



International Covenant on Civil and Political Rights

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Summary record of the 2634th meeting*

Held at the Palais Wilson, Geneva, on Thursday, 16 July 2009, at 3 p.m.

Chairperson: Mr. Iwasawa

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* No summary record was prepared for the 2632nd and 2633rd meetings.

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (item 7 of the agenda) (continued)

Initial report of Chad (CCPR/C/TCD/1; CCPR/C/TCD/Q/1; CCPR/C/TCD/Q/1/Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Chad took places at the Committee table.*

2. **Mr. Djasnabaille** (Chad) said that his delegation regretted that it had not been able, for reasons beyond its control, to present its report to the 95th session as planned. The presence of the Chadian delegation at the Committee's session demonstrated nevertheless the great interest his Government accorded to human rights issues and its determination to honour its commitments. Consideration of the initial report would provide it with an opportunity to assess the efforts made to protect and promote human rights and what remained to be done in that area.

3. Respect for the rights of peoples had been a cornerstone of Chad's national and international policy since it achieved sovereignty. It had freely ratified the various international human rights instruments, including the International Covenant on Civil and Political Rights, in reference to which it had made no reservation or interpretive statement. Its commitment to the human rights principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights was reflected in the preamble to its Constitution of 1996.

4. Chad's desire to establish a democratic regime in the aftermath of the bloody dictatorship that had plunged the entire country into mourning became a reality when a national conference was held in 1993, at which specific guidelines for the establishment of institutions for the protection of human rights were drafted. The establishment of such institutions had begun in 1994 with the creation of the National Human Rights Commission; it had continued with the ratification on 9 June 1995 of the International Covenant on Civil and Political Rights, the adoption by referendum of the Constitution in 1996, the holding of presidential and legislative elections, the creation of the Supreme Court, the Constitutional Council, the Higher Council on Communication, the National Ombudsman's Office and the Economic and Social Council following after a constitutional reform in 2005, and would be completed with the forthcoming local elections. In addition, the Ministry for Human Rights, created in 2005 and also responsible since 2008 for the promotion of freedoms, had established an interministerial technical committee to monitor international instruments, the task of which was to prepare and draft the reports due under international instruments.

5. The report, which combined the initial report and the second and third periodic reports, described the historic, sociological and environmental context in which civil and political rights were exercised, underscored the difficulties and constraints relating to the exercise of those rights and set out the measures that the Government planned to adopt to ensure full enjoyment of those rights. The report dealt in particular with the right of self-determination, the right of non-discrimination, access to justice and education, freedom of expression, conscience and religion, equality of men and women before the law, violence against children and women, restrictions that could be applied to certain rights, respect for the human person and measures taken by the Government for the protection and promotion of human rights.

6. Since the advent of democracy in 1990, freedom of opinion and expression had become a reality. The only restrictions on such freedoms were those deemed necessary to ensure respect for the rights and freedoms of others and to protect public order and morals. Freedom of association and the right of assembly were also provided for under the

Constitution. That had led to the creation of over 3,000 associations active in different fields, such as trade unions and human rights defence organizations.

7. Any discussion of human rights in Chad must necessarily touch on the tragic confrontations that had occurred in the capital in February 2008, seriously threatening democratic institutions, and their impact on fundamental freedoms. In the wake of those events, the Government had taken various measures to re-establish order and security and determine responsibility for human rights violations, including the creation of a commission of inquiry. Moreover, since the outbreak of conflict in Darfur and in the Central African Republic in 2003, Chad had been faced with an influx of refugees. It had established a vast humanitarian programme to guarantee the rights of refugees under international instruments, created a national commission for refugees and implemented an early recovery programme in the east of the country. It had also established special protection measures in the fields of promotion of reproductive health, reproduction, protection of disabled persons, combat against HIV/AIDS and protection of the rights of persons with HIV/AIDS.

8. Chad's long and tumultuous history of war and violence had prevented a genuine culture of human rights from taking root there. Chad had been the victim of aggressions which had culminated in attacks on various towns, including the capital, in April 2006 and February 2008. Those conflicts had given rise to many human rights violations, utterly destroying the Government's efforts in that field. The Chadian Government was aware that the Committee would be finding inevitable shortcomings resulting from those difficulties, and it would continue to do everything within its power to improve the country's human rights situation.

