



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

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**Committee on the Elimination of  
Discrimination against Women**

**Fiftieth session**

3 – 21 October 2011

**Concluding observations of the Committee on the  
Elimination of Discrimination against Women**

**Chad**

1. The Committee considered the combined initial to fourth periodic report of Chad (CEDAW/C/TCD/1-4) at its 1009th and 1010th meetings, on 12 October 2011 (see CEDAW/C/SR.1009 and 1010). The Committee's lists of issues and questions are contained in CEDAW/C/TCD/Q/4 and CEDAW/C/TCD/Q/4/Add.2, and the responses of Chad are contained in CEDAW/C/TCD/Q/4/Add.1 and 3.

**A. Introduction**

2. The Committee appreciates that the State party submitted its combined initial to fourth periodic report, although it was long overdue, and lacked specific sex-disaggregated data and references to the Committee's general recommendations. The Committee also appreciates the written replies to the list of issues and questions raised by its pre-session working group and the further clarifications to the questions posed orally by the Committee.

3. The Committee notes with concern the changes in the composition of the delegation of the State party, and regrets the absence of representatives from relevant ministries and institutions from N'Djamena, including women, with expertise in the areas covered by the Convention. The Committee, however, appreciates the dialogue that took place between the representative of the Permanent Mission of the Republic of Chad to the United Nations in Geneva and the members of the Committee.

**B. Positive aspects**

4. The Committee notes with appreciation that the advancement of women rights and gender equality has been included, in August 2011, as one of the priorities in the agenda of the Government, as indicated by the delegation during the dialogue.

5. The Committee commends the adoption of:

(a) Act No. 006/PR/02 of 15 April 2002 on reproductive health, which prohibits domestic and sexual violence as well as harmful practices such as female genital mutilation (FGM) and early marriages (art. 9);

(b) Decree No. 414/PR/PM/MEN/2007 of 17 May 2007, which establishes the Directorate for the Advancement of Girls' Education within the Ministry of Education.

6. The Committee welcomes the efforts of the State party, in cooperation with a number of United Nations agencies, to be more responsive to incidents of sexual and gender-based violence in eastern Chad, in particular by providing training on sexual and gender-based violence prevention and response to officials from the *Détachement Intégré de Sécurité* (DIS) and to its national police, by recruiting female police officers and by opening gender-unit posts in the refugee camps.

7. The Committee notes the signature, in 2010, of the Chad-Sudan normalization agreement aimed at, inter alia, demobilizing Chadian and Sudanese rebel groups from eastern Chad and establishing a joint monitoring border mechanism.

8. The Committee welcomes the ratification by the State party of the following international human rights treaties since the entry into force of the Convention for the State party in 1995:

(a) The Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, in 2002;

(b) The Rome Statute of the International Criminal Court, in 2006;

(c) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol), in 2009;

(d) The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), in 2011.

### **C. Factors and difficulties preventing the effective implementation of the Convention**

9. The Committee recognizes that due to decades of internal strife, international conflicts, the persistence of armed conflict in the east and in the southeast of Chad and the waves of internally displaced persons and refugees, as well as the humanitarian crisis, the State party has faced and continues to face difficulties in the implementation of the Convention.

### **D. Principle areas of concern and recommendations**

**10. The Committee recalls the State party's obligation to systematically and continuously implement all the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, and views the concerns and recommendations identified in the present concluding observations as requiring the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee urges the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls upon the State party to disseminate the present concluding observations to all relevant ministries, to the National Assembly and to the judiciary, so as to ensure their full implementation.**

### National Assembly

**11. While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the State party's obligations under the Convention, the Committee stresses that the Convention is binding on all branches of the State apparatus, and it invites the State party to encourage its National Assembly, in line with its procedures, where appropriate, to take the necessary steps with regard to the implementation of the present concluding observations and the next reporting process of the Government under the Convention.**

