



**Convention on the  
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COMMITTEE ON THE RIGHTS OF THE CHILD  
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**WRITTEN REPLIES BY THE GOVERNMENT OF CHAD CONCERNING  
THE LIST OF ISSUES (CRC/C/TCD/Q/2) RECEIVED BY THE  
COMMITTEE ON THE RIGHTS OF THE CHILD RELATING TO  
THE CONSIDERATION OF THE SECOND PERIODIC REPORT OF  
CHAD (CRC/C/TCD/2)\***

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

## PART I

### *Question 1*

#### **(a) Allocation of resources**

The continuing political instability in Chad has had a negative impact on the allocation of resources to social sectors; despite an increase in revenue from the sale of oil, there has been a general decrease in all expenditure, except on salaries (see part I, question 2, and part III, question 1).

#### **(b) The situation of girls**

The Government has made significant efforts to improve the situation of girls. Various international and national legal texts, programmes and projects have been adopted, developed and implemented, including the following:

- Declaration of Population Policy
- Policy Declaration on the Integration of Women in Development
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention on the Rights of the Child
- Campaign to End Fistula
- Food and Nutrition Programme
- Poverty Reduction and Action for Women Project (REPAFEM)
- Family life education project
- Girls' school attendance project

Unfortunately, the situation of Chadian girls is deeply affected by social and cultural constraints that hinder the effective implementation of laws.

#### **(c) Registration of births**

In the concluding observations (CRC/C/15/Add.107) following its consideration of the initial report of Chad (CRC/C/3/Add.50), the Committee on the Rights of the Child requested that birth registration procedures should be made widely known. It also recommended the establishment of mobile registration units or other innovative approaches, to facilitate birth registration in remote rural areas and for nomadic groups. The good governance documents and the national poverty reduction strategy paper are part of a global process to help developing

countries to improve their civil registration systems; thus, the European Union and the United Nations Development Programme (UNDP) have jointly funded a project to improve the civil registration system in Chad.

This project made it possible to assemble into a single volume all the various pieces of legislation currently regulating civil registration in Chad - legislation with which the population and even many registrars are unfamiliar. It also made it possible to prepare the national strategy on civil registration.

The aim of the project was to safeguard and secure the certificates and information held in the civil registry, and to produce a draft bill on civil registration arrangements, which was approved in December 2003.

Rather than follow past practice - since many of the regulations implementing Ordinance No. 3/INT of 2 June 1961 were not published - the Ministry of Internal Administration has already begun to prepare the regulations provided for in the draft bill.

These efforts have been accompanied by training sessions for judicial officials and registrars, as well as awareness campaigns and advocacy for district delegates, community and neighbourhood leaders and various population groups.

#### **(d) Adoption**

The standard legislation on adoption continues to be the French Civil Code of 1956, which is still in force. The Code is not always followed, however.

The Code does not, for example, clearly define the concepts of simple or full adoption.

The term used under the current law is “adoptive legitimation”, for the adoption of children under the age of 5 whose parents have abandoned them, or are dead or unknown.

#### **(e) Health of adolescents**

Act No. 06/PR/2002 of 15 April 2002, on the promotion of reproductive health, covers in part the health of adolescents.

However, the 2004 demographic and health survey of Chad has produced a rather critical assessment of the health of adolescents. The findings of in-depth sectoral studies have recently been assessed and solutions proposed to improve that situation.

#### **(f) Juvenile justice**

The Chad-UNICEF (United Nations Children’s Fund) programme of cooperation for 2001-2005 placed special emphasis on the difficult situation of children in conflict with the law. A study on children in conflict with the law was carried out in 2006 in areas targeted by that programme, in tandem with a programme conducted by the Women’s Associations Liaison Unit (CELIAF).

The goal of the study was to identify ways and means of improving the juvenile justice system and to introduce and promote alternatives to imprisonment.

These measures figure prominently in the preparation of the draft code on child protection.