9. Plans had already been made to hold a national human rights forum in November 2009, at the end of which the Ministry of Human Rights and Promotion of Freedoms would draw up its short-, medium- and long-term plan of action. In that context, the Chadian Government urged the international community to assist it in achieving its human rights objectives.

10. **The Chairperson** thanked Mr. Djasnabaille for his presentation and invited the delegation to respond to questions 1 to 9 on the list of issues.

11. **Mr. Djasnabaille** (Chad) said that Chad had incorporated the International Covenant on Civil and Political Rights into its domestic legislation, notably in the preamble to its Constitution of 31 March 1996, amended in 2005, and had given it precedence. Citizens could invoke the Covenant, as well as any other instruments ratified by Chad, and the courts could invoke the Convention, as illustrated by a Supreme Court ruling of 15 December 2002.

12. The National Human Rights Commission, created in 1994, had very broad responsibilities. It was mandated to submit advisory opinions to the Government on human rights issues, including the status of women and the rights of children and disabled persons; provide assistance to the Government and other national institutions with regard to all human rights issues; help review existing legislation and draft new provisions; and carry out surveys and studies and prepare publications. Its independence could not be called into question since it had been established by law; its membership was balanced (public authorities and civil society); it was free to choose to review any issue whatsoever on its own initiative; it could freely express its advice to the Government and ensured that such advice was made public; and any citizens who believed they were victims of human rights violations could file a complaint with the Commission. It did not, however, have financial autonomy and could therefore not be accredited as a category A institution under the Paris Principles.

13. Freedom of movement was guaranteed under article 44 of the Constitution. No administrative document was required to travel between towns, in contrast to the 1980s

when a laissez-passer was needed. The Government had removed a number of roadblocks and police and gendarmerie checkpoints. The only ones remaining were on roads leading into major towns, for security purposes and to provide assistance in the event of accidents. Restrictions on freedom of movement could, however, be imposed as additional penalties (banning orders) by a court decision, or for reasons of national security and to maintain public order in exceptional circumstances. Aliens who had entered Chad legally had the same rights and obligations as nationals. Aliens entering the country without prior permission from the authorities could be expelled by an administrative measure.

14. As a result of conflicts in neighbouring countries, Chad had been faced with an influx of refugees: in 2005, there had been 220,000 refugees from Darfur, 60 per cent of whom were under the age of 18, 40,000 refugees from Central African Republic, and more than 160,000 displaced persons owing to conflicts in eastern Chad. Refugees living in urban centres, the number of which was estimated at 5,500, came mainly from Democratic Republic of Congo, Liberia, Sierra Leone, Rwanda, Central African Republic and Sudan. They were cared for by the Government with the support of the United Nations and international and national refugee organizations. A memorandum of understanding between the International Committee of the Red Cross (ICRC), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Children's Fund (UNICEF) on the monitoring of separated or unaccompanied Sudanese children in Chad had been signed in 2005. A total of 437 separated and 104 unaccompanied children had been taken into care. On 31 December 1996, the Government had issued a decree creating a National Refugee Commission (CNAR) and defining the conditions under which refugee status was granted. Protection and humanitarian assistance were guaranteed to refugees and their children as part of their civil rights and economic, social and cultural rights.

15. Conflict between communities, Janjaweed incursions and rebel attacks had caused the internal displacement of 50,000 persons in the Dar Sila region, 1,918 of them school-aged children and 136 of them children separated from their parents. Protection was provided by United Nations agencies, the Government of Chad and national human rights organizations, which also provided humanitarian assistance. In 2005, some 7,500 children had been attending primary school or preschool in the east of the country. Approximately 360 classrooms had been built and another 135 were under construction. Those children received basic social and health services and were cared for by specially trained social workers. The Government had also taken measures to guarantee the security and protection of refugees and to help them manage their own affairs.