### Harmonization of laws

12. The Committee notes that according to article 222 of the Constitution of 1996, revised by Constitutional Act No. 08/PR/2005, the Convention takes precedence over national law and that according to article 158, national law prevails in case of conflict between two or more customary rules. It also notes the general recognition in the legislation of the principles of equality and non-discrimination between men and women, in particular in article 14 of the Constitution, article 6 of Act No. 038/PR/96 on the Labour Code and article 7 of Act No. 17/PR/01 on the general status of the civil service. However, it is concerned about the lack of clarity with respect to the actual status of customary and religious law vis-à-vis national law and its impact on the effective incorporation of the Convention in the national legislation and on its effective implementation in the State party, due to the strong patriarchal character of Chadian society, as well as the guarantor role of the traditions and customs of the country constitutionally granted to traditional leaders. The Committee expresses its concern at the pending codification of about 200 customary rules and the consequent coexistence of modern, customary and religious rules/provisions; the long delay in adopting the draft code on the person and the family and the non-compliance of some of its proposed provisions with the Convention; the apparent inaction regarding the re-examination of the 1996 bill prohibiting discriminatory practices in Chad; and the lack of provisions sanctioning all forms of discrimination.

**13. The Committee calls upon the State party:**

**(a) To raise awareness on the precedence of national law over customary law and of the Convention over national law, within the judiciary, and among traditional and religious leaders;**

**(b) To carry out a comprehensive review process of its legislation with a view to, inter alia, repealing existing discriminatory provisions against women within customary, religious and modern laws and guaranteeing that these bodies of law are harmonized with the Constitution and the Convention; and set up a clear time frame for the completion of such review process;**

**(c) To ensure that within the legal order, women enjoy formal and substantive equality with men in all sectors, including adequate sanctions prohibiting direct and indirect discrimination against women as defined in article 1 of the Convention, as well as remedies for violations of rights;**

**(d) To review, as a priority, the draft code on the person and the family to ensure that its provisions are in line with the Convention, and proceed promptly to its adoption;**

**(e) To take the necessary steps towards the enactment of the act prohibiting discriminatory practices in Chad, as previously recommended by the Committee on the Elimination of Racial Discrimination (CERD/C/TCD/CO/15, para. 14);**

**(f) To collaborate with women and human rights organizations willing to participate in the review process of the national legislation, and sensitize religious and traditional groups and leaders on the importance of such review and ensure their participation in it.**

**Legal complaint mechanisms**

14. The Committee expresses its serious concern about the multiple factors that prevent women from effectively accessing justice, such as poverty, illiteracy and the fragile and dysfunctional justice system in the State party. It is concerned that despite efforts to reform the judiciary, the number of courts and qualified judicial personnel is insufficient; the independence of judges is not guaranteed and impunity prevails over the application of law; and traditional justice mechanisms that are discriminatory against women, such as *diyya*, are persistently used to settle cases of rape and other forms of violence against women.

**15. The Committee recommends that the State party:**

**(a) Continue its efforts to reform and strengthen the judicial system, in order to ensure that women have effective access to justice, by, for example, providing systematic training to judges, prosecutors and lawyers on applying relevant laws in a gender-sensitive manner in conformity with the Convention;**

**(b) Take measures to sensitize the public on the importance of addressing violations of women's rights through judicial rather than traditional justice mechanisms, with the aim to abandon the use of discriminatory practices, such as *diyya* and forcing a victim of rape to marry the perpetrator, and also to ensure that victims have access to effective remedies and reparations;**

**(c) Provide in a sustained manner free legal aid services to women and girls who have been victims of human rights violations, implement legal literacy programmes and increase awareness of the ways to use available legal remedies against discrimination, and monitor the results of such efforts; and join efforts with civil society organizations, such as, among others, the Chad Association of Women Lawyers, in the provision of those services.**

**National machinery for the advancement of women**

16. The Committee notes that the national machinery for the advancement of women comprises the Directorate for the Advancement of Women and Gender Integration of the Ministry of Social Action, National Solidarity and the Family, and it also notes the efforts undertaken to develop a national gender policy. However, the Committee is concerned that the capacity and resources of the national machinery have not been adequately strengthened, especially at the regional level, to ensure effective coordination among different ministries, such as the Ministry for Human Rights and the Promotion of Freedoms, the Ministry of Education, the Ministry of Public Health and the Ministry of Agriculture, as well as other institutions at various levels, in the formulation and implementation of gender equality policies and programmes and in the prioritization of women's rights in social and economic development strategies.

