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resolution 16/21**

Chad

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, the Office of the High Commissioner for Human Rights (OHCHR), and other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

I. Background and framework

A. Scope of international obligations¹

International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1977) ICESCR (1995) ICCPR (1995) CEDAW (1995) CAT (1995) CRC (1990) OP-CRC-AC (2002) OP-CRC-SC (2002) CPED (signature only, 2007)	OP-CAT (signature only, 2012) ICRMW (signature only, 2012) CRPD (signature only, 2012)	ICCPR-OP 2
<i>Reservations, declarations and/or understandings</i>	OP-CRC-AC (declaration, art. 3, para. 2, age of recruitment 18 years, 2002)		
<i>Complaint procedures, inquiry and urgent action³</i>	ICCPR-OP 1, art. 1 (1995) CAT, art. 20 (1995)	OP-CEDAW (signature only, 2012) ICRMW, arts. 76 and 77 (signature only, 2012) OP-CRPD, arts. 1 and 6 (signature only, 2012)	ICERD, art. 14 OP-ICESCR ICCPR, art. 41 CAT, arts. 21 and 22 OP-CRC-IC CPED (signature only, 2007)

Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Conventions on refugees and stateless persons ⁴ Geneva Conventions of 12 August 1949 and Additional Protocols I and II ⁵ Rome Statute of the International Criminal Court ILO fundamental conventions ⁶	Palermo Protocol (2009) ⁷	Convention on the Prevention and Punishment of the Crime of Genocide ILO Conventions No. 169 and No. 189 ⁸ Additional Protocol III to the 1949 Geneva Conventions ⁹ UNESCO Convention against Discrimination in Education

1. In 2009, the Human Rights Committee (HR Committee) urged Chad to ratify ICCPR-OP 2.¹⁰

2. The Committee on Economic, Social and Cultural Rights (CESCR) urged Chad to consider signing and ratifying OP-ICESCR, CRPD and OP-CRPD.¹¹

3. In 2011, the Committee on the Elimination of Discrimination against Women (CEDAW) encouraged Chad to ratify OP-CEDAW, to accept the amendment to article 20, paragraph 1 of the Convention¹² as well as to consider ratifying CPED and CRPD.¹³

4. Several treaty bodies encouraged Chad to consider ratifying ICRMW.¹⁴

B. Constitutional and legislative framework

5. The Secretary-General noted that most political parties had participated in the legislative elections held on 13 February 2011. He stated that the elections were carried out peacefully, notwithstanding allegations by some opposition parties that there had not been a level playing field for all candidates. One hundred thirteen seats out of 188 had been won by the ruling party, the Mouvement patriotique du salut. The Constitutional Council, however, subsequently annulled the results of the vote in three districts, representing 13 seats, in which serious irregularities had been found.¹⁵ Regarding the presidential elections which took place on 25 April 2011, the Office of the High Commissioner for Human Rights (OHCHR) noted that the main opposition parties, having criticized the legislative process, had decided not to participate in these elections and as a result, the incumbent was re-elected with 88 per cent of the votes.¹⁶

6. OHCHR encouraged Chad to move forward with the adoption of a Child Protection Code, a Persons and Family Code, and the reform of the Penal Code in particular to address impunity for sexual and gender-based violence, trafficking of children, entrenched harmful cultural practice and torture.¹⁷

7. In 2009, the Committee against Torture (CAT) encouraged Chad to involve non-governmental organizations (NGOs), United Nations experts in the field and academic experts in the review of domestic legislation to bring it into line with the Convention and to adopt the draft criminal code without delay.¹⁸

8. The HR Committee was concerned that the rights protected by ICCPR had not been fully integrated into domestic law.¹⁹

9. The HR Committee was concerned by the lack of clarity in the legal provisions allowing the authorities to declare a state of emergency and to derogate from obligations provided for in ICCPR.²⁰

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions²¹

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle²²</i>
Commission nationale des droits de l'homme (CNDH)	A with reservation	B

10. OHCHR stated that the National Human Rights Commission (NHRC) was neither operational nor compliant with the Paris Principles.²³ CAT underlined the lack of human and financial resources, lack of independence and lack of pluralism of the NHRC and urged Chad to ensure its effective functioning.²⁴ Several treaty bodies raised similar concerns and made recommendations.²⁵

11. The United Nations Mission in the Central African Republic and Chad (MINURCAT) and OHCHR noted that because the National Human Rights Commission was not functioning properly, the Ministry of Human Rights had become the sole institution responsible for human rights and that it sometimes carried out functions that would normally be the responsibility of the Commission, such as the investigation of human rights violations.²⁶

12. The Secretary-General stated that among the human rights challenges in Chad was the weak capacity of the NHRC and the Office of the Ombudsman.²⁷

13. MINURCAT-OHCHR recalled that the first National Forum on Human Rights had been held in Chad in March 2010, and that further to its recommendations the Government had undertaken to draw up a national plan of action for human rights.²⁸

14. In 2009, the Committee on the Elimination of Racial Discrimination (CERD) encouraged Chad to persevere with the work being done by the National Commission of Inquiry (NCI) which investigated the January–February 2008 events in N’Djamena, and to act on its recommendations.²⁹

