



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights Seventy-fourth session

### Summary record of the 34th meeting\*

Held at the Palais Wilson, Geneva, on Tuesday, 26 September 2023, at 3 p.m.

*Chair:* Ms. Crăciunean-Tatu

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### Consideration of reports (*continued*)

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Fourth periodic report of Chad (continued)*

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\* No summary record was issued for the 33rd meeting.

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

**Consideration of reports** *(continued)*

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant** *(continued)*

*Fourth periodic report of Chad (E/C.12/TCD/4; E/C.12/TCD/Q/4; E/C.12/TCD/RQ/4) (continued)*

1. *At the invitation of the Chair, the delegation of Chad joined the meeting.*
2. **The Chair** invited the delegation to continue replying to the questions raised by Committee members at the previous meeting.
3. **Mr. Alhabo** (Chad) said that, given the religious, cultural and ethnic diversity in his country, some communities had a tradition of practising female genital mutilation and others did not. While the Government had criminalized female genital mutilation, not everyone obeyed the law, which did not always have the power to override custom and tradition; in some communities, an uncircumcised girl would be unable to find a husband. Despite the Government's efforts to persuade religious and traditional leaders to conduct awareness-raising in their communities, the problem persisted. Since literate women who had completed their schooling did not subject their daughters to female genital mutilation, it was clear that education played a central role in eradicating the practice. By the same token, while some girls who did not finish school might be married at 12, early marriage did not affect girls who completed their education. A World Food Programme scheme to provide families with dried food rations if they sent their daughters to school had had some effect, but it had also had limitations.
4. Social housing did not exist in Chad because most people built their own houses; that was especially true in rural areas, where more than 70 per cent of the population lived. In the cities, the Government was starting to consider social housing programmes. More significantly, however, the Government was drawing up policies to grant individuals land on which to build a house.
5. Turning to health issues, he said that mental health problems among urban youth were linked to a serious problem of drug abuse. A national programme to combat maternal and infant mortality in connection with childbirth had been established in 1994 and remained operational. Since independence, all the country's doctors had been trained abroad and so, as part of efforts to achieve the Sustainable Development Goals, the Government had begun setting up medical training institutes. In the first instance the training was for general practitioners, who would choose a specialization later. The Government was considering programmes to expand and accelerate the training of psychiatrists, of whom there were currently few in number.
6. **A representative of Chad** said that, since the Government was aware that oil exports represented a finite source of income, it was seeking to expand other economic sectors. The third largest exporter of cattle in Africa, Chad often transported the animals live. The Government was now encouraging the construction of modern abattoirs and the export of meat instead, bringing advantages in the form of economic growth and job creation. Likewise, as a major exporter of raw cotton, Chad could benefit from a domestic processing industry for by-products such as oil and cosmetics. Apart from providing employment opportunities, such diversification would also help obviate supply-chain problems, such as those that exporters had faced during the coronavirus disease (COVID-19) pandemic, when no vessels had been available to ship the raw cotton from the port of Douala, in Cameroon, to processing plants in Asia.
7. In order to meet its obligations in respect of economic rights, the State was making efforts to create wealth and employment opportunities by encouraging business activity and facilitating foreign investment. New institutions had been created, such as the High Authority for the Business Climate and the National Agency for Investments and Exports, and single windows had been set up to help younger people to launch new companies and foreign

investors to establish themselves. The existence of such schemes might also help curb rural-urban migration and even emigration abroad.

8. **A representative of Chad** said that one component of the Government's drive to reduce the infant mortality rate was a relatively new programme to prevent mother-to-child transmission of HIV/AIDS, by screening all pregnant women and providing antiretroviral therapy to any who tested positive. Treatment for the three most lethal diseases for children – pneumonia, diarrhoea and malaria – and screening for severe acute malnutrition were provided in the community at any health-care facility free of charge. Health centres and hospitals also offered free growth monitoring for children under 5 years of age, a little more than a third of whom suffered stunting, although the prevalence rate of acute malnutrition had fallen from just under 12 per cent in 2016 to 10 per cent in 2020. Chad had had more than 2,000 health-care facilities in 2021 and now had over 840 outpatient nutrition units.