**17. The Committee, recalling its general recommendation No. 6 (1988) and the guidance provided in the Beijing Platform for Action, in particular regarding the necessary conditions for the effective functioning of national mechanisms, recommends that the State party:**

**(a) Strengthen the capacity of the Directorate for the Advancement of Women and Gender Integration by providing it with adequate human, technical and financial resources, at all levels, to increase its effectiveness in formulating, implementing, providing advice on, coordinating and overseeing the preparation and implementation of laws and policy measures in the field of gender equality and in mainstreaming gender perspectives in all laws and policies;**

**(b) Provide training on gender equality to women and men working in the Ministry of Social Action, National Solidarity and the Family, including its**

representatives at the regional level, as well as to those working in other government departments at the national and regional levels;

(c) Give priority attention to women's rights, non-discrimination and gender equality, including by taking into consideration the Committee's recommendations in the current development of the national gender policy;

(d) Incorporate a result-oriented approach, including specific indicators and targets in the national gender policy.

#### **National human rights institution**

18. The Committee reiterates the concern of various treaty bodies (E/C.12/TCD/CO/3, para. 10, CCPR/C/TCD/CO/1, para. 12, CERD/C/TCD/CO/15, para. 12 and CAT/C/TCD/CO/1, para. 27), with respect to the lack of independence of the National Human Rights Commission, which is placed under the authority of the Prime Minister, and its lack of human and financial resources.

19. The Committee encourages the State party to undertake, in consultation with a broad base of civil society representatives and with the support of the Office of the United Nations High Commissioner for Human Rights, the necessary steps to empower the National Human Rights Commission, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), and to work with it to enhance women's awareness of their rights and their ability to claim those rights.

#### **Stereotypes and harmful practices**

20. The Committee is concerned about the persistence of patriarchal attitudes and deep-rooted stereotypes concerning women's roles and responsibilities that discriminate against women and perpetuate their subordination within the family and society. It notes that such discriminatory attitudes and stereotypes constitute serious obstacles to women's enjoyment of their human rights and the fulfilment of the rights enshrined in the Convention. The Committee is thus concerned by the lack of political will to take comprehensive actions to modify or eliminate stereotypes and negative traditional values and practices in Chad. The Committee also expresses serious concern about the persistence of entrenched harmful cultural norms and practices, including FGM, early marriages, sororate (a widower marries the sister of his deceased spouse), levirate ("wife inheritance", in which a man takes on in marriage the widow of his deceased brother) and polygamy in Chad.

21. The Committee urges the State party:

(a) To put in place a comprehensive strategy to modify or eliminate harmful practices and stereotypes that discriminate against women in conformity with article 2, and specifically 2 (f), and article 5 (a) of the Convention. The strategy should include awareness-raising efforts targeting the general public and the media, including religious and community leaders, and be undertaken in collaboration with civil society and women's organizations;

(b) To use innovative and effective measures targeting young people and adults to strengthen understanding of the equality of women and men, and to work with the education system, both formal and informal, as well as with the mass media, to enhance a positive and non-stereotypical portrayal of women;

(c) To monitor and review the measures taken in order to assess their impact and to take appropriate action, and include in its next report clear information on this issue.

**Female genital mutilation and violence against women**

22. The Committee expresses serious concern at the high prevalence of sexual and gender-based violence, including FGM, rape and domestic violence, in the State party. It is deeply concerned that violence against women is accompanied by a culture of silence and impunity that has impeded the investigation, prosecution and punishment of the perpetrators of sexual and gender-based violence, regardless of their ethnic group, for acts committed during conflict and post-conflict times. In this context, the Committee also notes with concern that the vast majority of cases of domestic and sexual violence remain underreported due to cultural taboos and the victims' fear of being stigmatized by their communities. It is further concerned that at least 45 per cent of women in Chad have been subjected to FGM and it deeply regrets the lack of implementation of the Act on reproductive health (2002), which prohibits FGM, early marriages, domestic and sexual violence. Likewise, the Committee regrets the lack of information on the impact of the measures and programmes in place to reduce incidences of all forms of violence against women and girls. The Committee is also concerned about the lack of availability of social support services, including shelters, for the victims.

