



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
30 March 2010

Original: English

Committee on the Elimination of Discrimination against Women

Pre-session working group

Forty-seventh session

4 - 22 October 2010

List of issues and questions in the absence of initial report and periodic reports

Chad

The pre-session working group decided in accordance with the decision of the Committee at its thirty-ninth session (23 July–10 August 2007), and in the absence of the initial report of the State party, due in 1996, and of its second, third and fourth periodic reports, to proceed with the preparation of the present list of issues and questions.

General

1. Please explain the reasons why the initial and subsequent reports of the State party were not submitted to the Committee, as required by article 18 of the Convention on the Elimination of Discrimination against Women. Please describe any efforts undertaken to date in order to prepare the reports. Has the State party considered requesting technical assistance from United Nations entities and specialized agencies in order to achieve the preparation and submission of its report to the Committee as soon as possible?
2. Please provide information on the status of data collection and analysis in the country in general, and in particular, with regard to the situation of women, disaggregated by age, sex, rural and urban areas. Please indicate how the Government intends to improve the collection and analysis of such data pertaining to the areas of the Convention and the general recommendations of the Committee so as to support policy making and programme development and to measure progress towards implementation of the Convention. Also provide information on the contribution of the National Institute of Statistics in the collection and analysis of data pertaining to the Convention and indicate what measures have been taken to provide it with adequate financial and human resources.
3. Please provide information on steps taken by the State party in rebuilding the country after years of conflict, to promote women's rights. In particular indicate whether the principle of gender equality has been included in the 2007 Peace Agreement. Also provide information on the measures taken to ensure that women are full and equal participants in decision-making, at all levels, in the process of peacebuilding, reconciliation, reconstruction, rebuilding and development of the country, taking into account Security Council resolution 1325 (2000) on women, peace and security. In this regard, please

indicate the measures taken to eliminate stereotypes against women's participation in peacebuilding and reconstruction processes that hinder their effective involvement equally with men. Please also provide information on the measures taken to establish a national reconciliation mechanism and ensure that women play a key role in this process.

4. Please provide information on the measures taken by the State party to end impunity and prosecute those responsible for serious violations of women and girls' rights, including rape and other forms of sexual violence. In this regard, provide updated information on steps undertaken to implement the Judicial Reform Programme adopted in 2005, in particular with regard to the fight against impunity.

Articles 1 and 2

Legal status of the Convention and incorporation of its provisions in domestic law and policies

5. Please explain to what extent the 2005 revised Constitution incorporates women's rights and the principles of non discrimination and equality between men and women as enshrined in the Convention. Please indicate whether there are any laws or policies that define discrimination against women. If so, please explain whether the definition is sufficiently broad, so as to include any act which causes, or results in, a difference of the treatment of women in comparison to men. Please also indicate if this definition includes acts committed by public and private actors and encompasses direct and indirect discrimination. Please indicate if the State party has re-examined the 1996 proposal for an "Act Prohibiting Discriminatory Practices in the Republic of Chad"? If so, please explain how far discrimination against women as enshrined in the Convention is included in this proposal.

6. Article 222 of the Constitution stipulates that treaties ratified by the State party prevail over domestic law. Please clarify whether the Convention also prevails in cases of conflict with domestic law and provide information on instances of cases where the Convention has been invoked by women to claim their rights in courts.

7. Please indicate what measures have been taken to disseminate and give visibility to the Convention in all parts of the country, in particular in rural areas, and to ensure that all women including indigenous, refugees, migrants, displaced and older women are informed of their rights under the Convention. Please specify whether any step has been taken to translate the Convention in all languages, including in local languages and indicate whether the armed forces and security forces Instructor's Manual integrates the Convention in its part devoted to human rights. Please also indicate whether the Human Rights Forum planned by the State party in November 2009 has been organized. If so, please provide information on its conclusions, especially with regard to women's rights and gender equality as enshrined in the Convention.