16. The Constitution and legislation guaranteed equal rights in all domains. While, in practice, girls and boys had equal access to schooling, certain sociocultural obstacles remained, which would ultimately be overcome, as Chadians were gradually starting to realize the importance of sending girls to school. The Government was conducting large-scale campaigns and adopting strategies to encourage enrolment and retention of girls in school. To that end, it had created a unit for the promotion of girls' education and had taken measures to provide public education free of charge. The right to education was guaranteed under the Constitution.

17. The right to work was set out in the Constitution and in law and, with a view to eliminating discrimination against women and children, Chad had ratified the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. In addition, it held regular debates on women's living and working conditions. A draft family code was making its way through Parliament and various social institutions created by the Government were working to promote women's rights.

18. Child abduction was sanctioned by article 286 of the Criminal Code, which had been rigorously applied in the Zoé's Ark affair, involving a French non-governmental organization that, on the pretext of saving Sudanese children, had tried to kidnap 103

Chadian children from Abéché, in the east of the country. The substitution of one child for another and the abduction or corruption of a minor under the age of 15 were punishable respectively by a prison sentence of between 2 and 10 years and a prison sentence of between 2 and 5 years and a fine of CFAF 5,000 to CFAF 100,000. However, where the abductor married the abducted person, prosecution and conviction was by law subject to a complaint being brought by someone with the right to request annulment of the marriage, and only once the marriage is annulled (Criminal Code, art. 289).

19. Progress was being made, including in rural areas, on the question of land rights. An increasing number of women not only had gardens at home but also had access to plots of a size limited solely by their ability to exploit them.

20. The culture of violence, the legacy of several decades of war, had not spared families and there had been many cases of family violence, the perpetrators of which were severely punished. Civil society organizations had made a significant contribution by providing counselling services and drawing public attention to women's rights. Nevertheless, families and victims often did not reveal that type of violence for fear of breaking up the family, which made punishment difficult and explained why no statistics on that matter were available. The Government had taken various steps to prevent and combat violence against women, such as the adoption of a law on the promotion of reproductive health, which prohibited all forms of violence including genital mutilation, early marriage, domestic violence and sexual violence.

21. The Constitution of Chad guaranteed citizens the right to enjoyment of all civil and political rights. However, in a state of emergency, some rights could be restricted, in particular the right to public meetings, press freedom and the free movement of persons and goods. Those measures were determined by the President, in the Council of Ministers, after consulting the speaker of the National Assembly and the President of the Constitutional Council. The state of emergency must not last longer than 15 days, renewable once only with the approval of the National Assembly. Because decisions taken in such circumstances were considered to be acts of Government, complaints on the grounds of abuse of power could not be brought against them. However, citizens whose rights had been violated could apply to the civil courts for redress.

22. The rights of the family and the person, in particular the right not to be subjected to torture or other degrading or humiliating treatment, were guaranteed under the Constitution. While Chad had acceded to nearly all the international human rights instruments, it had not yet ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at abolition of the death penalty. The persons who had been executed on 6 and 9 November 2003 had had a fair trial. They had been defended by court-appointed counsels, had had the right to speak and their trial had been public. They had sought a presidential pardon, which had been refused. Crimes punishable by death included murder, patricide, poisoning, attacks on a person's life, on the constitutional order or national security, and attempts on the life of a Head of State or a member of the Government or of the National Assembly.

23. Since independence Chad had been caught up in a cycle of violence, civil war, armed rebellion and foreign aggression which had facilitated the circulation of firearms and enabled armed gangs to attack the population. In order to ensure the safety of its citizens, the Government had established a security zone along the border and deployed an integrated defence and security force in the areas concerned, supported by the European Union-led peacekeeping force (EUFOR) and the Coordination des forces d'intervention au Tchad (CONAFIT), and had established a national disarmament commission.

24. Following the events of 2 and 3 February 2008 in N'Djamena, which had resulted in serious human rights violations, the Government had established a national commission of

inquiry, made up of representatives of government and civil society and religious leaders, and assisted by observers from the international community, and a committee responsible for implementing the commission's recommendations and providing financial and psychological assistance to victims. Among the specific measures taken, the Government had lodged a complaint against persons unknown to bring those responsible for the violations to justice, and had established a commission composed of judges and criminal investigation officers to take legal action in the case of offences.