**23. The Committee calls upon the State party:**

**(a) To give priority to the implementation of the Act on reproductive health (2002) through the amendment of the relevant legislation or the adoption of a comprehensive law on violence against women, and to provide for sanctions against perpetrators of violence against women, including FGM, early marriages and domestic and sexual violence, and ensure the investigation of cases, as well as the prosecution and punishment of perpetrators;**

**(b) To take the necessary measures, including ensuring adequate budgetary allocations and strengthening its cooperation with civil society organizations on the ground, to provide protection, relief and remedies, such as appropriate compensation and social and support services, to victims and their families;**

**(c) To strengthen its cooperation with the relevant international organizations, particularly the United Nations Population Fund, to finalize the National Strategy for the Prevention of Sexual Gender-based Violence, in accordance with the Committee's general recommendation No. 19 (1992) on violence against women, and proceed to its immediate implementation;**

**(d) To raise public awareness, through the media and education programmes, of the fact that all forms of violence against women, including FGM, are a form of discrimination under the Convention and therefore in violation of women's rights.**

**Trafficking and exploitation of prostitution**

24. While taking note of the National Plan against Trafficking, the Committee is concerned at the lack of information about the extent of the phenomenon of trafficking in women, despite the acknowledgement of the State party of the occurrence of the phenomenon within its territory. It is also concerned at reports about cases of children, particularly girls, who are sold by their parents to relatives or strangers, as well as about cases of girls who are kidnapped and sent to N'Djamena or other regions. In this context, the Committee expresses its concern about the fact that trafficking in persons is not defined as an offence in the Criminal Code. It also notes with concern the lack of statistics on the number of women and girls who are victims of trafficking for sexual and economic exploitation. In addition, the Committee regrets the lack of detailed information provided on the existence and implementation of regional and bilateral memorandums of understanding and/or agreements with other countries on trafficking and the inadequacy of the information provided on the prosecution and punishment of traffickers.

**25. The Committee urges the State party:**

(a) To amend the Criminal Code so as to include trafficking in persons as an offence, and to consider adopting a comprehensive law against trafficking in persons, in line with the Palermo Protocol, in order to fully implement article 6 of the Convention, and to ensure that perpetrators are prosecuted and punished and victims adequately protected and assisted;

(b) To effectively implement its National Action Plan against Trafficking and consider the establishment of a national mechanism to coordinate efforts towards preventing and combating trafficking in persons and protecting victims;

(c) To provide information and training on how to identify and deal with victims of trafficking and on anti-trafficking provisions in the domestic law to the judiciary, law enforcement officials, border guards and social workers;

(d) To ensure systematic monitoring and periodic evaluation, including the collection and analysis of data on trafficking and on the exploitation of women in prostitution, and to include such data in its next periodic report;

(e) To conduct comparative studies on trafficking and prostitution and address their root causes, including poverty, in order to eliminate the risk of girls and women falling victim to sexual exploitation and trafficking, and to undertake efforts for the recovery and social integration of the victims;

(f) To increase its efforts at international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking through information exchange and to harmonize legal procedures on the prosecution and punishment of traffickers.

**Participation in political and public life**

26. The Committee acknowledges the information provided by the State party stating that women represent 21 per cent of the total number of public officers and that women occupy 28 out of the 188 seats in the National Assembly. It also notes that article 3 of the Electoral Code, as revised in 2007, grants to all Chadians, without discrimination, the right to vote and to be elected. However, the Committee is concerned at the low level of participation of women in political and public life, especially in decision-making positions and in the local administration, as well as in the diplomatic service. It regrets the lack of political will to substantially increase the number of women participating in political and public life, as demonstrated by the long delay in the adoption of the draft act on quotas for women (1999), and by the lack of temporary special measures to accelerate de facto equality between men and women with respect to their participation in the political and public life of the State party, in accordance with article 4, paragraph 1, of the Convention. It is further concerned at the lack of accurate data on the number of women holding positions at all levels in the public administration, as well as in other areas of public and professional life, including trade unions and the private sector.