9. **A representative of Chad** said that child labour was regulated in law by instruments such as Act No. 012/PR/2018 of 20 June 2018, ratifying Ordinance No. 006/PR/2018 of 30 March 2018 on combating human trafficking in Chad. The draft child protection code, having been reviewed by a panel of experts in June 2023, was awaiting adoption by the Council of Ministers and the parliament. As stated in the report (E/C.12/TCD/4, para. 143), Chad would take steps to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; it would not, however, ratify the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) because, as also stated in the report (E/C.12/TCD/4, para. 49), there were no Indigenous Peoples on its territory.

10. **A representative of Chad** said that programmes to combat female genital mutilation included the Sahel Women's Empowerment and Demographic Dividend Project and the United Nations Sustainable Development Cooperation Framework, both conducted in cooperation with the United Nations system. Ambassadors in the struggle against female genital mutilation were appointed every year and, in some provinces, agreements had been concluded with traditional leaders and circumcisers.

11. **A representative of Chad** said that the judiciary underwent continuous in-service training on various issues such as corruption and child protection.

12. **Ms. Lemus de Vásquez** (Country Task Force), thanking the delegation for the information provided on female genital mutilation, said that statistics on the number of persons who had been prosecuted for that offence would be useful, as would details of any awareness-raising campaigns that the State party was conducting to encourage women and girls to report it. She welcomed the news that the expert review of the draft child protection code was complete and would appreciate additional information about the measures being taken to ensure its enactment.

13. **Mr. Hennebel** (Country Rapporteur) said that he would be grateful for more information on the legal remedies available to population groups that had been evicted from their land, to enable them to seek fair compensation, and on how such mechanisms were implemented in practice. He wondered how the Government ensured that budget cuts did not disproportionately affect essential services such as health and education, and whether there was any form of safeguard to ensure that they could continue to operate. He would be interested to learn whether the State party had given any thought to ways of anticipating or alleviating the negative effects of austerity measures on access to health care, education and other essential services.

14. Any statistics that the State party could provide on the number of persons prosecuted for corruption under title IV of the Criminal Code would be useful. He wished to know what measures the Government was taking to increase public confidence in State institutions by, among other things, combating corruption at all levels. He wondered whether the anti-discrimination laws offered victims of discrimination – including intersectional discrimination – effective remedies and how those worked in practice. Had the State party considered establishing a dedicated, institutional anti-discrimination mechanism?

15. **Ms. Lee** said that the Committee would welcome further information on the impact of the measures taken by the State party to ensure access for all to sufficient food that was

adequate from a nutritional and health perspective. She wished to know what progress had been made towards developing a legal framework governing access to land and the use of natural resources and what measures the State party planned to take to ensure that women enjoyed equal access to land, water and natural resources. According to figures published by the World Bank and other sources, the State party had allocated roughly 17 per cent of the public budget to defence expenditure in 2020 and 2021. She wished to know whether that figure was accurate and how far, if at all, defence spending exceeded expenditure on social services.

16. **Ms. Rossi** said that she wished to know whether the State party had set up a national statistics office, or an equivalent body tasked with collecting data and producing statistics. If so, it would be interesting to know more about its functions and whether it had been allocated sufficient financial and human resources to enable it to fulfil its mandate. She requested clarification of the main difficulties that the Government faced in producing quality statistics in relation to economic, social and cultural rights.

17. The Committee would welcome further information concerning the level of public debt as a proportion of the gross domestic product (GDP) and on the conditions attached to the repayment of the State party's external loans. She would also like to know how far, if at all, the Government's debt commitments prevented it from being able to provide access to basic social services such as health care and education. It would be interesting to find out whether the Government was negotiating with creditors with the aim of ensuring that its debt obligations were sustainable and did not prevent it from devoting sufficient resources to upholding the economic, social and cultural rights of its people.