15. The HR Committee urged Chad to institute a nationwide human rights education programme.³⁰

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies³¹

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	August 1995	2012	August 2009	Sixteenth to eighteenth reports pending consideration
CESCR	-	-	November 2009	Fourth and fifth reports overdue since 2012
HR Committee	-	2012	July 2009	Second report pending consideration
CEDAW	-	2010–	October 2011	Fifth report due in 2015
CAT	-	-	April 2009	Second report overdue since 2012
CRC	January 2009	-	-	Third to fifth report overdue since 2012/initial reports to OP-CRC-AC and OP-CRC-SC overdue since 2004

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CERD	2010	NCI; NHRC; and protection of refugees and internally displaced persons (IDPs) ³²	-
HR Committee	2010	Impunity of human rights violations; protection of IDPs; implementation of recommendations of NCI; and protection of one individual ³³	2012; ³⁶ follow-up ongoing ³⁷
CEDAW	2013	Harmonization of laws; and participation of women in the peace process ³⁴	
CAT	2010	Definition of torture; widespread use of torture and ill-treatments; impunity; administration of justice; reparation and compensation; and child soldiers ³⁵	

B. Cooperation with special procedures³⁸

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	Yes
<i>Visits undertaken</i>	Internally displaced persons (2009) Situation of human rights in Chad (2004)	
<i>Visits agreed to in principle</i>		
<i>Visits requested</i>	Extrajudicial, summary or arbitrary executions; mercenaries; education; human rights defenders	Torture
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, six communications were sent. The Government replied to one of them.	

C. Cooperation with the Office of the High Commissioner for Human Rights

16. Following the closure of MINURCAT (United Nations Mission in the Central African Republic and Chad) in December 2010, OHCHR appointed a Human Rights Advisor (HRA) in 2011 to advise the United Nations Country Team on providing human rights support to the Government, national institutions and civil society.³⁹

17. In 2012, OHCHR noted that the Chadian authorities had also expressed the need to consider establishing a full-fledged stand-alone OHCHR office in order to address the very many human rights issues Chad was facing.⁴⁰

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

18. CERD was concerned at the lack of definition of discrimination in the legislation as well as of a specific legal provision prohibiting and condemning racial and ethnic discrimination.⁴¹ CEDAW raised similar concerns.⁴²

19. CEDAW expressed concern about the lack of clarity with respect to the actual status of customary and religious law vis-à-vis national law.⁴³

20. CERD was concerned about customary practices in certain ethnic groups that prevented the enjoyment by one category of the population of its civil, political, economic, social and cultural rights, in particular women's right to inherit and to own property.⁴⁴

21. The HR Committee and CEDAW regretted the existence of polygamy.⁴⁵

22. Several treaty bodies urged Chad to, among others, review the draft code on the person and the family and ensure that it 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.⁴⁶ Moreover, CEDAW was concerned by the non-compliance of some of the proposed provisions of the draft code with the Convention.⁴⁷

23. CEDAW expressed serious concern about the persistence of entrenched harmful cultural norms and practices, including feminine genital mutilations, early marriages, sororate (a widower marries the sister of his deceased spouse), and levirate ("wife inheritance", in which a man takes on in marriage the widow of his deceased brother).⁴⁸

B. Right to life, liberty and security of the person

24. The HR Committee urged Chad to consider abolishing the death penalty or at least reinstating the moratorium; ensure that the death penalty was applied, if at all, for only the most serious crimes and that, whenever it was imposed, the requirements of articles 6 and 14 of ICCPR were fully met; and consider commuting all death sentences.⁴⁹

25. The HR Committee was concerned, particularly in the context of armed conflict, that serious human rights violations had been and continue to be committed with impunity, including murder, rape, enforced disappearance, arbitrary detention, torture, property destruction, forced displacement and attacks on the civilian population.⁵⁰

26. The HR Committee was concerned that detainees, particularly prisoners of war and political opponents, were frequently subjected to torture and to cruel, inhuman or degrading treatment.⁵¹ MINURCAT-OHCHR too reported cases of inhuman and degrading treatment of some inmates at Chadian prisons.⁵²

27. CAT was alarmed that confessions obtained by torture were invoked as a form of evidence in proceedings and that such practices persisted owing to the impunity of guilty parties and pressures on judges.⁵³

28. CAT noted with concern that Chadian criminal law did not currently contain any provisions guaranteeing the absolute and non-derogable nature of the prohibition of torture, and that numerous abuses were committed during states of emergency.⁵⁴ CAT and the HR Committee urged Chad to revise and adopt the bill amending and supplementing the Criminal Code in order to include a definition of torture and criminalize acts of torture.⁵⁵

29. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict stated that although the Armée nationale tchadienne (ANT) had not recruited children as a matter of policy in 2012, a total of 34 cases of recruitment of children into the ANT had been verified in 2012. He encouraged the authorities to implement the action plan, signed between the Government and the United Nations in June 2011 to end current and prevent future recruitment and use of children, and urged Chad to adopt the draft child protection code criminalizing child recruitment and use under domestic law.⁵⁶

30. The United Nations Children's Fund (UNICEF) noted that Chad had adopted a national policy against the use of children in armed conflict.⁵⁷

31. The ILO Committee of Experts on the Application of Conventions and Recommendations (ILO Committee of Experts) expressed concern at the high number of children under 14 years of age who were working and requested Chad to intensify its efforts to improve this situation. It also requested the authorities to supply information on the Accelerated Strategy for Child Survival and Development in terms of its impact on the abolition of child labour.⁵⁸