**27. The Committee recommends that the State party:**

(a) Prioritize the adoption of the draft act on quotas for women (1999), and pursue sustained policies aimed at the promotion of women's full and equal participation in decision-making as a democratic requirement in all areas of public, political and professional life, by utilizing the Committee's general recommendation No. 23 (1997) on women in public life, and by adopting, wherever necessary, temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25 (2004), in order to accelerate women's full and equal participation in public and political life;

**(b) Implement awareness-raising activities about the importance of women's participation in decision-making for society as a whole, and develop targeted training and mentoring programmes for women candidates and women elected to public office as well as programmes on leadership and negotiation skills for current and future women leaders;**

**(c) Monitor the effectiveness of measures taken and results achieved, and inform the Committee thereof in its next report.**

#### **Participation of women in the peace process**

28. The Committee welcomes the information provided by the State party to the effect that the membership of the Commission for Conflict Resolution includes women, although details are lacking on its present composition as well as on the percentage of women and men represented in the Commission. It is concerned about the lack of detailed information on the actual participation of women at all levels within the mechanisms mandated to determine the national policy towards the stabilization of the State party in the current post-conflict reconstruction period.

#### **29. The Committee calls upon the State party:**

**(a) To formulate and adopt a national plan of action to implement Security Council resolution 1325 (2000) in an integrated manner with the Convention in order to incorporate a gender perspective in peace processes, with the aim to initiate strategic actions, identify priorities and resources, and determine responsibilities and time frames at a national level regarding women, peace and security;**

**(b) To fully involve all women concerned in all stages of the peace process, including by ensuring them equal opportunity and participation in the decision-making processes, with the aim to better incorporate the needs of women and girls during the post-conflict reconstruction process, including in areas such as repatriation and resettlement, and rehabilitation and reintegration.**

#### **Education**

30. The Committee welcomes the measures taken to address the gaps between boys and girls with respect to primary and secondary education, such as the reduction of school fees for girls compared with those for boys. However, it is concerned about the extremely low participation of girls at the secondary level and in technical vocational institutions and about the prevalence of a range of issues that impede their participation. These include parents' prejudices against modern schools and prioritization of their son's education; early marriages and pressure on pregnant teenagers to leave school; sexual harassment in schools; poverty and girls' involvement in income-generating activities; the lack of adequate infrastructure, including water and separated sanitation facilities for girls; and the long distance to school and the risk of sexual harassment and violence that girls face on the way. The Committee is deeply concerned at the low literacy rate in the State party and that adult women are disproportionately affected, with twice as many women as men being illiterate.

#### **31. The Committee recommends that the State party:**

**(a) Take steps to ensure de facto equal access of girls and young women to all levels of education, to retain girls in schools and to strengthen the implementation of re-entry policies enabling young women to return to school after pregnancy across the country;**

**(b) Identify measures to reduce and prevent dropouts among girls, and consider developing accredited non-formal education programmes for girls who drop out;**



(c) **Strengthen its efforts to improve the literacy rate of women through the adoption of comprehensive programmes of formal and non-formal education and training.**

### **Employment**

32. While appreciating the information provided by the State party on employment, the Committee notes with concern that the report does not provide sufficient information on measures taken, including temporary special measures, to eliminate discrimination against women in the field of employment. Neither does it provide sufficient information on existing available skills training, provided by, for example, the National Fund for Occupational Training (FONAP), and resources available for women, or on pay differentials between women and men in practice and the situation of women in the informal sector. The Committee regrets that Ordinance No. 006/PR/84, which allows a husband to object to the trading activities of his wife, is still in force, and wishes to draw the attention of the State party that such a provision is contrary to the Convention, as it impedes women's free choice of profession and employment. It is further concerned at the lack of provisions prohibiting sexual harassment in the workplace.