8. Please provide updated information on progress made in the identification and amendment of laws that are discriminatory against women and not in compliance with the Convention. Also indicate whether the Penal Code has been reviewed in order to impose sanctions for acts of discrimination, including discrimination against women. Please provide updated information on the process of review and codification of customary laws planned by the State party and indicate if it has already been undertaken. If so, please explain to what extent it addresses the modification of customs and practices resulting in discrimination against women or perpetuating such discrimination and specify how women have been involved in this process.

9. Please explain how far measures taken in the framework of the Judicial Reform Programme adopted in 2005 have enhanced women's access to justice and encouraged

them to use courts to claim their rights, especially in rural areas and in the Eastern part of the country. Also explain the measures taken in this framework to sensitize judges, lawyers and law enforcement officials with regard to the obligations of the State party under the Convention to achieve gender equality. Please explain the measures taken by the State party to provide women whose rights have been violated with appropriate reparation and effective access to remedies.

Article 3

National machinery for the advancement of women

10. Please provide information on the Ministry of Human Rights and the Promotion of Liberties and its Directorate for the Rights of Vulnerable People, and explain what their responsibilities are in respect of the advancement of women. Please also provide information about the Directorate for the Advancement of Women and Gender Integration of the Ministry of Social Action and the Family and explain what human, financial and technical resources are available to enable it to play an effective and constructive role in the promotion and protection of women's rights. Also indicate how it cooperates with civil society, including non governmental organization and associations of women's rights.

11. Please provide updated information on the National Human Rights Commission, and state what has been its effective role in the implementation of women's rights as enshrined in the Convention. Also explain the measures taken to reform it in line with the Paris Principles and to provide it with adequate financial and human resources. Please state whether legislation aimed at giving the National Human Rights Commission a constitutional basis was adopted. Please also provide information on the National Office of the Ombudsman and indicate whether it has a specific mandate to deal with gender equality and the rights enshrined in the Convention. Also indicate whether the bill elaborated by the Government in order to enable the Office of the Ombudsman to operate effectively has been adopted.

Programmes and action plans

12. Please explain to what extent a gender perspective and the rights enshrined in the Convention have been included in the 2008 revised Poverty Reduction Strategy Paper, the National Food Security Project as well as the Good Governance National Strategy. Please indicate how women, in particular rural women, have been involved in their implementation and monitoring. Also elaborate on the Poverty Reduction and Action Plan for Women Project elaborated by the Ministry of Social Action. Please provide updated information on progress made towards the completion of a national gender policy and explain the extent to which women and girls are involved in this process, including through their active participation in the multisectoral gender Committee responsible for the elaboration of this policy. Please provide further information on the project entitled Integrating Women in Development adopted by the State party and indicate whether any other plans for future national policies for the advancement of women has been adopted. Please explain the extent to which the 2005 Comprehensive Development Policy for Young Children, addresses girls needs and protect them from discrimination in the light of the Convention. Please also provide information on the implementation of the Beijing Platform for Action and gender equality elements of the Millennium Development Goals. Please further provide updated information on the process of reflection on the status of women planned by the State party.

Article 4

Temporary special measures

13. Please indicate whether the State party has adopted temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation No. 25 (2004) of the Committee to achieve equality between men and women at all levels and in all public institutions. Please include information on the inequalities that these measures seek to redress and whether they are implemented and monitored. Please provide updated information about progress made towards the completion of the Bill on quotas drafted by the State party to redress inequality between women and men in employment, and indicate whether the draft law aiming at establishing a 30 per cent quota for women in decision-making institutions has been adopted. Please indicate the number of women who benefited in 2008 and 2009, from the 30 per cent quota measure established for women in colleges for teachers and socio-medical workers.

Article 5

Stereotypes, cultural practices

14. Please provide information on which cultural and traditional practices, or ways of life, if any, hamper women's advancement in society and state their impact on the situation of women, including rural women, in households, employment, education, policy decision-making as well as family matters. Please also provide information on measures taken to change social and cultural patterns that lead to gender stereotyping or reinforcing the idea of the inferiority of women.