32. Several treaty bodies urged Chad to end the exploitation and degradation of children, including child livestock-herders (*enfants bouviers*), *muhajirin* and child domestic workers.⁵⁹

33. Between April 2008 and November 2010 the human rights section of MINURCAT documented 1,152 cases of gender-based sexual violence, including rape, female genital mutilation, early and forced marriages, physical abuse and other forms of violence.⁶⁰

34. The Secretary-General stated that sexual and gender-based violence remained significantly underreported and that was not only because cultural taboos inhibited the reporting of cases, but also because most incidents were negotiated and resolved by traditional leaders in the absence of a properly functioning legal system.⁶¹ UNICEF also mentioned that sexual and other forms of violence against women were common but rarely addressed in the absence of legal and institutional frameworks.⁶²

35. CESCR was concerned that 45 per cent of women and girls were victims of some form of genital mutilation and it urged Chad to launch awareness-raising campaigns as well as to amend Act No. 06/PR/2002 to stipulate penalties consistent with the seriousness of the offences defined in the Act.⁶³ Several treaty bodies also raised similar concerns and recommendations.⁶⁴

36. In 2011, the Secretary-General stated that cases of arbitrary arrest and detention had been mentioned in several reports. In N'Djamena, two human rights defenders of the local NGO Ligue tchadienne des droits de l'homme were reportedly arbitrarily arrested on 6 March and detained incommunicado by members of the National Security Agency. Other cases of arbitrary arrest and intimidation had also been reported in the context of the legislative elections.⁶⁵

37. CAT expressed concern about the conclusions in the report of the Commission of Inquiry into the events of February 2008, which had revealed the existence of secret places of detention run by State agents. CAT urged Chad to identify and order the closure of all illegal places of detention and order the immediate handover of anyone still detained in such places to the judicial authorities.⁶⁶ The HR Committee raised similar concerns and recommendations.⁶⁷

38. MINURCAT-OHCHR noted that many people had been arrested and detained for acts that were civil and not criminal in nature and that others had been held for longer than the 48-hour limit set by the Chadian Code of Criminal Procedure.⁶⁸

39. The HR Committee was concerned that police custody could last for long periods, during which the detainee had no access to counsel or to medical help, and urged Chad to ensure that the rights of persons in police custody were respected.⁶⁹ CAT raised similar concerns and recommendations.⁷⁰

40. CAT remained concerned about the deplorable living conditions in places of detention and the fact that some persons awaiting trial had been detained in a remand centre for a period longer than the sentence incurred.⁷¹ The HR Committee raised similar concerns.⁷²

41. MINURCAT-OHCHR noted that conditions of detention did not comply with the minimum standards for the treatment of prisoners. Most prisons lacked appropriate security, hygiene and medical services and had overcrowded cells. Furthermore, the facilities were run by gendarmes and/or civilians. Such shortcomings in the prison system resulted in many human rights violations.⁷³

42. CAT urged Chad to enable NGOs to carry out periodic, independent, unannounced and unrestricted visits to places of detention, and NHRC to carry out its mandate.⁷⁴

43. CEDAW was concerned at trafficking of children, in particular girls, and urged Chad to criminalize human trafficking, consider adopting a comprehensive law against human trafficking and implement its National Action Plan against Trafficking.⁷⁵ CAT raised similar concerns and recommendations.⁷⁶

44. The ILO Committee of Experts also requested the Government to take immediate and effective measures to ensure the prevention in practice of the sale and trafficking of young persons under 18 years of age.⁷⁷

C. Administration of justice, including impunity, and the rule of law

45. Concerned at numerous dysfunctional aspects of the justice system, including corruption, impunity and interference by the executive in the administration of justice, CERD urged Chad to clean up the judicial apparatus; combat corruption; promote the independence of the judiciary; and provide training for judges.⁷⁸ CESCRC and CEDAW raised similar concerns and recommendations.⁷⁹

46. MINURCAT-OHCHR pointed out that the challenges faced by the justice system in eastern Chad had resulted inter alia in prolonged pretrial detention, arbitrary application of the law and abuse of power by some of the police authorities. The report noted, however, that the Government had taken steps to address the most pressing problems.⁸⁰

47. OHCHR stated that despite the noteworthy steps taken by the Government, the judiciary had not kept pace with the evolution of Chad's human rights obligations, and that impunity remained a pressing issue. Noting the important reform of the judiciary, supported by the European Union, which had started in 2009, OHCHR encouraged Chad to increase its efforts in that direction with a view to ending impunity.⁸¹

48. MINURCAT-OHCHR reported that the failure of the criminal justice system to take action was of particular concern in cases of rape involving members of the military. Judges and prosecutors referred to institutional and operational shortcomings when explaining their inability to prosecute the perpetrators of sexual violence.⁸² It was recommended that Chad should invest sufficient resources in the judicial system so that it could combat impunity.⁸³

49. The Secretary-General stated that reports had been made on the insufficient measures taken to prosecute those responsible for human rights violations, in particular when they belonged to the Chadian security forces. He added that such acts contributed to the civilian population's lack of confidence in the administration of justice and undermined the efforts of the Government to strengthen the promotion and protection of human rights.⁸⁴

50. CAT was concerned that the Criminal Procedure Code did not provide fundamental legal guarantees for persons in detention and regretted that the right to legal assistance for the poor was non-existent in practice.⁸⁵