**33. The Committee urges the State party to ensure equal opportunities for women in the labour market, in accordance with article 11 of the Convention. To this end, it recommends that the State party:**

(a) **Adopt effective measures in the formal labour market, including temporary special measures, to eliminate both horizontal and vertical occupational segregation; to narrow and close the wage gap between women and men; and to ensure the application of the principle of equal remuneration for equal work and work of equal value, and equal opportunities at work;**

(b) **Review the relevant labour-related legislation with a view to repeal all discriminatory provisions against women, in particular Ordinance No. 006/PR/84;**

(c) **Enact specific legislation prohibiting sexual harassment in the workplace;**

(d) **Prepare a plan of action for the protection of women working in the informal sector, including women's access to social security and other benefits;**

(e) **Include in its next periodic report legislative and other measures taken to protect women from sexual harassment in the workplace.**

### **Health**

34. While welcoming the adoption of the National Health Care Policy (2007-2015), the road map to reduce maternal mortality and the strategic plan on combating HIV/AIDS, the Committee is concerned about the deterioration of health indicators in the State party, including maternal mortality (1,200/100,000 live births in 2008 compared to 1,099/100,000 live births in 2004). It is further concerned that sociocultural factors, illiteracy and poverty, as well as geographic constraints (concentration of human and material resources in urban areas) remain major obstacles in access by women, including rural women, to health services. In this context, it is also concerned at the low rate of contraceptive use, particularly in rural areas (1 per cent, against 10 per cent in urban areas). In addition, the Committee is concerned at reports indicating that women, including pregnant women (4 per cent prevalence) and sex workers (20 per cent prevalence), are disproportionately affected by HIV/AIDS.

**35. The Committee calls upon the State party:**

**(a) To ensure the implementation of the National Health Care Policy (2007-2015);**

**(b) To address the obstacles to women's access to health care, including sociocultural norms and the weak economic status of women in rural and urban areas, that constitute a risk to women;**

**(c) To take actions to involve men in the use of contraceptives, with a view to fostering responsible parenthood, and to adequately fund family planning services and health-care centres with a view to improving accessibility for women in rural areas;**

**(d) To strengthen efforts to expand access to antiretroviral treatment and prevention of mother-to-child transmission services as indicated in the State party's replies to the list of issues and questions;**

**(e) To develop policies aimed at addressing multiple discrimination and violence against women based on the intersection between violence and HIV/AIDS.**

#### **Economic empowerment**

36. The Committee notes with interest the specific projects carried out in the State party aimed at promoting the economic development of women by granting credit to female groups or microcredit for women who do not have access to normal banking credit facilities. It welcomes the fact that women are the primary beneficiaries of the microcredit granted by the committee supporting efforts to reduce poverty and food insecurity, launched by the Ministry of Micro-Finance and Poverty Reduction in 2006. However, it is concerned that most women, in particular rural women, still face discrimination in their economic empowerment, given that they experience widespread poor socio-economic conditions and stereotypes against them. It also notes with concern that in the Chadian context, access to modern credit facilities by women is a new phenomenon and therefore it remains a challenge for women, owing to their lack of collateral and the lack of understanding of the conditions attached to credit.

**37. The Committee urges the State party to make the promotion of gender equality an explicit component of its national, state and local development plans and programmes, in particular those aimed at poverty reduction and sustainable development, so that equality constitutes a focus of attention in all public policies. The Committee also encourages the State party to strengthen its efforts to promote the economic empowerment of women through easier access to employment, credit, land and other resources taking into account their social realities. It recommends that the State party increase its efforts to encourage and support women's entrepreneurship, especially among rural women, including by providing training and access to credit.**

#### **Rural women**

38. The Committee notes the operation since 2006 of the Project CHD 5 G 104 on the empowerment of rural women, and the information provided by the delegation during the interactive dialogue regarding the importance of rural women in the agenda of the Government. However, the Committee is concerned about the disadvantaged position of women in rural and remote areas, recognizing that the conditions faced by such women, who represent almost 80 per cent of the women in Chad, are often characterized by poverty, the impact of armed conflict, difficulties in access to health and social services and a lack of participation in decision-making processes at the community level. The Committee also expresses its concern that customs and traditional practices, prevalent in rural areas, prevent women from inheriting or acquiring ownership of land and other property. It is particularly

concerned about the impact of the oil boom on rural women's living conditions since the State party's entrance, in 2003, into the circle of oil-exporting countries, and regrets the lack of information in this regard in the report.