Violence against women

15. Please provide information on measures taken to prevent and combat violence against women, taking into account general recommendation No. 19 (1992) of the Committee. Please also provide information on the 2002 Law Prohibiting Female Genital Mutilation, Early Marriage and Domestic and Sexual Violence and indicate whether the decree giving effect to this legislation has been adopted. In this connection, please provide updated information on the measures taken by the State party to prosecute perpetrators of female genital mutilation (FGM) and provide appropriate sanctions for such act. Also indicate whether measures have been taken to effectively implement this law, including through awareness-raising campaigns and state what has been its impact on the eradication of FGM, particularly in the eastern part of the country.

16. Please indicate what has been the impact of the 2002 Law Prohibiting Female Genital Mutilation, Early Marriage and Domestic and Sexual Violence on the elimination of sexual violence against women. Please elaborate on concrete measures taken to protect and assist women and girls victims of sexual and gender-based violence, including rape, particularly in conflicts areas, taking into account Security Council resolutions 1888 (2009) and 1820 (2008) on women, peace and security. In this relation, please state whether measures have been taken, including through studies, to establish a comprehensive strategy to ensure the protection of women and girls from all forms of violence, including sexual violence. Please also explain the measures taken to prosecute perpetrators of sexual violence against women, including members of armed groups and of the Chadian army. In this regard, indicate whether the State party intends to set up an independent commission of inquiry into sexual violence or a special judicial mechanism within its justice system to investigate on sexual violence allegation. Also provide information on measures taken to break the taboos on sex crimes and eliminate the stigmatization and exclusion of women and girls victims, and provide them with rehabilitation and support programmes, including

psychological recovery and social integration, as well as appropriate compensation. Please also provide updated information on the measures taken to implement the recommendations of the Commission of Inquiry on the human rights violations that took place during the events of February 2008, particularly these recommendations relating to sexual violence against women.

17. Please provide information on the scale of domestic violence in the State party and explain how domestic violence is addressed under the 2002 Law Prohibiting Female Genital Mutilation, Early Marriage and Domestic and Sexual Violence, particularly in terms of prosecution, sanctions, awareness-raising campaigns as well as remedies and assistance to victims. Also provide information on the availability of health and social services as well as shelters to the victims.

18. Please provide information on the situation of women and girls in Koranic schools. Also indicate whether corporal punishment is explicitly prohibited in all settings by the law. Please also indicate whether sexual harassment is explicitly prohibited and sanctioned under the law, and indicate the measures taken to tackle customary and traditional practices which hamper prosecution of perpetrators in case of rape and effectively bring them to justice. Please also indicate whether measures have been taken to amend the Penal Code and explicitly criminalize violence against women in its provisions, and provide clarification on the adoption of a Code on gender based violence. Please provide updated and detailed information about the case of Khadidja Ousmane Mahamat who has been in prison since 2004 where she has been raped by a prison official and continues to be sexually abused. Please also provide more details about the case brought to justice against a senior Chadian police official by a group of women who had been assaulted by officers. Indicate in particular the sanctions pronounced and the reparation obtained by the victims.

Article 6

Trafficking, prostitution, exploitation

19. Please provide information on the regional Plan of Action to Combat Human Trafficking, in particular Women and Children, adopted by the State party in 2006 and indicate what measures, including legislative measures, have been taken to implement it. Please also specify what has been its impact in the State party, by providing inter alia statistical data on women and girls in trafficking and concrete examples of cases brought to justice involving women and girls. Please also provide information on the 2005 National Plan of Action to Combat Abuse and Sexual Exploitation of Children and explain how far it includes a gender perspective and addresses abuse and sexual exploitation of girls in all settings, including in schools and home. Please also indicate to what extent it takes into account the situation of girls living in the street.

20. Please indicate whether the State party has adopted law and policies to prevent economic exploitation of women and girls and indicate what concrete measures have been taken to protect them from economic exploitation, particularly in rural areas and refugee camps. Also provide statistics on the number of girls working as domestic workers in the State party and indicate what measures have been taken to address their situation. Please provide statistics, if available, on the number of women and young girls engaged in prostitution, particularly in urban areas, and provide information about the existing legislation on prostitution.