25. **The Chairperson** thanked the delegation and invited the members of the Committee to make general comments.

26. **Mr. Amor** said that while the initial report under consideration had certainly been submitted late, it demonstrated a welcome frankness and sincerity. He thanked the delegation for submitting its written replies to the list of issues on time but nevertheless regretted that they did not provide more factual data. Upon taking office, the current President of Chad had declared that he was bringing not gold but freedom, inspiring great hope among the Chadian people and the international community. Chad had unquestionably made great efforts to promote human rights, notably by ratifying many of the international and regional human rights instruments. The preamble of Chad's Constitution made reference to the Universal Declaration of Human Rights and contained an entire chapter on fundamental rights and freedoms. Chad was also striving to ensure respect for diversity and to promote harmony among its various communities. Despite those signs of willingness, the human rights situation in Chad was still far from satisfactory.

27. The State party itself acknowledged that the violent conflicts that had shaken the country since its independence had had an impact on attitudes and behaviour that was still being felt today. Another challenge was the large number of ethnic groups in Chad, whose strong identities made it difficult for a genuine national identity to take shape and created a situation where customs and traditions tended to prevail in practice over international standards and laws. In that context, made even more difficult by poverty, it was not surprising that citizens and sometimes even government officials were relatively ignorant of the law and even more so of international instruments. While Chad was certainly not carrying out a deliberate policy of human rights violations, there was, however, no denying that such violations existed.

28. The Constitution stipulated that treaties or agreements, once published, took precedence over national laws. Noting that the majority of people were unaware of the Covenant and that its provisions had, to his knowledge, never been applied by a Chadian court, he wished to be certain that the Covenant had definitely been published officially. Details on how the Convention relating to the Status of Refugees had been applied in the case of Tchanguiz Vatankhah, an Iranian refugee who had been arrested and against whom an expulsion order had been served, and who had finally been released in 2006, would be helpful.

29. Ratification of an international instrument implied prior verification of its compatibility with domestic legislation followed by harmonization, as necessary. While some Chadian laws were fully compatible with the Covenant, others were less so or not at all. Was the State party going to conduct a systematic review of its legislation to ensure its compatibility with its commitments under the Covenant? The Constitution provided for codification of customary and traditional law. It would be interesting to know whether that process had been carried out and, if so, whether traditional authorities had taken part in it and whether the Covenant's provisions had been taken into account. Respect for cultural diversity and traditions could not be ensured to the detriment of respect for human rights. The Constitution moreover set limits as it prohibited customs which were incompatible with public order or which fostered inequality. It had to be admitted, however, that many customs still imposed an inferior status on women. For example, customary law governing

marriage and inheritance was profoundly unfair to women. The fact that the Constitution subjected the application of such laws to the consent of the parties concerned did not change their fundamental incompatibility with the State's commitments under the Covenant. Practices such as genital mutilation or polygamy, moreover, could never be justified in terms of human rights. The State party had granted constitutional status to traditional authorities, which was not, in itself, a bad idea, but might that not strengthen the authorities' influence, thereby making it more difficult to eliminate certain customs that were contrary to human rights principles?

30. The existence since 1994 of the National Human Rights Commission was a credit to the State party. Some aspects of the Commission's functioning nevertheless raised concerns and the Committee would like to hear the delegation's comment on them. It seemed, for example, that government representatives on the Commission had voting rights which, if that were the case, would seriously compromise the Commission's independence. Furthermore, the Commission was currently missing several of its members whose mandate had expired and had not been renewed. If that were true, why had the mandate of those members not been renewed? The Commission did not have its own budget and it was to be hoped that it received the funds necessary to fulfilling its mission. It would be interesting in that connection to know whether financial resources were allocated to it automatically or on the basis of needs determined by the Commission itself. With reference to the consideration of complaints, did the Commission have investigative authority and could it initiate legal action when it identified a violation?

