



**Economic and Social  
Council**

Distr.  
GENERAL

E/C.12/TCD/Q/3  
20 November 2008

ENGLISH  
Original: FRENCH

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COMMITTEE ON ECONOMIC, SOCIAL AND  
CULTURAL RIGHTS  
Pre-sessional Working Group  
24-28 November 2008

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT  
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Draft list of issues to be taken up in connection with the consideration  
of the initial report of CHAD concerning the rights covered by  
articles 1 to 15 of the International Covenant on Economic, Social  
and Cultural Rights (E/C.12/TCD/3)**

**I. GENERAL FRAMEWORK WITHIN WHICH  
THE COVENANT IS IMPLEMENTED**

1. Please specify whether the provisions of the Covenant have been incorporated into the internal law of the State party so as to make them directly applicable by the Chadian courts, and give examples as appropriate. What measures have been taken to enable victims of violations of economic, social and cultural rights to benefit from judicial remedies and to ensure that court decisions and judgements are implemented?
2. Please indicate whether the State party has set objectives and adopted indicators enabling progress in the exercise of the rights recognized in the Covenant to be measured. Please also indicate whether there has been an evaluation of development policies in a human rights and environment perspective.
3. Please provide statistical data broken down by sex, age and urban/rural area in all sectors related to the Covenant, with particular reference to marginalized and disadvantaged social groups, so as to enable the Committee to better evaluate the implementation of the rights guaranteed by the Covenant.

## **II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)**

### **Article 2, paragraph 1: Obligations of States parties**

4. Please provide information on the mechanisms established to guarantee effective protection of the economic, social and cultural rights of the most disadvantaged and marginalized persons and groups (in particular, the rights to work, favourable conditions of work, an adequate standard of living and health) when the State party is negotiating trade, investment or economic agreements.
5. Please provide specific updated information on measures taken to put an end to corruption, including corruption within the judiciary, and indicate whether there have been any prosecutions of senior officials during the past five years and, if so, whether they have resulted in convictions.

### **Article 2, paragraph 2: Non-discrimination**

6. Please provide detailed precise information on the legislative provisions recently adopted and the specific measures taken by the State party with a view to eliminating all forms of discrimination and, in particular, to implementing article 40 of the Constitution relating to the rights of disabled persons.
7. Please provide detailed updated information on the special measures taken by the State party during the period 2003-2008 to protect the economic, social and cultural rights of persons displaced in their own country.

### **Article 3: Equal rights of men and women**

8. In the light of paragraph 50 of the report, please: (a) indicate the measures taken to guarantee that the right of women to enjoy all economic, social and cultural rights on an equal footing is not threatened by discriminatory religious customary laws and practices, and the measures taken to combat stereotyping and to make women aware of their rights; (b) indicate whether the new Persons and Family Code (State party report, para. 62) has been adopted; and (c) provide detailed updated information on the measures taken by the State party during the period 2003-2008 to end discrimination against women in regard to marriage, divorce, inheritance, property and nationality.
9. The State party indicates that, according to recent studies, more than 90 per cent of the female population in rural areas is living below the absolute poverty threshold; that 78 per cent of women in rural areas are illiterate, as against 56 per cent of men; and that 70 per cent of Chadian women's income is used to support their family, as opposed to 40 per cent for men (report, para. 57). What urgent measures have been taken by the State party to remedy this situation, which is incompatible with the Covenant?
10. Please provide more detailed information on measures taken by the State party during the period 2003-2008 to ensure that women are better represented in Parliament and in executive posts within the Government, and indicate the number of women who have been appointed to posts in the judiciary and the civil service, whether at the central government level or in the provincial administrations. Please indicate the state of progress of the draft Quota Act (report, para. 118).

### **III. ISSUES RELATING TO THE SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)**

#### **Article 6: Right to work**

11. In the light of the information given in paragraph 67 of the report, please provide detailed updated information on: (a) national programmes and policies for job creation, particularly in the structured sector of the economy and especially for women; (b) the activities of the National Employment Promotion Office (ONAPE) (report, para. 82) and the results achieved; and (c) the measures taken to regularize the situation of workers in the informal sector.

#### **Article 7: Right to just and favourable conditions of work**

12. Please indicate the amount of the minimum wage, and whether this is sufficient to ensure a decent standard of living for all workers and their families, in accordance with the provisions of article 7, subparagraph (a) (ii), of the Covenant. If this is not the case, please provide information on measures taken by the State party to increase the minimum wage.

13. In the light of the information provided in paragraphs 113 and 117 of the report, please provide detailed updated information on the situation of domestic workers, millers, welders, fuel vendors and other individuals working in the informal sector, and on measures taken by the State party to protect their right to just and favourable conditions of work.

14. Please provide specific examples of cases in which workplaces have been closed as a result of inspections revealing serious deficiencies or breaches of obligations under the Labour Code (report, para. 93).

4. In the light of the information provided in paragraphs 106 and 108 of the report, please indicate what urgent measures the State party has taken or envisages to guarantee equal employment opportunities for women and to reduce the sizable gap in wages between men and women.

#### **Article 8: Trade union rights**

15. Please: (a) clarify the information contained in the State party report (para. 122) to the effect that prior authorization is needed for any trade union to be established and that this precaution enables trade union anarchy to be avoided; (b) indicate what are the procedures for authorizing the establishment of trade unions and in what cases and on what grounds authorization has been withheld; (c) provide information on recent case law in regard to collective bargaining between employers and trade unions; and (d) provide detailed information on the number, cause and result of strikes that have taken place since 2003.

#### **Article 9: Right to social security**

16. According to paragraph 139 of the report, family allowances have been suspended since 1979 because of the civil war; family allowances in the private sector are derisory and should be increased in the light of the current context. Please indicate what urgent measures are being taken by the State party to remedy this situation, which is incompatible with the Covenant.