18. **Mr. Windfuhr** said that he had been interested to learn that the State party devoted 10 per cent of total public expenditure to agriculture. It would be useful to know whether that was sufficient and how the agriculture budget was being used to address the challenges thrown up by climate change. In that regard, he also wished to know how climate considerations were affecting the thrust of public policies and what impact climate change was expected to have on the income of rural families. The delegation should indicate whether the State party would need additional international support to address the consequences of climate change over the following years. He would like to know what income was generated from pastoral activities each year in Chad and how far, if at all, it exceeded total revenues from other forms of agriculture. It would also be helpful to hear what measures the Government took to support the development of long-term agriculture in the southern part of the country.

19. **Mr. Alhabo** (Chad) said that female genital mutilation was prohibited in Chad. Cases where women and girls were seriously injured or died as a result of female genital mutilation were referred to the courts and those responsible were brought to justice. However, he did not have any statistics on the number of people who had been convicted for such acts.

20. The technical analysis of the draft child protection code was complete. The bill was now before the Council of Ministers and, if approved, would be put to the National Assembly for adoption. The Committee's question concerning the availability of contraception in rural areas was not relevant. Unlike in other countries, girls and young women in Chad did not engage in casual sex. Parents did not promote the concept of free sex and instead taught their daughters to remain virgins until they were married.

21. He did not have immediate access to statistics on the number of people who had been convicted for corruption offences. However, the Government had recently created a new agency tasked with detecting acts of corruption and ensuring that those responsible were held to account.

22. The relatively large proportion of the State budget allocated to defence expenditure reflected the insecurity that had prevailed in Chad over recent years. In such an unstable context, the Government was committed to taking all the measures it deemed necessary to guarantee the safety of its people. Furthermore, in recent years, over a million refugees had entered Chad from neighbouring countries such as Cameroon, Nigeria, Libya, the Sudan and the Central African Republic. In order to ensure that they received the necessary protection, new legislation on the rights of refugees and internally displaced persons had been adopted and was already being implemented. However, that influx of people had placed a great burden

on the country's limited resources. The Government therefore called on the international community to support its efforts to confront the ongoing security challenges while addressing the needs of a growing population.

23. The Government was in the process of setting up a national statistics agency tasked with collecting information and publishing reliable figures. He had personally overseen the creation of a statistics unit within the Ministry of Justice and Human Rights and similar teams would be set up in all other government departments.

24. **A representative of Chad** said that his country was heavily indebted, with ratios of internal and external debt to GDP of 30.4 per cent and 25.5 per cent, respectively. Negotiations to reduce that debt were ongoing. In addition to being one of the first countries to have benefited from the Debt Service Suspension Initiative, Chad had been the first country to request a restructuring of its external debt under the Common Framework for Debt Treatments beyond the Debt Service Suspension Initiative, agreed by members of the Group of 20 and the Paris Club. The country's debt obligations must not prevent it from fulfilling its obligations under the Covenant, and the Government would continue to negotiate with lenders, particularly its private creditors, to reduce the debt to a manageable level so that it did not impede access to basic services or hamper the country's development.

25. The COVID-19 pandemic had had a very serious impact on micro-, small and medium-sized enterprises. There had simply not been enough resources at the Government's disposal to deal with every aspect of the crisis and, in such difficult circumstances, its priority had been to respond to the public health emergency by purchasing masks, vaccines and other medical equipment. Businesses had therefore not received the same level of support as they had in other parts of the world and, as a result, a number of micro-, small and medium-sized enterprises had gone bankrupt. However, the Government had worked in consultation with employers, the chamber of commerce and multinational corporations operating in the country to identify companies in a particularly precarious situation that had been forced to make significant staff cuts. Those companies had received special support from the State. Throughout the pandemic, the Government had never lost sight of its obligations under the Covenant to uphold the economic, social and cultural rights of its people. The private sector was now recovering from the pandemic and many of the companies that had gone bankrupt were re-entering the market.