**(g) Child labour**

In addition to the study on child domestic workers conducted in the city of Ndjamena in 2006, a study was carried out in 2007 on the worst forms of child labour. The studies have given us a better understanding of the phenomenon by identifying a number of forms of child labour.

Accordingly, the recommendations emanating from the studies, the national plans of action to combat the abuse and sexual exploitation of children and the national plan to combat trafficking in persons, in particular women and children, have been recast as a comprehensive plan to combat the worst forms of child labour, sexual exploitation of children and trafficking in children.

***Question 2***

In 2008, revenues, including those from the sale of oil, earmarked for children via social and educational services, health care and social security amounted to 17,455,570,639 CFA francs, including 6,875,306,957 CFA francs for educational services, 9,680,263,682 CFA francs for health care and 900,000,000 CFA francs for social security.

***Question 3***

A consensus has yet to be reached on the adoption of a draft code on the person and the family, although part of the population continues to be in favour. At the 2007 National Women's Week, the President of Chad undertook to ensure that the code was adopted. To break the deadlock, an inter-ministerial committee has been set up to review the draft code and put forward specific proposals, but the results of its work have not yet been made public.

The process of ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, has been started with the support of the advocacy programme that lobbied the ministries of foreign affairs and justice and the National Assembly.

Information sheets explaining the context, justification, past government measures and actions envisaged have been prepared and shared with the above-mentioned ministries and the National Assembly - primarily through the Commission on Health, Social Affairs and the Rights of Children and Women - in order to obtain their support for ratification of the above instruments.

In 2007, an international consultant reviewed the draft bill amending and supplementing the Criminal Code to see whether it was in conformity with the conventions dealing with the rights of the child. The review identified legal lacunae and contradictions in the provisions, and more appropriate wording was proposed for some provisions. The final version was submitted to the Council of Ministers by the Ministry of Justice for adoption.

***Question 4***

The draft decree called for by the Prime Minister in 2003 with a view to establishing a committee to supervise implementation of the Convention on the Rights of the Child has been submitted to the Prime Minister for review.

***Question 5***

Projects to modernize the civil registration system and to promote civil registration in Chad were put in place in 2004-2007 with the assistance of UNDP and the European Union.

The objective of the national civil registration strategy is to help consolidate the rule of law by:

- (a) Improving civil registration administration and accessibility; and
- (b) Increasing the rate of registration of:
  - (i) Births, from 20 to 80 per cent;
  - (ii) Deaths, to 50 per cent; and
  - (iii) Marriages, to 50 per cent.

The strategy has brought about the following innovations:

- The time period for the registration of births has been reduced to one month for sedentary groups and has been shortened for nomads. Making civil registration mandatory means it is no longer optional in administrative districts outside the jurisdiction of the civil registration centres.
- Whereas the law in force merely refers cases of late civil registration to the courts without any indication of the procedure to follow, this procedure is set out in some detail in the draft bill.
- In accordance with the recommendations of the Committee on the Rights of the Child concerning the creation of mobile registration units, the draft bill provides for the establishment of such facilities so that nomads can register the birth of their children either there or at the main centre.

To this end, and as part of the Chad-UNICEF cooperation programme, 11,553 birth registers and logbooks have been made available to the Ministry of the Interior and Public

Security for the period 2007-2008 to facilitate the civil registration of children and declarations of birth, including for refugee children. An assessment planned for 2009 will measure progress and will submit recommendations for a national campaign to encourage broad coverage in the course of the next programme.

### ***Question 6***

The country's democratization process, which has been under way for more than a decade, has brought new dynamics to the cooperation between the authorities and civil society.

It has enabled civil society to increasingly reaffirm its role as an important and essential stakeholder in sustainable human development. Civil society is now often represented or consulted in initiatives taken by the Government for the well-being of the population. In 2005, there were 367 youth associations and 508 human rights associations in the country.