**39. The Committee calls upon the State party:**

(a) To take the necessary measures to ensure the participation of rural women in the designing and implementation of local development plans, including those aimed at transforming and diversifying the economic structure as a result of the oil boom;

(b) To ensure that rural women, and in particular women heads of households, participate in decision-making processes and have improved access to health, education, clean water and sanitation services, fertile land and income-generating projects;

(c) To eliminate all forms of discrimination with respect to the ownership, sharing and inheritance of land;

(d) To introduce measures to address negative customs and traditional practices, especially in rural areas, which affect the full enjoyment of all rights of women, including the right to property;

(e) To provide detailed information in its next periodic report on the results of the Project CHD 5 G 104 on the empowerment of rural women and on the impact on the living conditions on rural women of the oil-exporting era.

**Disadvantaged groups of women**

40. While noting the improvement in the security situation in eastern Chad and the efforts of the State party to protect refugee camps and IDP sites, the Committee is particularly concerned about the high risk faced by refugee and internally displaced women and girls of becoming victims of sexual and gender-based violence, including rape inside and outside the refugee camps and the IDP sites. It is further concerned about similar risks faced by refugee and internally displaced women and girls in other parts of the country, particularly in the south. The Committee is deeply concerned about reports indicating that a considerable number of the victims are children, including girls, and that some of them are as young as 5 years old. It regrets that most of the cases remain unreported and that even those which are reported, approximately 430 up to mid-2011, are solved through traditional dispute mechanisms due to the absence of legal protection alternatives for victims and a fragile judiciary system, which perpetuates impunity for perpetrators.

**41. The Committee urges the State party:**

(a) To strengthen its efforts to improve the security of the refugee camps and IDP sites to ensure that women and girls are effectively protected;

(b) To conduct systematic sensitization activities and trainings on sexual and gender-based violence, including on methods of prevention and effective response, for officials of the *Détachement Intégré de Sécurité* and other enforcement officials, including female officers, in charge of securing the refugee camps and IDP sites;

(c) To enhance its efforts to recruit more female officials to be deployed at the refugee camps and IDP sites, with a view to facilitating the reporting of sexual and gender-based violence incidents and legal follow-up with the victims;

(d) To provide these women with effective access to legal remedies and ensure that such cases are fully and promptly investigated and that perpetrators are brought to justice, regardless of whether they are State or non-State actors, and ensure adequate reparations, where appropriate;

(e) **To reinforce its cooperation with the United Nations on the ground and with international and local humanitarian organizations to provide medical and psychological support to survivors of sexual and gender-based violence, including rape.**

#### **Marriage and family relations**

42. The Committee is concerned about the existence of a combination of customary, religious and modern marital laws, which contain discriminatory elements against women. In particular, it expresses its concern about the possibility of polygamy if the spouses do not expressly renounce it when signing the marriage contract (art. 11 of Ordinance No. 03/INT/SUR of 1961); the lack of recognition of the full legal capacity of a married woman to execute legal deeds; the existence of discriminatory legal provisions relating to inheritance and succession rights for women; and the persistence of early marriages, despite its prohibition under article 9 of the Act on reproductive health (2002). The Committee also notes with concern the inconsistencies regarding the minimum age of marriage for women: in article 144 of the Civil Code, the minimum age is set at 15 years, while according to article 277 of the Criminal Code, customary law marriages of girls above 13 years are legal. It is further concerned that both provisions are contrary to international standards, as they discriminate, particularly, against girls between the ages of 13 and 15 years and girls between the ages of 15 and 18 years. Furthermore, it regrets that the draft code on the person and the family proposes to raise the minimum age of marriage only to 17 years for girls.

