



**Convention on the  
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COMMITTEE ON THE RIGHTS OF THE CHILD

Fiftieth session

SUMMARY RECORD OF THE 1375th MEETING

Held at the Palais Wilson, Geneva,  
on Wednesday, 14 January 2009, at 3 p.m.

Chairperson: Ms. LEE

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Chad (CRC/C/TCD/2, CRC/C/TCD/Q/2 and Add.1) (continued)

1. At the invitation of the Chairperson, the members of the delegation of Chad resumed their places at the Committee table.
2. The CHAIRPERSON invited the members of the Committee to continue with their questions about the second periodic report.
3. Mr. FILALI said that, while the report referred to the establishment of special children's divisions in the courts of first instance, it did not describe any specific court procedures for appeals thereafter. Did children have the right to appeal, and if so, was there an appeals court reserved for cases involving children? While in theory children could be held for up to 10 hours in police custody, the Committee had received reports according to which they were sometimes detained much longer. It was well known that the overwhelming majority of abuses took place during periods of police custody and pretrial detention. Did the Government have any means to ensure compliance with the prescribed time limit? Was it possible for judges to intervene if the limit was exceeded? The imposition on minors, even in extremely serious criminal cases, of prison sentences of 10 years was excessive, as it went well beyond the time required for the social reintegration of a child. Lastly, he asked whether any studies had been carried out to determine ways of dealing with the overcrowding in the country's prisons, which had reportedly led to problems related to violence. Were there sufficient budgetary resources to ensure proper conditions of detention?
4. Ms. ORTIZ asked what bodies existed at the local level to support families as they raised children, and how beneficiaries obtained access to such assistance, for example in cases of domestic abuse, serious malnutrition or problems related to education, health or child labour. The delegation should also describe the efforts made by non-governmental organizations (NGOs) and others to promote responsible fatherhood. What was the procedure followed by single mothers who had to apply for assistance in rural areas, and how were the inheritance rights of children ensured? The situation of child livestock-herders (enfants bouviers) was of concern to the Committee. Who checked on their living conditions or their relations with their families, and verified that they were not subjected to sexual or labour exploitation? Did they have access to education and health services, and what protection were they afforded? While reportedly a bill had been drawn up to address the problem, its adoption could take time, and the delegation should describe what administrative steps could be taken in the interim.
5. Lastly, while welcoming the timely action taken against a western NGO that had attempted to illegally abduct over 100 children, many of whom were not orphans, to another country for purposes of adoption, she asked whether the Government had taken steps to institute an adoption procedure that respected the rights of the child. Specifically, had Chad ratified the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption?
6. Ms. SMITH said that the Committee had received reports that sexual abuse of girls was common, and that little was done by the Government to prevent rape or protect children from

such abuse. The problem was particularly acute near refugee camps, and such crimes were seldom investigated. In the rare cases where compensation was awarded, it was sometimes given not to the girl victims themselves, but to their village chiefs. What was the Government doing to protect such girls and to prosecute offenders? The problem of child labour, in particular the hiring of refugee children and the use of children as herders and domestic workers, was of concern. Did the Government have any plans for the prosecution of people involved in child exploitation, including the sale of children for work as herders? Lastly, the delegation should inform the Committee what costs were incurred for health services for children, and more specifically for adolescents.

7. The CHAIRPERSON said that the Committee had received reports that children in refugee camps had been recruited into the Chadian army, and that there was also a high level of gender-based violence in the refugee camps. What efforts had the Government made to address those problems?

8. Ms. NGARBATINA (Chad) said that the Chadian army did not recruit children, and that the Government did everything in its power to ensure that children did not join the military. The Ministry of Defence and the Ministry of Social Action and the Family both checked at army barracks to ensure that no children were enrolled; if any were found, they were immediately removed.