51. MINURCAT-OHCHR noted that the “protective custody” invoked when the life of a detainee was threatened was a recurring form of illegal detention and that some people were held in protective custody without such measures being authorized by a prosecutor and/or a judge.⁸⁶

D. Right to privacy, marriage and family life

52. The HR Committee was concerned that a very large number of births go unregistered, and urged Chad to guarantee the registration of all births and unregistered adults, and strengthen the deployment of mobile registration units of the civil registry.⁸⁷

53. UNICEF stated that the overall protection environment for children and women in the country was extremely weak and was reflected in low levels of child birth registration (16 per cent) and the absence of supportive policies and institutional mechanisms to protect vulnerable children and women.⁸⁸

E. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

54. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Chad to decriminalize defamation and introduce a freedom of information law in accordance with international standards. It also recommended ensuring that journalists and media workers were able to practice their profession in a free and safe environment and that all attacks on journalists and media workers were investigated.⁸⁹

55. UNESCO recorded that there had been no killings in Chad from 2008 to 2012. However, according to local, regional and international organizations, journalists and media workers continued to face harassment and imprisonment when publishing critical statements about the authorities. It added that journalists went into exile or used self-censorship to protect themselves from threats and reprisals, and that cases of harassment were uninvestigated and impunity remained high.⁹⁰

56. The HR Committee was concerned that freedom of association and peaceful assembly could not be exercised without prior authorization and that states of emergency were allegedly being used to control and censor the free press.⁹¹

57. The HR Committee expressed concern that many human rights defenders had been subjected to harassment, intimidation and aggression and had been forbidden by the security services to hold demonstrations.⁹²

58. In 2010 the Special Rapporteur on the question of torture said that during a peaceful demonstration held on the sixtieth anniversary of the Universal Declaration of Human Rights the police had reportedly used force against and wounded demonstrators, nine of whom had been arrested following the incident in question.⁹³

59. In 2009 the Special Rapporteur on the right to freedom of opinion and expression, together with the Special Rapporteur on the situation of human rights defenders, sent an urgent appeal concerning the situation of the president of the Union syndicale du Tchad (Chadian Trade Union Association, UST) and the president of the Ligue tchadienne des droits de l’homme (Chadian Human Rights League, LTDH), who had reportedly been followed and threatened with a weapon. Such incidents were apparently related to their visits to Paris and Brussels, during which it was assumed that they had informed the French authorities and the European Union about the security situation in Chad and the failure to

implement the recommendations of the Commission of Inquiry into the events of January and February 2008. According to several sources, no investigation was ever conducted into the threats against the two people in question.⁹⁴

60. Several treaty bodies were concerned about the low level of women's representation in public life.⁹⁵

F. Right to work and to just and favourable conditions of work

61. CESCR was concerned that the principle of equal remuneration for men and women workers for work of equal value was not applied uniformly by State-owned and private companies.⁹⁶ CEDAW raised a similar concern.⁹⁷

62. CEDAW urged Chad, among others, to eliminate occupational segregation, review the relevant labour-related legislation with a view to repeal all discriminatory provisions against women, and enact legislation prohibiting sexual harassment in the workplace.⁹⁸ It also encouraged Chad to promote the economic empowerment of women through easier access to employment, credit, land and other resources.⁹⁹

63. CEDAW was concerned about the disadvantaged position of women in rural and remote areas, recognizing that the conditions faced by such women, who represented almost 80 per cent of the women in Chad, were often characterized by poverty, difficulties in access to health and social services and a lack of participation in decision-making processes at the community level.¹⁰⁰

64. CESCR and CEDAW urged Chad to develop and implement action plans for employment that would reduce unemployment in the informal sector.¹⁰¹

65. The Office of the United Nations High Commissioner for Refugees (UNHCR) stated that Chad continued to struggle with an unstable social and economic environment that had led to several strikes during recent years which had had negative consequences such as reduced access to basic public services. It added that until January 2013, negotiations between relevant trade unions and the Government had been ongoing.¹⁰²

G. Right to social security and to an adequate standard of living

66. In 2010 the Resident Coordinator noted that the crisis in neighbouring countries, management of refugees, domestic insecurity and governance problems had drained off a large portion of oil revenues to cover military expenditures, to the detriment of investments in social services.¹⁰³

67. UNICEF stated that growing government revenues had contributed to the gradual improvement in the country's economic situation since 2003, but given the continued fragile security, the bulk of the incremental financial resources had been spent on military/defence. Between 2004 and 2010, the education share of the national budget fell from 15.4 per cent to 7 per cent, and the health share declined from 6.6 per cent to 5.6 per cent. Nevertheless, in gross terms, allocations to social sectors had increased.¹⁰⁴

68. CESCR was concerned that a high percentage of the population lived in poverty or extreme poverty, particularly the inhabitants of rural and deprived urban areas; women; children; families living with HIV/AIDS; and internally displaced persons. It noted that Chad had yet to create an effective coordination mechanism to combat poverty.¹⁰⁵

69. CESCR was deeply concerned about the chronic food insecurity experienced by a large section of the population and recommended that Chad provide sufficient funding for programmes designed to ensure for everyone physical and economic access to the minimum of essential food.¹⁰⁶

70. CESCR recommended that Chad ensure universal social security coverage in Chad, giving priority to vulnerable and marginalized groups.¹⁰⁷