31. **Ms. Majodina** said she hoped that, after the missed New York meeting, that first meeting with the Chadian delegation would be the start of a long and productive collaboration between the Government of Chad and the Committee. Expressing regret that there were no women in the Chadian delegation, she encouraged the State party to ensure greater participation of women in delegations that would represent it before the Committee in the future. Poverty and recurrent violence in Chad was seriously compromising its ability to ensure respect for human rights. Displaced populations in the east of the country, especially women and children, were exposed to all kinds of violations – executions, abductions, rape and torture. Details on the measures taken by the State party to protect those populations would be helpful. In particular, it would be interesting to know whether the State was applying the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2). Insecurity in the region was preventing humanitarian organizations from gaining access to displaced persons camps. What measures had been taken to help such organizations gain access? Approximately 70,000 persons had allegedly returned voluntarily to their region of origin despite the fact that security risks had not been entirely eliminated. Had steps been taken to guarantee their safety?

32. Little progress had been made in granting Chadian women greater civil, political, economic, social and cultural rights. The proportion of women in public service was only 10 per cent and only 6.5 per cent of seats in Parliament were held by women. While men's and women's unequal access to education partially explained why so few women held those types of posts, it might still be asked whether women with the necessary qualifications for such posts were not victims of discrimination. Women, especially in rural areas, did not necessarily get a chance to exercise their right to vote even though that was a prerequisite for ensuring that women participated more fully in political life. Obstacles to such participation might perhaps exist within the political parties themselves. Any clarifications that the delegation could provide in that regard would be welcome. According to the State party, the law did not discriminate with regard to property ownership and inheritance. That did not, however, change the fact that women worked the land but did not own it, a form of exploitation that was not unique to Chad but existed in many African countries. Was an agrarian reform project that would put an end to that situation under consideration?

33. With regard to young girls, most often minors, who were abducted for the purpose of marriage, it would be interesting to know whether the kidnappers were ever tried and convicted, whether measures had been taken to combat that practice and, more generally, whether campaigns had been launched to teach the population about gender equality, and in particular to inform women of their rights. Substantial efforts had been made to promote education for girls, but what about literacy training for adults? More generally, it would be interesting to know what progress Chad had made in achieving the Millennium Development Goals, notably in the areas of health and education, and with particular reference to women.

34. While family violence could be explained by various factors, including forced marriage, it was more widespread in the east of the country and it might be asked whether that was connected to the constant population displacements in that region. Another aspect of family violence was that fact that children were often regarded as a source of revenue for the family. The State party had declared that perpetrators of family violence faced harsh sentences, yet non-governmental organizations testified that they most often went unpunished. Lastly, it would be useful to know whether the State party supported the activities of non-governmental organizations that aided victims, such as the Association of Women Lawyers of Chad, and whether it planned to create special family violence courts or to take other measures such as those set out in the Beijing Platform for Action, which it had endorsed.

35. **Ms. Wedgwood** said that while regretting that there were no women in the State party's delegation, she wished to emphasize that she was aware of the very difficult situation in which Chad currently found itself. She encouraged the Government to cooperate more closely with non-governmental organizations (NGOs) as they were doing vital work. For example, just as the International Committee of the Red Cross (ICRC) kept generals informed about what was actually happening on the battlefield, NGOs provided the authorities with information that government officials themselves refrained from communicating because it was negative. Furthermore, if the Government failed to use the opportunity provided by the periodic report to clarify the facts underscored by NGOs, the Committee could only base its conclusions on their version.

36. It would be helpful to know how many times a state of emergency had been declared, the procedure used to do so, what rights were suspended in such a case, and whether any form of judicial review was maintained. The State party was encouraged to refer to general comment No. 29 of the Committee on article 4 of the Covenant (derogations during a state of emergency), which enumerated the rights from which no derogation could be made, even under exceptional circumstances. With regard to the death penalty, the State party had explained that it had lifted the moratorium on executions because of the highly insecure situation and the difficulty of protecting the population. It should, however, be recalled that application of the death penalty must always be consistent with the Covenant's provisions and that it could not under any circumstances be automatic for particular crimes, as the court must always be free to consider extenuating circumstances. Why, if discussion on the death penalty was under way, had there been so many convictions and executions immediately after the moratorium had been lifted (nine executions and four convictions in November 2003 alone, according to NGO sources)? Aside from those court-ordered executions, NGOs had also reported executions by security forces, in particular in Kouno, and disappearances, which were also a form of execution. Comments in that regard would be welcome. Lastly, in the case concerning Adouma Ali Ahmat and his co-defendants, less than six weeks had elapsed between arrest and execution. A judge must be absolutely certain before pronouncing a death sentence, and the investigation must therefore be as thorough as possible. Moreover, various allegations concerning that trial merited clarification: for example, the defendants had allegedly not had a lawyer while in the custody of the intelligence services, some of them had allegedly

been tortured, and the body of one of the condemned men had allegedly not been turned over to his spouse following the execution.