Article 7 and 8

Political participation and participation in public life

21. Please explain to what extent the Electoral Code as revised in 2007 ensure equality between men and women in its provisions. Please also provide information on the Act No. 17/PR/01 of 31 December 2001, which recognizes that access to civil service posts is open to all on the basis of equal rights, the Act No. 45/PR/94 on the Political Parties Charter and indicate the percentage of the members of political parties who are women and the percentage of public offices, including the academia and senior levels of the public administration, held by women. Please provide information on concrete measures envisaged to increase women's full and equal participation and representation at all levels of Government, the Legislative Branch and the Judiciary, as well as at the international level, taking into account the Committee's general recommendation No. 25 and No. 23 (1997) on political and public life.

Article 9

Nationality

22. Please provide information on the Chadian Nationality Code and explain whether under this law women have equal rights with men to transfer their nationality to their foreign husbands as well as to their children regardless of their marital status. Please specify whether these rights are respected, both de jure and de facto.

Article 10

Education

23. Please provide information about the Directorate for the Promotion of Girls' Education established within the Ministry of National Education, the National Committee for the Elimination of Illiteracy as well as the Centre for the Elimination of Illiteracy. Indicate what has been their effective role in women and girls' right to education. Please also provide information on the Act No. 16/PR/06 of 30 March 2006 on The Orientation of the Chadian Education System, the ten-year Support Programme for Reform of the Educational System (2004-2015), as well as the Education Policy adopted in 2002. Explain how far they ensure equal access to education for men and women. In particular, indicate what have been their impacts on women and girls education, including women from rural areas and those belonging to indigenous communities. Please provide information on measures taken by the State party to improve particularly the enrolment and literacy rates of girls and young women, including women and girls with disabilities, internally displaced women and girls. Please indicate if these measures also apply to adolescent mothers, including during their pregnancy. Please provide recent statistical data, disaggregated by sex and by rural and urban areas, showing overall literacy, enrolment, graduation, and retention rates of girls at all levels of education, as well as trends over time.

Article 11

Employment

24. Please provide information about the Act No. 038/PR/96 of 11 December 1996 establishing the Labour Code and the General Collective Convention of 2002, and indicate whether they include a gender perspective as well as rights enshrined under article 11 of the Convention. Please also indicate whether they address sexual harassment and violence against women in the workplace. Also provide information on any other existing law,

policy, and programmes to eliminate discrimination against women in employment. Please further indicate what measures have been taken to eliminate socio-cultural constraints that discriminate against women in employment. Please provide information on the measures taken to ensure equal remuneration for men and women for work of equal value and indicate the number of women working as State employees who have benefited from the 60,000 CFA francs wages rise undertaken by the State. Please also indicate the measures taken to strengthen the rights of women working in informal sectors, including agricultural, commercial and industry sectors, as well as to increase their number in the formal sector. Also provide information on the measures taken to protect the rights of non registered women working as domestic employees.

Article 12

Health

25. Please provide information about the 2007 revised National Health Policy and explain the extent to which it includes a gender perspective. Please also provide information on measures taken to strengthen mental health programmes for women and girls and to allocate adequate financial resources for the effective implementation of such programmes, taking into account general recommendation No. 24 (1999) on article 12 of the Convention. Please provide clarification about the current process of adoption of a National Policy on Health Reproduction and indicate the measures taken to ensure that education on sexual and reproductive health is undertaken in all schools. In this relation, please provide information on measures taken to increase access to both male and female condoms. Please also indicate the measures taken to reduce maternal mortality, including those resulting from unsafe abortion, and child mortality, as well as measures taken to improve women access to health services, particularly obstetric and gynaecological services. Also elaborate on measures introduced to ensure women and girls full access to safe drinking water and to protect them from malnutrition, particularly in rural areas. Please also indicate whether programmes for adolescent health with a gender perspective exist in the State party and state steps undertaken to improve by specific measures old women access to health.

26. Please provide information about the Act No. 0019/PR/2007 on Combating HIV/AIDS/STI and the Protection of the Rights of Persons Living with HIV/AIDS and provide updated information on the measures and programmes introduced to increase public awareness-raising campaigns on sexually transmitted diseases, including HIV/AIDS, particularly among adolescents' girls, married women, those living in partnerships, and women in prostitution. Please also indicate the measures taken to prevent mother-to-child transmission. Please specify the measures taken to provide care and support to orphans girls affected by HIV/Aids and to combat discrimination against women and girls affected. Please also provide information on the National Strategic Framework and Triennial Plan focused on Prevention for Youths and on Treatment with Antiretroviral Drugs and Monitoring in case of Illness, and explain whether it includes a gender perspective.