**43. The Committee recalls article 16 of the Convention on the equality of women and men in marriage and family relations and its general recommendation No. 21 (1994), and calls on the State party to eliminate discrimination against women and girls in all matters relating to marriage, family relations and succession by:**

(a) **Reviewing the draft code on the person and the family and ensuring that it, inter alia, prohibits polygamy, raises the minimum age of marriage for women to 18 years, guarantees equal inheritance and succession rights to women and recognizes the full legal capacity of women, with a view to bringing it in line with the Convention;**

(b) **Taking the necessary measures to prioritize the adoption of the draft personal and family code;**

(c) **Undertaking awareness-raising activities throughout the country on the negative effects of early marriages for girls, highlighting in particular the long-term effect on women as regards the enjoyment of their rights to health and education, with a view to implementing the Act on reproductive health.**

#### **Data collection**

44. The Committee is concerned that the sex-disaggregated data provided by the State party, in all fields covered by the Convention, are limited and outdated. It notes that updated data are necessary for an accurate assessment of the situation of women, for informed and targeted policymaking, and for the systematic monitoring and evaluation of progress achieved towards the realization of women's substantive equality in regard to all areas covered by the Convention.

**45. The Committee calls upon the State party to enhance the collection of comprehensive data disaggregated by sex and of measurable indicators to assess trends in the situation of women and progress towards the realization of women's substantive equality. In this regard, it draws the State party's attention to the Committee's general recommendation No. 9 (1989) on statistical data concerning the situation of women and encourages the State party to seek technical assistance from**

relevant United Nations agencies and to enhance its collaboration with women's associations on the ground that could assist in securing the collection of accurate data.

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

46. The Committee encourages the State party to ratify the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.

#### **Beijing Declaration and Platform for Action**

47. The Committee urges the State party, in the implementation of its obligations under the Convention, to fully utilize the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.

#### **Millennium Development Goals**

48. The Committee emphasizes that full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. Noting that the State party is not on track to meet its 2015 Millennium Development Goal targets, the Committee calls for the prioritization of its efforts aimed at the achievement of the Goals, in consultation with relevant partners and within the United Nations Development Assistance Framework (UNDAF). It also calls for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Goals and requests the State party to include information thereon in its next periodic report.

#### **Dissemination**

49. The Committee requests the wide dissemination in Chad of the present concluding observations in order to make the people, Government officials, politicians, parliamentarians, women's and human rights organizations and the media aware of the steps that have been taken to ensure the de jure and de facto equality of women and of the further steps that are required in that regard. The Committee recommends the use of innovative and creative means of communication adapted to the high levels of illiteracy in the country so as to ensure that the present concluding observations are widely disseminated at the local community level. The State party is encouraged to organize a series of meetings to discuss progress achieved in the implementation of these concluding observations. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly on the theme "Women 2000: gender equality, development and peace for the twenty-first century".

#### **Technical assistance**

50. The Committee recommends that the State party consider seeking international assistance and avail itself of technical assistance in the development and implementation of a comprehensive programme aimed at the implementation of the above recommendations as well as the Convention as a whole. The Committee also calls upon the State party to strengthen further its cooperation with specialized agencies and programmes of the United Nations system, including the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Statistics Division, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Population Fund, the World

Health Organization, and the Office of the United Nations High Commissioner for Human Rights.

**Ratification of other treaties**

51. The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the Government of Chad to consider ratifying the treaties to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities.

**Follow-up to concluding observations**

52. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 13 and 29 above.

**Preparation of next report**

53. The Committee requests the State party to ensure the wide participation of all ministries and public bodies in the preparation of its next report, and to consult a variety of women's and human rights organizations during that phase.

54. The Committee requests the State party to respond to the concerns expressed in the present concluding observations in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its fifth periodic report in October 2015.

55. The Committee invites the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents, approved at the fifth Inter-Committee Meeting of the human rights treaty bodies, in June 2006 (HRI/MC/2006/3 and Corr.1). The treaty-specific reporting guidelines adopted by the Committee at its fortieth session, in January 2008 (A/63/38, Part one, annex I), must be applied in conjunction with the harmonized reporting guidelines on a common core document. Together, they constitute the harmonized guidelines on reporting under the Convention on the Elimination of All Forms of Discrimination against Women. The treaty-specific document should be limited to 40 pages, while the updated common core document should not exceed 80 pages.

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance, and the Convention on the Rights of Persons with Disabilities.