37. According to NGOs, detainees were at times subjected to ill-treatment by police and gendarmes. While the Government had explained that unscheduled visits were made to monitor the situation, it would be useful to know what other measures had been taken. Similarly, in relation to attacks allegedly made on civilians by security force members in civilian clothing, it could not be emphasized too strongly how important it was to train military personnel in the treatment and protection of civilians. They must be taught that no abuse would be tolerated and that commanders could also be held responsible for acts committed by their subordinates if they had been negligent in preventing such acts. The notion of “command responsibility” was currently being applied by international courts in war crimes cases.

38. With respect to violence against women, she wondered whether the State party intended to entrust such cases to female staff, with whom victims would be more likely to cooperate. Lastly, she noticed that the measures the Government planned to take to implement the national commission of inquiry’s recommendations were very general while that body had been assigned to investigate specific allegations concerning events in N’Djamena in February 2008. It was of course always much easier to prepare reports than to take action in the field. However, even in the chaotic situation in which Chad found itself, security forces must be able to maintain order while respecting human rights.

39. **Mr. Fathalla** said there was a contradiction between article 31 of the Constitution, which guaranteed all citizens access to public service without discrimination, subject only to the requirements of each post, and article 17 of the law referred to in paragraph 50 of the initial report, according to which access to public service was reserved exclusively for persons born in Chad or who had been citizens for at least five years. Had the family code drawn up in 2000 been adopted and did it cover gaps in the area of gender equality?

40. **Mr. Thelin** said he was aware that Chad had many problems, which could explain certain shortcomings. It was one thing, however, to adopt laws and measures and another to put them into practice. For example, the National Human Rights Commission was a fundamental body that had existed for 15 years, but did not seem to function. It was composed equally of representatives of government and civil society. Yet no information was available on how those members were appointed, for what length of time or what role NGOs played in their selection. It would also be useful to know whether the Commission had initiated investigations and, if so, how often, whether it provided advisory opinions to the Government, whether it published an annual report and whether it had already considered complaints from individuals. Lastly, the State party had explained that owing to a lack of resources, the Commission was not totally independent and did not fully comply with the Paris Principles. It had failed, however, to specify what it planned to do in that regard.

41. **Ms. Keller** also regretted that there were no women in the Chadian delegation. To supplement the questions raised by Ms. Wedgwood concerning the death penalty, she asked how long condemned persons remained in prison before being executed.

42. **Mr. Bhagwati** said he hoped that there would be some women in the delegation presenting the next periodic report to the Committee.

43. There was apparently a very large number of refugees in Chad, which undoubtedly gave rise to problems. Had the Office of the United Nations High Commissioner for Refugees provided assistance to the Chadian authorities and, if so, what form had it taken?

44. It would be useful to know whether there were provisions guaranteeing free education for girls. That was particularly important because, if such provisions did not

exist, families might be reluctant to send their daughters to school, preferring to keep them at home for domestic work.

45. Lastly, he wished to know what measures had been taken to establish a legal system for minors, how juvenile offenders were tried and whether they received appropriate treatment (educational measures, separation of minors from adult detainees and so forth).

46. **Mr. Rivas Posada** pointed out that the list of offences carrying the death penalty, in paragraph 27 of the written replies, was apparently not exhaustive. Could the Chadian delegation provide a complete list of offences punishable by death?

47. **The Chairperson** proposed that the meeting be suspended for several minutes to give the delegation time to prepare its replies to the questions put to it.

The meeting was suspended at 5.10 p.m. and resumed at 5.30 p.m.