Article 13

Economic and social life

27. Please provide information about the programmes of microcredit set up by the State party to support women. Indicate in particular the number of women who have benefited from these programmes, including in rural areas, and provide concrete examples of implementation. Please provide information on measures taken to ensure that all women, including single women non workers and rural women, fully benefit from the social security system, and concretely perceived family allowance and old age pension. In this

regard, please indicate the number of old women who have benefited from an old age pension in the State party in comparison with men.

Article 14

Vulnerable groups of women

28. Please provide information on measures taken to ensure that widows and older women fully enjoyed the rights enshrined in the Convention. Please also provide information on the Act No. 007/PR/2007 on The Protection of Disabled Persons and indicate how far it guarantees the rights of women and girls with disabilities without discrimination, in particular with regard their right to education, health and access to justice. Also indicate how far this law protects them from violence, including physical and psychological violence, and provide them with adequate recovery measures and complaint proceedings. Also indicate the measures taken to support associations of women and girls with disabilities. Also elaborate on the measures taken to promote and protect the rights of women and girls from indigenous communities as enshrined in the Convention. Please provide information about the Division for the Advancement of Rural Women of the Ministry of Agriculture, and provide information on any strategy or programme carried out by the State party to improve the situation of rural women and girls, including their access to health, education, employment, to land, credit and decision-making. In this connection, please give more details about how rural women, particularly rural women in extreme poverty, benefit from the National Integrated Rural Development Programme, the Poverty Reduction Strategy Paper, the National Food Security Project as well as the Poverty Reduction and Action Plan for Women Project. Also indicate the measures taken to ensure birth registration of girls in rural areas.

29. Please indicate the number of refugees and displaced women and girls in the country and explain what has been the role and impact of the National Committee responsible for providing assistance to internally displaced persons in the promotion and protection of their rights. Please provide information on measures taken to ensure their security and protect them from sexual violence, including rape. Also elaborate on steps taken to put an end to the discrimination they suffer from and to guarantee inter alia their rights to education and health. Provide updated information on the recruitment of displaced and refugee young girls and indicate the measures taken with this regard.

Article 16

Family relations

30. Please explain which laws (civil law, customary law, or combination of these) govern family relations and whether women are treated equally with men under these laws. In particular, provide information on the laws (civil, customary, religious or combination of these) governing marriage and divorce and state the measures taken by the State party to ensure their full application. Please also indicate how they address the economic aspects of marriage and divorce. Please provide information about the legal provisions on women's rights to inheritance and property, including land property and explain the measures taken to ensure their full implementation.

31. Please provide updated information on progress made in the adoption and entry into force of the draft Code of Persons and Family. Please also provide information on measures adopted to eradicate the customary practice of early and forced marriages, particularly in rural areas. Please explain what measures the State party intends to take to review the provision of the Civil Code as well as the Draft Code of Persons and Family with regard to the minimum legal age of marriage of girls.

32. Please indicate what has been the impact of the 2002 Law Prohibiting Female Genital Mutilation, Early Marriage and Domestic and Sexual Violence on the eradication of early and forced marriage. Also indicate the measures taken to abolish the practices of polygamy, repudiation, levirate and sororate, and explain how far the draft Code on Persons and Family addresses these issues.

33. In light of the concern raised by the Committee on the Rights of the Child in its concluding observations (CRC/C/TCD/CO/2, 12 February 2009, paragraph 49), whereby the only governmental centre for children without parental care does not accept girls, please indicate the measures taken to ensure the placement of girls without parental care without discrimination.

Optional Protocol and Amendment to article 20, paragraph 1

34. Please indicate any progress made with respect to the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Please also indicate whether the State party intends to accept the amendment to article 20, paragraph 1, of the Convention pertaining to the Committee's meeting time