To cite one example, civil society has been closely involved in the preparation of the draft code on the person and the family, the national good governance strategy, the national poverty reduction strategy and the periodic report on implementation of the Convention on the Rights of the Child, as well as being represented on the board that monitors and supervises oil resources. A symposium on the subject of "Being a child in Chad" was recently organized by the Centre for Development Studies and Training (CEFOD) in conjunction with UNICEF, the objective being to start a critical debate on the situation of Chadian children.

### ***Question 7***

There is no Chadian tradition of accusing children of witchcraft, though they may be considered as the product of incest or as being cursed (children with Down's syndrome or those affected by congenital defects).

With regard to early and forced marriages, provisions in the draft codes on child protection and on the person and the family have raised the age of marriage to 17 years for girls and 18 years for boys.

As to *mouhadjirin* children, a programme and a plan of action for the reform of Koranic schools have been elaborated in a workshop that brought together representatives of the Government, the Islamic Committee and Koranic teachers. The programme and the plan of action will be implemented on an experimental basis as from 2009.

### ***Question 8***

The children whom the State party considers as having priority and urgently requiring attention with a view to the implementation of the Convention are those in need of special protection measures: children not attending school, children with disabling illnesses, children involved in the armed forces or armed groups, orphans in general and AIDS orphans and vulnerable children in particular, working children, abandoned children, etc.

## **PART II**

### ***New bills or legislation***

- Code on the protection of children
- Bill amending and supplementing some of the provisions of the Criminal Code that concern minors
- Draft bill regulating civil registration in Chad
- Draft decree regulating child labour

### ***New institutions***

- The Department of Child Protection has become the Department of Child Protection and Judicial Supervision in the Ministry of Justice
- The Department for the Promotion of the Enrolment of Girls has been set up in the Ministry of Education
- A department for basic education has been set up in the Ministry of Education
- A department for microcredit has been set up in the Ministry of the Economy and Planning
- The scope of the Ministry of Social Action and the Family has been extended to include national solidarity
- A national solidarity fund has been established in the Ministry of Social Action, National Solidarity and the Family

### ***Newly implemented policies***

In the past, the policy on orphans and vulnerable children only targeted orphans and children with HIV/AIDS. In 2007, a process to reform this policy was started on the basis of an analysis of the situation of such children in the cities of Ndjamená, Kélo, Moundou and Abéché in order to include all orphans and vulnerable children. Three two-year pilot projects are under way in three cities (2007-2008). The results will be assessed in 2009 in order to formulate recommendations for a nationwide campaign to promote an appropriate response to the problems of orphans in general and vulnerable children in particular.

The policy on the integrated development of young children adopted in 2005 takes a holistic approach to the development of children up to the age of 8 years.

The sectoral policy aimed at achieving quality primary education by 2015 advocates:

- (a) Substantially increasing the proportion of GDP devoted to education, to at least 4 per cent by 2015;
- (b) Increasing the operating budget for education, excluding salaries, by at least 20 per cent annually until 2015;
- (c) Allocating at least 50 per cent of the education budget to improving basic education;
- (d) Undertaking reforms to redefine priorities, reallocate budgets and share the responsibility for education between the State, communities and local authorities.

### ***National health-care policy***

The Government has the same health-care policy objective for the decade, namely to ensure that the population has access to basic good-quality care so as to help reduce mortality and morbidity and attain the Millennium Development Goals by 2015.

### ***Newly implemented plans of action, programmes and projects, and their scope***

In accordance with the recommendations of the 2004 Arab-African Forum against Sexual Exploitation of Children and the regional agreement to combat trafficking in persons, especially women and children, signed by the Republic of Chad in 2006 in Abuja, two national action plans were developed and approved in 2006 and 2007, respectively, to combat the sexual exploitation and trafficking of children.

Based on a review of the project to combat the use of children as cattle-herders and an analysis of the situation concerning the worst forms of child labour in Chad carried out in 2007, and on the recommendations of a mission from the regional office, the two plans were recast as a comprehensive three-year action plan to combat the worst forms of labour, exploitation and trafficking, to be implemented during the period 2008-2010.