9. Mr. MADNANGAR (Chad) said that in the Government ministry dealing with human rights issues, there was a directorate for vulnerable persons, which generally meant women and children. Judges were given training in the rights of the child at various levels, in the form of seminars and workshops, some of which also admitted members of the police. The most recent training events had been held in 2006, for 39 judges, and in 2007, for 50 participants. The divorce procedure set out in the Civil Code gave particular importance to ensuring the best interests of the child; judges in divorce cases could reject a divorce application, or refuse to give custody to one of the parents if they deemed that such action would not be in the child's best interest. The draft code on the protection of children too incorporated the concept of the best interests of the child.

10. While the Criminal Code made no reference to torture, the Constitution spoke of the inviolability of the human person and the prohibition of inhuman or degrading treatment. In legal practice, torture was treated as assault and battery or serious wounding, which was punishable under the Criminal Code. Police officers accused of torturing children in police custody were automatically prosecuted. The new law reorganizing the judiciary called for children's divisions to be established in all national courts.

11. Mr. FILALI said that from the perspective of criminal law, torture was not the same thing as assault and battery or serious wounding. The former was classified as a serious offence or felony (crime), and the latter as an ordinary offence or misdemeanour (délit). It would be advisable for the State party to adopt a specific law against torture in order to ensure that the appropriate penalties were imposed.

12. Mr. ZERMATTEN (Country Rapporteur) asked how many cases of torture of children had been prosecuted under the automatic procedure.

13. Mr. MADNANGAR (Chad) said that subsequent to an inter-ministerial meeting of the two main regional economic cooperation communities (the Economic Community of West African States, ECOWAS, and the Economic Community of Central African States, ECCAS) that had addressed trafficking, Chad in 2006 had signed the Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa. A joint plan of action had been adopted as well, which had made it possible to establish local protection centres. Six of those centres had been set up in Chad with support from the United States embassy and the United Nations Children's Fund (UNICEF), and had begun reporting cases of child trafficking. In 2008 a national plan of action had been drawn up to combat child trafficking, and another was being drafted for 2009 in the Ministry of Social Action and the Family. As for the definition of the child, Chad had ratified the Convention and the African Charter on the Rights and Welfare of the African Child. At the national level the definition of the child was the same as in those two instruments.

14. Ms. SMITH asked whether the trafficking addressed by the Government included the sale of children for use as herdsman and the sale of girls for domestic work, and whether the Government had adopted a legal definition of trafficking.

15. Mr. MADNANGAR (Chad) said that trafficking was defined in broad terms in the Multilateral Cooperation Agreement, a definition that was accepted in Chad; it included activities such as the transport and recruitment of children and the violation of their rights.

16. Mr. ZERMATTEN (Country Rapporteur) while welcoming the delegation's assertion that the definition of the child was a person under 18 years of age, and was thus in keeping with the Committee's recommendations, said that under customary law, marriage was still apparently allowed before the age of 18, and that early marriage was still quite prevalent. That resulted for example in teenage pregnancies, and thus restricted the enjoyment by girls of their rights as children. What could be done to bring the practice and the law closer into line?

17. Mr. KOTRANE (Alternate Country Rapporteur) said that, pending the adoption of the Family Code, the minimum age for marriage had not yet been established, but that the draft as currently formulated would permit the marriage of girls at the age of 17. The Government should amend the bill to bring it into line with the Committee's recommendations, so that the minimum age would be 18 for both. According to information provided by the delegation, over 60 per cent of girls currently married before reaching the age of 16.

18. Mr. MADNANGAR (Chad) said that in Chad, there were two types of customary law: Islamic customary law and animist customary law. The Government was making efforts to raise awareness among community and religious leaders of the importance of the rights of the child.

19. Ms. NGARBATINA (Chad) said that the adoption of the Family Code would resolve many problems, and that the Government was continuing to collect information in order to produce the best draft possible. As part of those efforts, it was sending a mission to Senegal and Tunisia to learn from the experiences of other countries.