71. CESCR noted with concern that funding for social services and public infrastructure was far from adequate, despite the country's great natural wealth and the provision under article 212 of the Constitution which states that local government must be given a share of the proceeds from land and mineral resources.¹⁰⁸

72. OHCHR stated that civil society had raised the issue of forced evictions that had affected thousands of families and the number seemed to be growing. In this regard, OHCHR stressed the vital importance of integrating human rights principles into all development projects, and encouraged the authorities to invite the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context to visit Chad.¹⁰⁹

73. In 2010 the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, sent a letter to the Government regarding the imminent forced expulsion of approximately 10,000 destitute people from the Ambatta district in N'Djamena.¹¹⁰

74. CESCR was concerned about the large number of forced evictions and housing demolitions that had taken place in districts of N'Djamena without prior notice being provided or adequate alternative housing or compensation being offered.¹¹¹

H. Right to health

75. CEDAW was concerned about the deterioration of health indicators, including maternal mortality, and that sociocultural factors and geographic constraints remained major obstacles in access by women to health services. It also expressed concern that women, including pregnant women and sex workers were disproportionately affected by HIV/AIDS.¹¹² CESCR raised similar concerns.¹¹³

76. UNICEF stated that the number of people living with HIV/AIDS in Chad was estimated at 210,000 and that the epidemic was evolving with noticeable disparities between women and men, rural versus urban settings and in certain regions.¹¹⁴

77. The Executive Director of the Joint United Nations Programme on HIV/AIDS (UNAIDS) expressed concern about the high level of stigmatization and discrimination against persons living with HIV, above all in rural areas, which forced them to live in hiding and deprived them of appropriate care.¹¹⁵

78. UNICEF highlighted that even though the under-five child mortality rate had decreased, it still was unacceptably high and that maternal mortality rate was one of the highest in the world. It added that during the past decade, chronic malnutrition had been aggravated, partially by the manifestations of climate change, coupled with the absence of systematic, institutional response mechanisms.¹¹⁶

79. CESCR was concerned about the shortage of health professionals in rural areas and the mediocre quality of health services.¹¹⁷

80. UNICEF noted that even though the percentage of people with access to safe water had grown from 30 to 44.3 per cent and the access to sanitation from 4 to 12 per cent, the overall coverage levels continued to be very low.¹¹⁸

81. CESCR noted with concern that the entire population, except for a very few people living in city centres, lacked basic amenities such as drinking water, waste removal, sanitary facilities and electricity.¹¹⁹

I. Right to education

82. UNESCO stated that Chad's indicators for education were among the worst in the world and that it spent four times more on weapons than it did on primary education. About a third of the primary level school-age population did not attend school; gender disparities were extremely pronounced and the quality of education was poor. It added that the general objective was to ensure universal primary education, with parity between girls and boys, by 2015.¹²⁰

83. CESCR and CEDAW were concerned at the high school dropout rate in the poorest regions, particularly rural areas.¹²¹ They urged Chad to improve the literacy rate, particularly among women, and to provide girls and boys with equal access to education.¹²²

84. UNESCO encouraged Chad to adopt additional measures to combat discrimination, protect minorities and promote gender equality in education.¹²³

J. Persons with disabilities

85. The ILO Committee of Experts requested the Government to indicate the steps taken to ensure in practice the equality of opportunity and treatment in respect of employment and occupation for disabled persons.¹²⁴

K. Minorities and indigenous peoples

86. CESCR was concerned about the system of exploitation of natural resources which adversely affected the land and the way of life of indigenous peoples, and deprived them of rights related to their ancestral land and cultural identity. It urged Chad to adopt specific measures to protect the cultural identity and ancestral land of the indigenous population.¹²⁵

L. Migrants, refugees and asylum seekers

87. UNHCR noted that Chad currently hosted at least 378,000 refugees who were recognized on a *prima facie* basis by the Government, and lived predominantly in eastern and southern Chad.¹²⁶

88. UNHCR recommended that Chad ensure the adoption and implementation of a national refugee law in conformity with international and regional refugee instruments as soon as possible.¹²⁷

89. CERD urged Chad to adopt the draft law on refugees; facilitate access to justice for refugees and prosecute; and punish those who committed acts of violence against them.¹²⁸ Several treaty bodies raised similar concerns and recommendations.¹²⁹

90. CAT urged Chad to adopt a legislative framework regulating expulsion, *refoulement* and extradition and revise the current procedures and practices in order to fulfil its obligations under the Convention.¹³⁰

91. UNHCR highlighted that Chad contributed to enhance the security of humanitarian interventions through the deployment of a special force, the *Détachement intégré de sécurité* (DIS), after the departure of MINURCAT in 2010.¹³¹

92. UNHCR recognized that the legal framework for the protection of persons of concern to UNHCR had been strengthened and there had been progress in the resettlement and security of refugees. The Government had also allowed refugees to access health and education services.¹³²

93. Noting that the lack of access to civil registry was a significant barrier to the enjoyment of refugees' rights, UNHCR recommended that Chad pursue efforts to

modernize the civil registry, facilitate access to civil registry for refugees and IDPs, and issue free-of-charge birth, death and marriage certificates.¹³³

94. In 2010 MINURCAT-OHCHR noted that gender-based sexual violence was still very widespread in camps housing refugees and displaced people and in many communities.¹³⁴