On 9 May 2007, the UNICEF office in Chad and the Government of Chad signed a protocol of agreement on protecting children who are victims of armed conflict and on their sustainable reintegration into communities and families, with a view to enforcing international instruments concerning the protection of children affected by armed conflict. Under the agreement, UNICEF is helping the Government of Chad to prevent the recruitment and use of children in armed forces and groups and to ensure that they are absolutely free and reintegrated into their communities.

This agreement came after the Government had signed the Paris Commitments to protect children unlawfully recruited or used by armed forces or armed groups in Chad.

A national programme to prevent, remove and take temporary custody of children recruited or used by armed forces and armed groups in Chad has been in place since 2007, following the signing of the Paris Commitments and the protocol of agreement. A national coordinating body has been entrusted to ensure the proper implementation, monitoring and overall harmonization



of ongoing or proposed activities of the programme, take strategic decisions and make sure that the process is consistent with the Paris Principles. It is composed of eight ministries, five United Nations agencies, the International Committee of the Red Cross, the National Human Rights Commission, two human rights organizations, the Red Cross in Chad and four international non-governmental organizations.

Provision has been made to implement a communication strategy and integrated communication plan for this programme in 2008.

### **PART III**

#### ***Question 1***

There have been changes in resource mobilization and allocation. The budget resources allocated to education have increased from 70.5 billion CFA francs in 2006 (6.1 per cent of the State budget), including 25.3 billion CFA francs (35.95 per cent) for primary education, to 88.2 billion CFA francs in 2008 (7.5 per cent of the State budget), including some 36 billion CFA francs (40.8 per cent) for primary education. The budget resources allocated to primary education increased by some 11 billion CFA francs between 2006 and 2008, an increase of 41.95 per cent as compared with 2006. The State budget resources allocated to the health sector increased steadily between 2006 and 2008 from 36.6 billion CFA francs (4.2 per cent of the State budget) to 40.1 billion CFA francs, or 4.6 per cent of the State budget.

The portion of the State budget allocated to the Ministry of Social Action, National Solidarity and the Family for social protection has remained fairly stable, increasing from 0.7 per cent in 2006 to 1.1 per cent in 2007 and 0.9 per cent in 2008.

Furthermore, 4 billion CFA francs have been allocated to the Poverty Reduction and Action for Women Project in Ndjamena and Chari Baguirmi for the period 2004-2008. In addition, the Ministry of Social Action, National Solidarity and the Family was given a budget of 3.7 billion CFA francs for 2007-2008.

The social ministries in general committed funds amounting to close to 70 per cent of the public funds allocated to them, while their actual expenditure ranged from 30 to 50 per cent. The commitments approved by the Ministry of Finance as at 30 June 2008 ranged from 26.39 per cent to 31 per cent for the Ministry of Health, the Ministry of Education and the Ministry of Social Action, National Solidarity and the Family.

#### ***Question 2***

(a) Information concerning children deprived of a family environment and separated from their parents is available only for the following years:

- 2007: 658, including 207 refugee children and 451 children recruited or used by armed forces and armed groups and separated from their parents
- 2008: 59 children recruited or used by armed forces and armed groups and separated from their parents

While data on refugee children are not broken down by age group, such disaggregated data are available for children recruited or used by armed forces and armed groups, as follows:

- 9-11 years old: 25 children, or 90 per cent
- 12-14 years old: 143 children, or 28.03 per cent
- 15-17 years old: 318 children, or 62.35 per cent
- 18 years or older: 24, or 4.7 per cent

(b) In 2006, 326 children were placed in 12 institutions throughout the country, while in 2007, 566 children were placed in 19 institutions throughout the country;

(c) Eight children placed with foster families;

(d) Five children have been fully adopted since January 2008, two girls and three boys, including one child adopted abroad.

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