20. Mr. MADNANGAR (Chad) said that the Convention and other international instruments adopted by the Government were a part of domestic law, and ensured that the political rights of children were protected. Under the Criminal Code, abandonment of children was a punishable

offence. The poverty reduction strategy called for the establishment of a national fund against poverty, which would address inter alia the situation of street children. Measures had been taken to combat impunity, by reforming the justice system and establishing a Ministry of State Control and Morals and a National Disarmament Committee.

21. Ms. ORTIZ asked for more information on the six local protection centres that had been set up in Chad, and on what kind of cases they handled.

22. Mr. CITARELLA asked about the legal status of unregistered children. In practical terms, what rights did they have, such as access to education and health services?

23. Mr. DJONGA (Chad) said that since birth registration and the issuing of birth certificates had become free of charge in 2006, more births were being registered than a few years ago. Studies had shown that a lack of means to pay for birth registration had prevented parents from registering their children in the past. That situation had changed. When a child's birth was registered, he or she was legally born; until that point he or she did not legally exist. When a child obtained legal status, he or she was included in the population census and could benefit from all the rights to which Chadians were entitled.

24. Mr. KOTRANE (Alternate Country Rapporteur) said that the majority of births were still not registered and asked whether that meant that those children did not exist and had no rights or legal status.

25. Mr. DJONGA (Chad) said that it was not that those children did not exist, but if they were not registered then they did not exist in legal terms. A campaign was under way to encourage the registration of older children as well.

26. Mr. ZERMATTEN (Country Rapporteur) said that that situation was valid for Chadian children born in Chad, but non-Chadian children who were born in Chad, in particular Sudanese children, could not register and therefore could not exist.

27. Mr. HINFIENNE (Chad) said that the issue of Sudanese children was a specific problem. Under Chadian law, any child born in Chad had Chadian nationality; however, because of the strained relations between Chad and Sudan, Sudanese children born in Chad were not registered. Measures were being taken to improve the situation: children born in refugee camps were being registered and given a copy of their birth certificate in preparation for the day when the relations between the two countries improved and those children could be granted Chadian nationality.

28. Mr. DJONGA (Chad) said that under Chadian law, special provisions were made for children in court. Under the current structure, children's divisions were available in all courts, presided over by a children's judge. The special provisions were applicable at the appeal stage right through to the Supreme Court.

29. With regard to police custody, under the Criminal Code the prosecutor had the power to authorize spot checks of police stations and could order the release of a child or order the police chief to refer the child to the children's judge. Prosecutors could make regular inspections of police stations, even three times a day, if necessary, to ensure that children were not detained arbitrarily.

30. The maximum sentence for children for a criminal offence was 10 years. The Government would consider how it could adapt its legislation to bring it into line with international law. The draft code on the protection of children contained proposals in that regard.

31. Under Chadian law, minors had to be detained separately from adults. In a trial involving both adults and children, the latter would automatically be handed over to a children's judge. That judge could summon the children's parents and order that they should remain with the children to be placed in their care, which could lead to softer sentences.

32. Mr. FILALI pointed out that, according to paragraph 259 of the report, minors were not separated from adults in detention. Torture was not a question of categorizing bodily harm as either simple or aggravated assault; it was a clearly defined concept.

33. Mr. ZERMATTEN (Country Rapporteur) said that, in reality, there was no separation of minors and adults in detention, partly on account of prison overcrowding. He asked what the Government planned to do to ensure that the law was enforced.

34. Ms. NGARBATINA (Chad) said that the Government was aware of the situation of overcrowding in its prisons as a result of which children and adults were imprisoned together. Provisions had been made in the 2009 budget to begin separating the two groups. It was a serious issue because a child imprisoned with hardened criminals had no chance of rehabilitation. The Government was committed to tackling the issue and was not ashamed to discuss it.

35. To combat rape and harassment in refugee camps, police had received specific training and had been posted to the camps to guarantee security. Refugees had confirmed that the situation had improved. The Government was doing everything in its power to protect vulnerable groups, such as refugees, and to punish the perpetrators.