95. UNHCR recommended that Chad carry out awareness-raising campaigns on sexual and gender-based violence targeting both populations at risks and stakeholders; enhance its efforts to recruit more female officials in the refugee camps and sites hosting IDPs; and ensure that an adequate response was provided to each reported case of sexual and gender-based violence.¹³⁵

M. Internally displaced persons

96. The Secretary-General stated in 2011 that security and a fear of banditry in areas of return was a concern for the IDPs and that one of the other key challenges for sustainable returns was the very limited access to basic social services.¹³⁶

97. UNHCR stated that, at the end of 2012, the Government officially declared the end of its IDP situation, arguing that the civil conflict had long ended and that the majority of the internally displaced population had either returned to their previous places of origin or had locally integrated or relocated elsewhere within the country. However, UNHCR noted that despite the official end of the IDP crisis and the Government's decision to cease recognizing such persons as displaced persons, scores of "former" IDPs continue to reside in their areas of displacement while waiting for adequate durable solutions. UNHCR recommended that Chad formulate and adopt a legal framework and a national policy or strategy covering all phases of internal displacement, continue to provide protection and assistance and take specific measures to promote durable solutions for the Chadians who remained internally displaced.¹³⁷

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Chad from the previous cycle (A/HRC/WG.6/5/TCD/2).

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and

- Members of Their Families
- CRPD Convention on the Rights of Persons with Disabilities
- OP-CRPD Optional Protocol to CRPD
- CPED International Convention for the Protection of All Persons from Enforced Disappearance.
- ³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art.5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31; Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13; Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12; Urgent action: CPED, art. 30.
- ⁴ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- ⁵ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ⁶ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ⁷ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁸ International Labour Organization Convention No.169 concerning Indigenous and Tribal Peoples in Independent Countries and Convention No.189 concerning Decent Work for Domestic Workers.
- ⁹ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ¹⁰ Concluding observations of the Human Rights Committee (CCPR/C/TCD/CO/1), 11 August 2009, para. 19.
- ¹¹ Concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/TCD/CO/3), 16 December 2009, paras. 39 and 41.
- ¹² Concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/TCD/CO/1-4), 4 November 2011, para. 46.
- ¹³ *Ibid.*, para. 51.
- ¹⁴ Concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/TCD/CO/15), 21 September 2009, para. 21; CEDAW/C/TCD/CO/1-4, 4 November 2011, para. 51; and E/C.12/TCD/CO/3, 16 December 2009, para. 39.
- ¹⁵ S/2011/278, Report of the Secretary-General on the protection of civilians in Chad, 29 April 2011, paras. 9–10, p. 3.
- ¹⁶ OHCHR, Report 2011, p. 256.
- ¹⁷ Statement by the Deputy High Commissioner for Human Rights, Kyung-wha Kang, in N'Djamena, Chad, 3 April 2012.
- ¹⁸ Concluding observations of the Committee against Torture (CAT/C/TCD/CO/1), 4 June 2009, para. 38.

- ¹⁹ CCPR/C/TCD/CO/1, para. 9.
- ²⁰ *Ibid.*, para. 18.
- ²¹ According to article 5 of the rules of procedure for the International Coordination Committee (ICC) Sub-Committee on Accreditation, the different classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination), C: No Status (not in compliance with the Paris Principles).
- ²² For the list of national human rights institutions with accreditation status granted by the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/23/28 annex.
- ²³ OHCHR, Report 2011, p. 256.
- ²⁴ CAT/C/TCD/CO/1, para. 27.
- ²⁵ CERD/C/TCD/CO/15, para. 12; CCPR/C/TCD/CO/1, para. 12; E/C.12/TCD/CO/3, para. 10; CEDAW/C/TCD/CO/1-4, paras. 18 and 19.
- ²⁶ Mission des Nations Unies en République centrafricaine et au Tchad et le Haut-Commissariat des Nations Unies aux Droits de l'Homme (MINURCAT-HCDH), «Situation des droits de l'homme à l'est du Tchad : progrès, défis et pistes d'avenir, avril 2008–novembre 2010», par. 50, p. 14 (www.ohchr.org/Documents/Countries/TD/Rapport10122010.pdf).
- ²⁷ S/2011/278, para. 27.
- ²⁸ MINURCAT-HCDH, voir *supra* la note 26, par. 43, p. 13. See also statement by the Deputy High Commissioner for Human Rights, Kyung-wha Kang, in N'Djamena, Chad, 3 April 2012, p. 1, and OHCHR, Report 2011, p. 256.
- ²⁹ CERD/C/TCD/CO/15, para. 10. See also OHCHR Press communique, Deputy High Commissioner in Chad and Niger, 12 April 2012.
- ³⁰ CCPR/C/TCD/CO/1, para. 34.
- ³¹ The following abbreviations have been used for this document:
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|--------------|--------------------------------------------------------------|
| CERD | Committee on the Elimination of Racial Discrimination |
| CESCR | Committee on Economic, Social and Cultural Rights |
| HR Committee | Committee Human Rights Committee |
| CEDAW | Committee on the Elimination of Discrimination against Women |
| CAT | Committee against Torture |
| CRC | Committee on the Rights of the Child |
- ³² CERD/C/TCD/CO/15, para. 28.
- ³³ CCPR/C/TCD/CO/1, para. 35.
- ³⁴ CEDAW/C/TCD/CO/1-4, para. 52.
- ³⁵ CAT/C/TCD/CO/1, para. 43.
- ³⁶ CCPR/C/TCD/CO/1.Add.1.
- ³⁷ Letter dated 29 April 2012 from the HR Committee to the Permanent Mission of Chad, available at <http://www2.ohchr.org/english/bodies/hrc/docs/followup/ChadFUApril2012.pdf>. See also letters dated 16 December 2010, 10 May 2011 and 2 August 2011 respectively from the HR Committee to the Permanent Mission of Chad, respectively available at http://www2.ohchr.org/english/bodies/hrc/docs/Chad_LetterF.pdf; http://www2.ohchr.org/english/bodies/hrc/docs/followup/Tchad96_May2011_fr.pdf; http://www2.ohchr.org/english/bodies/hrc/docs/followup/TchadFU96_aug2011_fr.pdf.
- ³⁸ Abbreviations used followed those contained in the communications report of special procedures (A/HRC/18/51 and Corr.1).
- ³⁹ OHCHR, Report 2011, p. 256.
- ⁴⁰ Statement by the Deputy High Commissioner for Human Rights, Kyung-wha Kang, in N'Djamena, Chad, 3 April 2012.
- ⁴¹ CERD/C/TCD/CO/15, para. 14.
- ⁴² CEDAW/C/TCD/CO/1-4, para. 12.
- ⁴³ *Ibid.*
- ⁴⁴ CERD/C/TCD/CO/15, para. 17.
- ⁴⁵ CCPR/C/TCD/CO/1, para. 16; CEDAW/C/TCD/CO/1-4, para. 21.
- ⁴⁶ CEDAW/C/TCD/CO/1-4, para. 43; CCPR/C/TCD/CO/1, para. 17; E/C.12/TCD/CO/3, para. 14.
- ⁴⁷ CEDAW/C/TCD/CO/1-4, para. 12.