17. Please give more detailed information on the measures taken to ensure that the national social insurance fund (report, paras. 125 et seq.) is open and financially accessible to all categories of workers, including occasional workers, employees in the informal sector of the economy, self-employed workers and unemployed persons.

#### **Article 10: Protection of the family, mothers and children**

18. Please: (a) provide detailed updated information on measures taken by the State party to prevent family violence, including conjugal rape; (b) state whether there are criminal provisions classifying this type of violence as a specific offence or treating it as an aggravating circumstance; (c) provide information on recorded cases of women killed or injured as a result of acts of family violence during the period 2003-2008; (d) state the number of criminal prosecutions and convictions, sentences imposed on perpetrators of family violence and remedies available to victims; and (e) provide information on measures taken by the State party to encourage victims of sexual violence to report these cases.

19. Please state whether the practice of female genital mutilation is forbidden by law and provide information on: (a) the extent of female genital mutilation in Chad; (b) measures taken or envisaged to discourage and eradicate the practice and, in particular, measures aimed at promoting the education of girls.

20. Please provide information on measures taken to protect children against all forms of exploitation, in particular dangerous work or work liable to harm their health, education or development, and especially measures taken to abolish the practice of exploitation of child drovers, who are subjected to a regime of semi-slavery.

21. Please: (a) provide detailed information on urgent measures taken or envisaged by the State party to ensure respect for the rights of the categories of children referred to in paragraph 152 of the State party's report; (b) describe in particular measures aimed at child victims of armed conflicts, including measures to reintegrate child soldiers; and (c) describe progress made in the project for the integrated development of children mentioned in paragraph 149 of the report.

22. The State party indicates in paragraph 59 of the report that a significant number of young women and girls become pregnant between the ages of 15 and 19. Please comment on this information in the light of article 10 of the Covenant and provide information on existing sex education programmes. Please also describe measures taken by the State party to promote access to contraceptive devices, public health services in the areas of sexuality and procreation, and education in these areas.

#### **Article 11: Right to an adequate standard of living**

23. In connection with the information provided in paragraphs 154 and 157 of the report, please give detailed information on programmes and policies which the State party intends to adopt in order to combat poverty, and particularly those aimed at households headed by a woman and at individuals and families living in unplanned communities. Please also state to what extent oil revenues are used to implement poverty-reduction policies.

24. Please give detailed updated information on measures taken to ensure inexpensive access to clean water and good quality sanitation, in particular in rural areas and unplanned urban communities.

25. The State party indicates in paragraph 157 of the report that a large part of the population is experiencing chronic food insecurity, and in paragraph 164 that operations in the oil-producing areas, compensation for which has been only partial, have had a negative impact on access to food. In this context, please describe the urgent measures which are being taken to ensure exercise of the right of the population to food.

26. In addition to the information provided in paragraph 177 of the report, please give detailed information on the housing situation in the State party, and in particular recent disaggregated statistics on: (a) homeless persons and families; (b) persons and families living in shelters exposed to the elements; and (c) public programmes aimed at guaranteeing access to adequate housing for members of the most disadvantaged and marginalized groups.

27. Please indicate whether the State party has adopted legal provisions or directives specifically determining the circumstances in which expulsions may be effected and the type of protections necessary in such situations, in accordance with the Committee's general comment No. 7. Pending the adoption of these legal provisions and directives, has the State party formulated a global plan for the resettlement of persons who have been subjected to forcible expulsion from unplanned districts, forest regions or other places? Failing which, has it declared a moratorium on forcible expulsions? What mechanisms exist to ensure that the inhabitants of unplanned communities enjoy security of occupation in legal terms?

**Article 12: Right of everyone to the enjoyment of the highest attainable standard of physical and mental health**

28. Please provide information on health programmes and policies put in place to guarantee access to appropriate health services and establishments, in particular at the community level, and statistical information concerning available qualified medical personnel, disaggregated by rural and urban areas, in particular poor urban areas, and by disadvantaged or marginalized individuals and groups.

29. Please give more detailed information on the health protection enjoyed by persons suffering from polio, malaria, cholera, HIV/AIDS, meningitis and yellow fever, and proposed measures to ensure that they have cheap and equal access to appropriate treatment and medication. What are the results of the national health policy initiated in 1998 (report, para. 194)?

30. Please provide detailed updated information on the activities of the sanitation services, including the construction of latrines, in municipal districts (report, para. 195) and on the results achieved.

31. Given that the State party is among the 10 countries in the world with the greatest number of victims of mines and munitions explosions, please indicate what measures are being taken by the State party to demine the north of the country and to provide assistance to victims.

**Articles 13 and 14: Right to education**

32. Please provide information on the measures adopted and implemented by the State party to provide primary and secondary education for children of the most vulnerable and disadvantaged groups, notably poor inhabitants of urban and rural areas and members of the indigenous communities, and to reduce the high rate of school dropout in the poorest regions of the country, particularly the rural regions. Please describe the measures taken to comply with the recommendations made in 2005 by the Independent Expert on the situation of human rights in Chad concerning the urgent need for a literacy campaign. Please also clarify the information provided in paragraph 210 of the report concerning situations in which free schooling is jeopardized.

**Article 15: Right to take part in cultural life**

33. Please give detailed information on measures taken to promote exchanges between the various ethnic groups in the State party, and to create favourable conditions for preserving, developing, expressing and publicizing their history, culture, language, traditions and customs. Please also provide information on concrete measures taken by the State party to ensure to everyone, including disadvantaged and marginalized individuals and groups, inexpensive access to the benefits of scientific progress and its applications.

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