36. Mr. MADNANGAR (Chad), responding to an earlier question by Ms. Ortiz, said that the composition of the local protection committees took into account the resolutions and recommendations made at a ministerial conference in Abuja in 2006. The system for setting up the committees contained various safeguards. In both the capital and in the provinces, they were composed of a range of members of society, including magistrates, social workers, police chiefs, civil society, and religious leaders.

37. Mr. DJIDINGAR (Chad) said that the right to education in Chad was enshrined in the Constitution. The Government had declared education a national priority as part of the poverty reduction strategy. Since the Millennium Development Goals had been established in 2000, the Government had undertaken reforms to ensure that all children had access to education by 2015. Progress had been made in terms of the percentage of children attending school, although there was still a disparity between the percentages of boys and girls. The education policy focused on children who were typically excluded from education, such as children from rural areas and girls. Stereotypes regarding girls persisted and the United Nations Children's Fund (UNICEF) had developed a strategy to increase the number of girls attending school, with the ultimate aim of achieving equal percentages of boys and girls.

38. Many of the teachers in the Chadian education system were community elders. During the 1970s, many communities had created their own schools and recruited teachers to make up

for the national shortfall. Communities had become a vital partner to the Government in education as they provided the training and pay for many teachers, and maintained school premises in rural areas. The Government recognized that contribution and, as part of its reforms, more than 10,000 community teachers had been provided with training to ensure that they had the skills required, while 9,500 had been employed by the State to relieve the burden on the communities, as part of the fight against poverty.

39. The school coverage problem was linked to the mobilization of resources. Every year the Government launched a programme for 2,000 new classrooms funded by its oil revenues. The drop in the oil price and the slowdown in the amount of development aid over recent years had negative implications for the school coverage programme in terms of the availability of classrooms and the recruitment of teachers. Non-attendance at school was still a problem, particularly among girls. Ambitious actions plans were being drawn up with the support of partners, including UNICEF, to encourage parents to send their children, especially girls, to school.

40. The CHAIRPERSON said that if money from oil revenues had been added to the education budget, it would suggest that the budget had increased. However, it had been noted by the Committee that the overall budget for education and health had decreased. She requested clarification regarding the apparent contradiction. It had been further noted that the social sector received the smallest budget allocation.

41. Mr. ZERMATTEN (Country Rapporteur) said that education had been declared a priority under the Chadian poverty reduction strategy and oil revenues would help to achieve that goal. He asked what the Government's policy was with regard to preschool education, taking into account the means available.

42. Mr. KRAPPMANN said that combining the poverty reduction strategy with education was a good approach. He asked what happened to the many children who left school before graduation, or even before finishing primary school, and whether any programmes were available to give them a second chance. Those children were too young to work and what they did at that age would affect them throughout their lives.

43. Mr. KOTRANE (Alternate Country Rapporteur) said that, according to the information available, most of the children concerned worked from a very early age. Chadian law prohibited child labour in line with international law, but in practice many children worked. He asked what the Government's strategy was in that regard and what results it had obtained. He asked whether Chad had joined the International Labour Organization's International Programme on the Elimination of Child Labour (IPEC). Alternative opportunities, such as training, should be available.

44. Mr. PARFITT asked whether the poverty reduction strategy included supporting families who were at risk of abandoning their children.

45. Mr. DJIDINGAR (Chad) said that the education budget had not been cut. As a proportion of GDP or percentage of the State budget, it was less significant, but compared to before the receipt of oil revenues, it had doubled. In terms of Central African CFA francs the amount allocated to the social budget had more than doubled.