- ⁴⁸ Ibid., para. 20.
- ⁴⁹ CCPR/C/TCD/CO/1, para. 19.
- ⁵⁰ Ibid., para. 10.
- ⁵¹ Ibid., para. 21.
- ⁵² MINURCAT-HCDH, voir *supra* la note 26, par. 32, p. 10.
- ⁵³ CAT/C/TCD/CO/1, para. 29.
- ⁵⁴ Ibid., para. 14.
- ⁵⁵ CAT/C/TCD/CO/1, para. 13; CCPR/C/TCD/CO/1, 11 August 2009, para. 21.
- ⁵⁶ United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission to the UPR on Chad, 2012. See also MINURCAT-OHCHR, note 26 above, para. 25, p. 9.
- ⁵⁷ UNICEF, Chad, Country programme document, 2012–2016, para. 9.
- ⁵⁸ ILO Committee of Experts on the Application of Conventions and Recommendations, Direct Request concerning the Minimum Age Convention, 1973 (No. 138), adopted 2010, published 100th ILC session (2011), paras. 1 and 13, available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2330746.
- ⁵⁹ CAT/C/TCD/CO/1, para. 31; E/C.12/TCD/CO/3, para. 21; and CCPR/C/TCD/CO/1, para. 31.
- ⁶⁰ MINURCAT-HCDH, voir *supra* la note 26, par. 14, p. 5.
- ⁶¹ S/2011/278, para. 25.
- ⁶² UNICEF, Chad, Country programme document, 2012–2016, para. 9.
- ⁶³ E/C.12/TCD/CO/3, para. 19.
- ⁶⁴ CCPR/C/TCD/CO/1, para. 15; CAT/C/TCD/CO/1, para. 30; and CEDAW/C/TCD/CO/1-4, paras. 22–23. See also MINURCAT-OHCHR, note 26 above, paras. 15–16, p. 5 and para. 55, p. 16.
- ⁶⁵ S/2011/278, para. 26.
- ⁶⁶ CAT/C/TCD/CO/1, para. 18.
- ⁶⁷ CCPR/C/TCD/CO/1, para. 20.
- ⁶⁸ MINURCAT-OHCHR, note 26 above, para. 29, p. 9.
- ⁶⁹ CCPR/C/TCD/CO/1, para. 22.
- ⁷⁰ CAT/C/TCD/CO/1, para. 16.
- ⁷¹ Ibid., para. 25.
- ⁷² CCPR/C/TCD/CO/1, paras. 23–24.
- ⁷³ MINURCAT-HCDH, voir *supra* la note 26, par. 32 and 33, p. 10.
- ⁷⁴ CAT/C/TCD/CO/1, para. 26.
- ⁷⁵ CEDAW/C/TCD/CO/1-4, paras. 24–25.
- ⁷⁶ CAT/C/TCD/CO/1, para. 33.
- ⁷⁷ ILO Committee of Experts on the Application of Conventions and Recommendations, Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182), adopted 2012, published 102nd ILC session (2013), para. 3, available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3083602:NOhttp://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:232917.
- ⁷⁸ CERD/C/TCD/CO/15, para. 11.
- ⁷⁹ E/C.12/TCD/CO/3, para. 12; CEDAW/C/TCD/CO/1-4, para. 14.
- ⁸⁰ MINURCAT-HCDH, voir *supra* la note 26, par. 35 et 36, p. 11.
- ⁸¹ Statement by the Deputy High Commissioner for Human Rights, Kyung-wha Kang, in N’Djamena, Chad, 3 April 2012.
- ⁸² MINURCAT-HCDH, voir *supra* la note 26, para. 16, p. 6.
- ⁸³ Ibid., para. 55, p. 16.
- ⁸⁴ S/2011/278, para. 27.
- ⁸⁵ CAT/C/TCD/CO/1, para. 16.
- ⁸⁶ MINURCAT-HCDH, voir *supra* la note 26, par. 31, p. 10.
- ⁸⁷ CCPR/C/TCD/CO/1, para. 27.
- ⁸⁸ UNICEF, Chad, Country programme document, 2012–2016, para. 9.
- ⁸⁹ UNESCO submission to the UPR on Chad, paras. 37, 38 and 40.
- ⁹⁰ Ibid., para. 26.
- ⁹¹ CCPR/C/TCD/CO/1, para. 29.
- ⁹² Ibid., para. 30.