48. **Mr. Djasnabaille** (Chad) welcomed the opening of a dialogue with the Committee, whose questions and comments would help Chad to promote and protect human rights more effectively. It would be good to pursue the momentum already created, including through other means, and the delegation invited the Committee members to visit Chad, because nothing could replace the objective assessment of the situation afforded by a field visit.

49. Before a reply could be given to the Committee members' questions, it was important to consider the implementation of the Covenant within the general context of the situation in Chad and the challenges faced both by public authorities and civil society organizations. The first challenge was the insecurity prevailing in the country, due essentially to the war in Darfur. Faced with aggression coming from Sudan, the authorities had no other choice than to defend the territorial integrity of their country. The problems that had thus arisen in the east of Chad called, furthermore, for a global response from the international community, which Chad alone could not provide. While they had no choice but to defend Chad's territorial integrity and protect its population, the authorities were nevertheless aware that when arms were involved, human rights were neglected, which was a clearly undesirable situation. With the various conflicts that had swept through Chad, the ranks of the armed forces had swelled with untrained soldiers armed solely with a weapon. Abuses by the army were frequent as poorly trained soldiers hardly knew restraint. State authorities had nevertheless to make do with the army as it was, and had therefore to exercise judgement in punishing soldiers for offences because they were the ones who actually defended the integrity of the territory. In the context of Chad's complex status of being neither at war nor at peace, the Government was assuming its responsibilities and intended to make changes. To that end, it was endeavouring to discipline and improve the structure of the armed forces, set up training programmes for soldiers and monitor recruitment conditions. It was also aware of the need to impose sanctions in every case where human rights violations had been established, while ensuring nevertheless that the results obtained were not contrary to those sought after. With regard to the specific issue of child soldiers, the Chadian delegation wished to assure the Committee that, while young people were sometimes involved in combat, which was not easy to prevent for various reasons (family ties with the victims of aggression, geographical proximity and so forth), there was no official policy of enlisting children in the armed forces. Generally speaking, improving the situation would take time, given the scope of the challenges that the Government had to meet. For example, the Chadian army was endeavouring, in cooperation with international forces, to ensure relative security in the east of the country. Another heavy burden for the Chadian authorities was to protect the international humanitarian organizations present in the country.

50. It should also be kept in mind that Chadian society was characterized by both a culture of violence and a culture of masculinity. Only dynamic measures, over time, could modify that situation. The Chadian authorities hoped, moreover, that the international

community would support its efforts in that regard, and they planned to involve various international partners in the assessment and improvement of the human rights situation. The fact that there were no women in the delegation presenting the initial report before the Committee indeed demonstrated that women had not yet achieved the status they merited in Chadian society. The Government was aware that the situation had to change and that measures had to be taken to that end. There were, of course, women in government: 6 per cent of deputies were women and some public prosecutors were women. That was, however, certainly not enough. The Chadian authorities were making efforts to rectify the situation and hoped to engage the broad participation of national NGOs therein.

51. The situation regarding human rights protection was, in general, far from satisfactory. For example, the National Human Rights Commission barely existed except on paper. Its status was not clear, its composition was problematic, its independence was not actually ensured – all those were issues that the authorities were striving to resolve so that the Commission could at last play a genuine role. The Ministry of Human Rights and Promotion of Freedoms, which he headed, was the centre of government action on human rights, even though its task was not easy because the cross-cutting nature of its mission was not always understood by the other ministries. It was faced with other challenges, in particular the fact that public opinion in Chad did not regard respect for human rights as a priority. In addition, the problems were numerous and required action on several fronts: it was necessary, for example, to ensure that full light was shed on the abductions that had occurred in Chad, as well as to improve deplorable prison conditions, in a context of budgetary restrictions, and to address the problem of “diya” (the “blood price” paid to parents of a murder victim) and so on.

52. In addressing all those issues, the Chadian authorities intended to maintain regular contact with civil society organizations and to work jointly with them. The work done by national NGOs was positive even if it was, unfortunately, not always recognized. The Ministry of Human Rights and Promotion of Freedoms was, moreover, ready to cooperate with national NGOs with a view to making recommendations to the Government concerning the promotion and protection of human rights.

The meeting rose at 6 p.m.