46. Mr. SIDDIQUI said that it was the percentage of the total budget allocated that was important, especially since Chad had recently gained access to oil revenues. If a lot of money went to the defence budget, instead of the social budget, then people would remain in poverty and the country's problems would persist.
47. The CHAIRPERSON, referring to figures given in the report regarding children detained for theft of goods or money, children under 12 who were employed, and children who left school for various reasons, asked where those children were and what was happening to them. Poverty was the reason why many children stole, were lured into recruitment in armed groups or were otherwise exploited.
48. Mr. DJIDINGAR (Chad) said that the proportion of the budget in real terms was another matter. He was speaking of the allocation of resources to the education sector, which had increased from year to year but was nevertheless insufficient. The Government was confronted with a decrease in foreign assistance from, among others, the World Bank and the European Union.
49. With regard to preschool education, Chad had developed a programme to prepare small children, aged 3 to 6, to enter primary school, involving the Ministry of Social Action and the Family, the Ministry of National Education, and the Ministry of Health, which would address health-related issues like nutrition. Unfortunately, the programme had never received funding. There were, however, preschools at the kindergarten level.
50. In Chad, schooling was free of charge. About 41 per cent of children completed primary school; the other 59 per cent dropped out essentially for reasons of poverty. Most of those were from rural areas, where people lived on less than 1 US dollar per day. In addition, many girls left school because of early marriages.
51. Another challenge was adapting school programmes to the cultural needs of the population. The school system was a vestige of the French colonial presence, and not ideally suited to Chadian conditions. The Government had created a national curriculum, to be introduced for the first time in 2009, and would be publishing school manuals for primary school in both Arabic and French, which was unprecedented. A key principle of education policy was adapting the content of the curriculum to the realities of life in Chad, in particular to ensure that families accepted the schooling offered.
52. The Government had also created an informal educational programme designed to help children who had dropped out of school, by offering them vocational training. Fifteen centres had already been established, and there were plans for 47 more, with funds from the Islamic Development Bank and the African Development Bank. Those were small education units, which would teach young people a trade.
53. A Ministry of Microcredit had also been created, offering credit to young men and women to help them create income-generating activities and emerge from poverty. There were also programmes to combat child labour, in particular to rescue the enfants bouviers and return them to school. It was true that not many children had been retrieved so far, but the political will and institutional framework to do so existed.



The meeting was suspended at 4.40 p.m. and resumed at 4.50 p.m.

54. Ms. NGARBATINA (Chad) said that the Government's position vis-à-vis children with disabilities was clear: it sought to reintegrate such children into normal life. There had traditionally been a taboo against persons with disabilities; that taboo was gradually disappearing as a result of efforts by the Government and others. In fact, private citizens had brought the problem to the attention of the Government. Traditionally, a disability was viewed as shameful, but families could turn to the Ministry of Social Action and the Family for assistance. In 2008, a law had been adopted for the protection of persons with disabilities; that law in fact protected all members of society, since some were born with disabilities and others might be disabled later in life.

55. Partners were assisting Chad in combating poverty. As part of government efforts to assess the situation, a member of the Ministry of Social Action and the Family had taken a tour of Chad, visiting many illiterate persons living in poverty, and had found that many were too proud to accept care. Efforts were currently under way to determine the reasons for the exodus of young people from rural areas, which in her view was an important factor in rural poverty. In addition, a survey had been undertaken to determine why young girls were resorting to prostitution, and efforts were being made to protect such girls from the dangers of the street.

56. Ms. ORTIZ asked whether there were local programmes to teach families and communities, particularly in rural areas, how to prevent young girls from turning to prostitution.

57. Ms. NGARBATINA (Chad) said that the Ministry of Social Action and the Family had a high degree of visibility owing to the many crises to which it had responded. Individuals made requests to the Ministry for assistance, which was provided as urgently as possible. There were cases, for example, in which divorced mothers could not feed their children - a matter of survival.

58. Efforts were made to pair outstanding students from poor environments with sponsors. For instance, each of the members of the delegation had young people to whom they gave personal support. Funds had been gathered to create a structure for the reintegration of street children, and the Ministry had assisted by providing trained staff. As for young girls who did not wish to attend school, the Ministry of Social Action and the Family directed them to the Ministry of Microcredit to help them set up their own businesses.