- ⁹³ A/HRC/13/39/Add.1, p. 38 et 39.
- ⁹⁴ A/HRC/14/23/Add.1, par. 269 à 274, p. 47.
- ⁹⁵ CCPR/C/TCD/CO/1, para. 17; E/C.12/TCD/CO/3, para. 15; CEDAW/C/TCD/CO/1-4, paras. 26–27.
- ⁹⁶ E/C.12/TCD/CO/3, 16 para. 17.
- ⁹⁷ CEDAW/C/TCD/CO/1-4, para. 32.
- ⁹⁸ Ibid., para. 33.
- ⁹⁹ Ibid., para. 37.
- ¹⁰⁰ Ibid., para. 38.
- ¹⁰¹ E/C.12/TCD/CO/3, para. 16; CEDAW/C/TCD/CO/1-4, para. 33.
- ¹⁰² UNHCR submission to the UPR on Chad, p. 2.
- ¹⁰³ Rapport du Coordonnateur résident, 2010. p. 1 (www.undg.org/RCAR/2010/finalized/pdfs/RCAR_2010_CHD_NAR.pdf).
- ¹⁰⁴ UNICEF, Chad, Country programme document, 2012–2016, para. 3.
- ¹⁰⁵ E/C.12/TCD/CO/3, para. 24.
- ¹⁰⁶ Ibid., para. 25.
- ¹⁰⁷ Ibid., para. 18.
- ¹⁰⁸ Ibid., para. 23.
- ¹⁰⁹ Statement by the Deputy High Commissioner for Human Rights, Kyung-wha Kang, in N'Djamena, Chad, 3 April 2012.
- ¹¹⁰ A/HRC/16/42/Add.1, par. 63.
- ¹¹¹ E/C.12/TCD/CO/3, para. 28.
- ¹¹² CEDAW/C/TCD/CO/1-4, para. 34.
- ¹¹³ E/C.12/TCD/CO/3, paras. 29–30.
- ¹¹⁴ UNICEF, Chad, Country programme document, 2012–2016, para. 7.
- ¹¹⁵ Le Directeur exécutif de l'ONUSIDA souligne les avancées de la riposte au sida au Tchad, 31 mai 2012 (www.unaids.org/fr/resources/presscentre/featurestories/2012/may/20120531fschad/).
- ¹¹⁶ UNICEF, Chad, Country programme document, 2012–2016, paras. 4–5.
- ¹¹⁷ E/C.12/TCD/CO/3, para. 29.
- ¹¹⁸ UNICEF, Chad, Country programme document, 2012–2016, para. 6.
- ¹¹⁹ E/C.12/TCD/CO/3, 16 December 2009, para. 26.
- ¹²⁰ UNESCO submission, paras. 10, 12, 14, 15, 17, 18, pp. 5–7. See also UNICEF, Chad, Country programme document, 2012–2016, para. 8, p. 4.
- ¹²¹ E/C.12/TCD/CO/3, para. 32; CEDAW/C/TCD/CO/1-4, para. 30.
- ¹²² E/C.12/TCD/CO/3, para. 33; CEDAW/C/TCD/CO/1-4, para. 30.
- ¹²³ UNESCO submission, paras. 35–36.
- ¹²⁴ ILO, Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part 1A), Chad: Discrimination (Employment and Occupation) Convention, 1958 (No 111), 102nd ILC session (2013), p. 438, available from http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_205472.pdf.
- ¹²⁵ E/C.12/TCD/CO/3, para. 35.
- ¹²⁶ UNHCR submission to the UPR on Chad, p. 1.
- ¹²⁷ Ibid., pp. 3–4.
- ¹²⁸ CERD/C/TCD/CO/15, para. 18.
- ¹²⁹ E/C.12/TCD/CO/3, para. 20; CEDAW/C/TCD/CO/1-4, para. 40; CAT/C/TCD/CO/1, para. 20.
- ¹³⁰ CAT/C/TCD/CO/1, para. 23.
- ¹³¹ UNHCR submission to the UPR on Chad, p. 1.
- ¹³² Ibid., p. 3.
- ¹³³ Ibid., p. 4.
- ¹³⁴ MINURCAT-HCDH, voir *supra* la note 26, par. 14, p. 5. Voir également CEDAW/C/TCD/CO/1-4, para. 40; CAT/C/TCD/CO/1, para. 20.
- ¹³⁵ UNHCR submission to the UPR on Chad, pp. 4 and 5.
- ¹³⁶ S/2011/278, para. 16.
- ¹³⁷ UNHCR submission to the UPR on Chad, pp. 3, 5 and 6.