committee's meeting time, the Government is waiting to know which way the amendment will go before acting.

123. The Government of the Republic of Chad thanks the Committee and invites it to take note of the information in the reports transmitted by Chad to the other Committees and the Human Rights Council, as a complement to the information in the present document.

124. The Government takes this opportunity to express its desire to cooperate fully with the Committee on the Elimination of Discrimination against Women. It remains actively aware of the Committee's concerns and intends to address them in the interactive dialogue between the delegation of Chad and the Committee during its forty-seventh session scheduled for October.