59. Chadian women were very active in women's organizations, and many women's lives had been changed as a result. The Ministry sought to identify families needing assistance, and to help them to emerge from poverty in a sustainable way. That was not an easy process, and Chad was seeking partners that could help. Many other countries of the world had managed to recover from poverty; there was no reason why Chad could not do the same.

60. Ms. RAHAMA SALEH (Chad) said that the rate of child mortality in Chad was high, and had not improved in 10 years. In addition, access to health services remained a problem for many Chadians. There were not enough clinics and insufficient access to existing ones. The Ministry of Public Health, with the assistance of development partners, had developed a new national health policy for 2007-2015, and a budget was being developed. In 2002, an accelerated health development strategy had been created with the support of UNICEF, which aimed to reduce

child mortality by mobilizing all health sectors, including communities. The Strategy for Promoting Children's Survival and Development comprised three components, vaccination, immunization, and integrated treatment of childhood illnesses, and had been tested from 2002-2005 in three health districts of Chad. An external evaluation had shown that the strategy reduced the child mortality rate by nearly 10 percentage points. The Ministry was currently seeking to implement that strategy nationwide.

61. Turning to questions raised about HIV/AIDS, she said that programmes to prevent the transmission of illnesses from mothers to children were admittedly weak. A national coordination system had been created in 2006, and since 2007, antiretroviral drugs and other essential medicines had been available free of charge. Development partners had shown a commitment and willingness to help, and four national experts had been recruited to assist in the campaign against HIV/AIDS in the districts most severely affected. Initiatives designed to care for the country's 6,000 orphans provided treatment free of charge, along with health care and education. The Ministry of Social Action and the Family also gave support to families supporting orphans suffering from HIV/AIDS for the development of income-generating activities. Such orphans had been designated a national priority for 2009.

62. With regard to adolescent health, she said that the Ministry of Public Health had created a reproductive health division, which had developed a plan for reducing mortality among adolescent mothers, involving health care, obstetrical care, neonatal care and family welfare.

63. Lastly, she said that the Ministry of Public Health had worked to coordinate care for all childhood illnesses, including the expanded programme on immunization, national campaigns against diarrhoea, respiratory illnesses and malaria, the national nutrition programme, and the reproductive health-care programme.

64. Ms. AIDOO inquired whether the adolescent reproductive health programme was sensitive to the needs of young people, whether the services were provided on a confidential basis, in particular in cases involving HIV/AIDS, whether adolescents were seen in the same facilities as adults, and how such programmes were funded.

65. Mr. KHATTAB, noting that apparently both Muslims and non-Muslims practised the crime of female genital mutilation in Chad, asked what measures and initiatives were being taken to combat that practice, and to what extent they had been successful. Chad had not attended major international conferences on female genital mutilation although the costs of participation were covered.

66. Ms. NGARBATINA (Chad) said that working against female genital mutilation was no longer taboo in Chad. The Government had linked the campaign against female genital mutilation with HIV/AIDS and the campaign against fistula. Many women had fistula as a result of bearing children too young and of inadequate health care, and were often rejected as a result. In recent years, with the help of the United Nations Population Fund (UNFPA), the Ministry of Social Action and the Family had launched an anti-fistula project, and women had come for treatment in much larger numbers than expected. Women treated for fistula were given a sum of money by UNFPA on leaving the hospital; many had received training and had taken up work with hospitals in N'Djamena. In her view, that was an important beginning.

67. At the behest of other countries, Chad had begun to develop a campaign against HIV/AIDS. Many national associations had become involved, including the Network of African Women Ministers and Members of Parliament, with funds provided by the Global Fund to Fight Aids, Tuberculosis and Malaria. The Government of Chad had mobilized traditional leaders, explaining that female genital mutilation contributed to the spread of HIV/AIDS (because the same blade was often used for several girls) and therefore endangered the health of the whole community. In addition, thanks to oil revenues, antiretroviral drugs were available free of charge. Ever since the drugs had become available free, people were willing to be screened for the illness. It was understood that persons in treatment for HIV/AIDS needed good nutrition and proper care, and the Chadian Government, along with national associations, was mobilizing to provide such care to persons without means. It was her great hope that people would eventually refer to HIV/AIDS as they currently did to malaria.

68. Ms. RAHAMA SALEH (Chad), referring to a question on malnutrition, said that the rate of severe malnutrition nationally stood at 11 per cent, but a recent survey in the region of Kanem had revealed a malnutrition rate of 23 per cent. Hence the need for urgent initiatives. The regions of Kanem and Bahr el Gazal suffered from chronic structural agricultural deficits, and many men departed, leaving behind women and children without resources to meet their needs. The weight of tradition, and ignorance of basic nutritional habits, such as exclusive breastfeeding or dietary supplements for children, had aggravated the situation. An action plan with a focus on nutritional health and food security had been set up to address malnutrition in those regions.

69. The CHAIRPERSON noted that there had been a question on whether the national Human Rights Commission was independent.

70. Ms. NGARBATINA (Chad) said she was convinced that the Human Rights Commission was indeed independent. She had often met with its representatives, who had not hesitated to express their concern about human rights violations that had come to their attention.

71. Mr. PARFITT asked whether the Human Rights Commission had a children's focus and whether any of its members were responsible for examining cases of abuse of children's rights. It would also be interesting to know whether it had an investigative capacity and whether it reported on its findings to the public at large.

72. The Committee had received reports that some of Chad's human rights defenders had been harassed and even abused by the police. He asked the delegation to comment on those allegations.

73. Ms. NGARBATINA (Chad) said she could not deny that there had been occasional cases of such abuse, but the fact remained that the Government was counting on the Human Rights Commission to help Chad make progress towards restoring the rule of law.

74. Mr. DJONGA (Chad) said that the Human Rights Commission did not have a special body dealing specifically with the rights of children, since it addressed all human rights violations, regardless of the age of the victim. The national conference which had set up the Commission had stipulated that it was to be independent. The Commission was composed exclusively of

representatives of civil society. When a human rights violation came to its attention, its representatives investigated on site and submitted proposals for action to the Government, which did not interfere in its work in any way.

75. The CHAIRPERSON asked whether Chad was planning to ratify the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.

76. Mr. MADNANGAR (Chad) said that the Government was on the verge of ratifying the Hague Convention. All that remained was for the National Assembly to take a decision on it. Given the unpleasant memories associated with the Zoe's Arc case, efforts were being made to speed up the ratification process.

77. Mr. ZERMATTEN (Country Rapporteur) said that that was precisely the reply that the delegation had given the Committee nine years previously during the introduction of the initial country report. The Committee hoped that the Hague Convention would in fact be ratified without delay.

78. Ms. KHATTAB asked whether there were different laws applicable to Muslims and non-Muslims, given that Muslims did not recognize adoption.

79. Ms. NGARBATINA (Chad) said that Chad was a secular State, and the same law was applicable to all. She assured the Committee that the Government had every intention of moving forward swiftly with the ratification of the Hague Convention; there must be no recurrence of the events associated with Zoe's Arc.

80. Ms. ORTIZ asked whether, pending ratification of the Hague Convention, new legislation or administrative measures on adoption were planned in line with article 21 of that instrument. For example, a central adoption authority could be established as a reference framework, even though it was not approved by the parliament. After all, the matter needed to be addressed as a matter of urgency. It would be useful to know whether Chad already had a central authority responsible for domestic adoptions and, if so, whether it looked after the rights of children in their adoptive families. Awareness-raising had a role to play in that regard. Furthermore, bilateral agreements could be concluded with countries with which Chad had close relations so that it could properly monitor the adoption process. All those measures could be taken even before the Hague Convention was ratified. She also sought more information on the enfants bouviers.

81. Ms. NGARBATINA (Chad), referring to domestic adoptions, pointed out that a legal framework was already in place in that respect.

82. The question of enfants bouviers, a practice whereby the children of indigent parents were sold to work as cattle herders, was a matter of deep concern. A number of human rights associations and representatives of civil society were cooperating with the Government to address the problem, which was close to being resolved. A reintegration centre had been set up for such children, many of whom had returned to school or were receiving vocational training. The practice of enfants bouviers subjected children to terrible abuse and was completely unacceptable.

83. Ms. AIDOO asked whether Chad's poverty reduction strategy gave priority attention to such children and their families.

84. Mr. DJIDINGAR (Chad) said that the Government had proposed the establishment of a national fund to combat indigence in Chad. The fund was to receive 1 per cent of the country's revenues from oil exports. The relevant legislative text was in preparation. In the meantime, the State secretariat set up to promote microfinancing and combat poverty mobilized 3 billion CFA francs yearly for its initiatives.

85. Mr. BLAGUE (Chad) said that the Koundoul children's centre currently housed only 60 street children and other indigent children, whereas previously it had been able to accommodate 400. The centre had been destroyed in a fire, and it had been rebuilt in the 1990s. With French assistance, further buildings had been added to increase the centre's capacity. Unfortunately, children who had been involved with the armed forces and armed groups and had been placed in the centre had wrecked the buildings, leaving only one wing undamaged. The Government was in the process of repairing the facilities so as to be able to lodge other street children there. It was planned to build another centre with a capacity for at least 500 children annually. It was to be hoped that eventually the country's seven biggest cities would all have their own centres.

86. Mr. ZERMATTEN (Country Rapporteur), summing up the discussions, noted that several projects were under way to improve the situation of children in Chad, but that a number of problems remained, which were mainly associated with the persistence of poverty. In that context, the Committee welcomed the poverty reduction strategy and the establishment of a secretariat to promote microfinancing, and it was pleased that a national fund to combat indigence was planned. The resources that had become available from oil export revenues were a positive development, but the Committee was concerned that the Ministry of Social Action and the Family was not receiving sufficient funding. A greater percentage of the budget must also be earmarked for education and health care, and it was important to ensure financial support for indigent families.

87. With regard to general measures of implementation of the Convention, the question of coordination had been discussed at length, and the Committee hoped that an inter-ministerial body would be set up as soon as possible. It would also like to see the adoption of a national plan that grouped together the various sectoral plans and hoped that legislation would be passed before long to ensure that even children in the most remote parts of the country could benefit from the protection of the Convention.

88. It was of the utmost importance for all armed forces and armed groups to stop recruiting children and to see to it that children who had been enlisted were demobilized and reintegrated in society. All children needed to have a real legal existence, and to that end, it was essential to bring about a noticeable improvement in the system of birth registration. The Government must also protect children from economic and sexual exploitation and put an end to violence in school. It must promote the rights of the child by training professionals active in the area, raising public awareness, teaching children about their rights and making provision for independent monitoring of their implementation.

89. The Committee was pleased that the Government intended to promote the rule of law, put an end to impunity and introduce a judicial system, but stressed that the judiciary must be independent and effective. To promote children's rights, Chad must ratify and implement the relevant international instruments, including the Hague Convention.

90. The Committee looked forward to receiving further information in Chad's written replies. The situation in Chad, although difficult, was improving perceptibly, and the delegation was urged to take the necessary steps to put into effect the Committee's concluding observations, which would be made public at the end of the session.

91. Ms. NGARBATINA (Chad) thanked the Committee for the constructive dialogue. The delegation had taken due note of the Committee's comments and looked forward to its concluding observations.

The meeting rose at 6.00 p.m.