26. **A representative of Chad** said that the Government had taken a series of measures designed to inform the public about the harmful effects of female genital mutilation. The media, journalists and artists, as well as traditional and religious leaders, had participated in awareness-raising campaigns on the subject featuring public meetings, presentations, film screenings and theatre productions.

27. **The Chair**, speaking as a member of the Country Task Force, said that she would appreciate further information on the extent to which compulsory and free primary education was provided for all children in the State party, in particular poor children and children belonging to cultural minority groups, especially nomadic children. She would like to know what specific measures had been taken to address the disparities in schooling between boys and girls and between children in different regions. The Committee would welcome further information, including statistics, on the accessibility of basic education to children living in rural areas, children with disabilities, refugee children and children belonging to cultural minority groups, especially nomadic children. Details on the level of resources allocated to the education of those vulnerable groups would also be of interest.

28. She wished to know what measures had been adopted by the State party to improve the quality of education, in particular by increasing the number of qualified teachers. The delegation might also like to explain why public funding for education was so low and whether there was a link between the Government's relatively small education budget and the low level of teachers' salaries. The Committee would welcome up-to-date information and statistics on the private education sector, including the number of students enrolled, disaggregated by sex, age and social background, as well as annual schooling costs, the geographical distribution of schools, the courses offered and the numbers graduating. It would also be useful to know whether the State party had taken any steps towards ratifying

the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education.

29. She would like to know what proportion of the total State budget was allocated to cultural expenditure. It would also be interesting to receive further information on the measures taken by the State party to protect and promote the culture of the various cultural, ethnic and linguistic groups living in Chad and to strengthen their participation in cultural life. Lastly, she wished to know what steps were being taken to improve Internet coverage and to ensure that all people, particularly those belonging to disadvantaged and marginalized groups, enjoyed access to the Internet at an affordable cost.

30. **Mr. Alhabo** (Chad) said that, with regard to technologies such as the Internet, the reality on the ground in Chad was different from that in Europe. It was difficult for his country to reap the benefits of new artificial intelligence and communication technologies since 70 per cent of the population had not attended school and the majority were illiterate. Social media could be a useful tool in development or education, but not everyone was able to access them. The advent of new technologies raised questions about whether changes needed to be made to the education system to ensure that children learned relevant skills. Gaps remained between rural and urban populations in terms of Internet access. The majority of the population had not been able to engage in distance learning during the COVID-19 pandemic because they did not have a computer at home. Internet was an important service but the gap between those who had access and those who did not was growing. His country did not yet have a programme to ensure equal access to technology.

31. Chad was working with UNESCO to have four of its national languages adopted as official languages alongside Arabic and French, with a view to enabling children to start their education in their first language. However, in urban areas parents often wanted their children to be educated in French or Arabic.

32. The Chadian Education System Orientation Act of 2016 provided for 10 years of compulsory schooling, comprising 6 years of primary education and 4 years of secondary education. It had been difficult to implement that legislation owing to a lack of schools. In cities, there were many private schools. Public schools were free of charge, but parents were allowed to contribute financially if they so wished. The Government had borrowed significant amounts from the World Bank to pay teachers in village schools, with the aim of ensuring greater equality in access to education. Education for all was a key goal for the Government. Unfortunately, the teaching profession was not generally highly regarded in Chad and some people took up teaching jobs simply as a stepping stone to other civil service positions.

33. **A representative of Chad** said that education was a government priority and had an extremely generous budget allocation. The budget for higher education, for example, was 20 billion CFA francs. More precise budgetary information would be provided in writing.

34. Difficulties in accessing menstrual hygiene products posed an obstacle to girls attending school and sometimes led to them dropping out entirely. The Government was working with non-governmental organizations (NGOs) to raise awareness of the issue and make such products available, alongside other measures to ensure that girls were able to complete their secondary education.

35. **A representative of Chad** said that Order No. 0621 of 19 October 2021 had been adopted with a view to keeping girls in school for as long as possible. Girls and persons with disabilities were exempt from some education fees.

36. While women could not inherit land in certain communities, under the national legislation women had access to land ownership on an equal footing with men.

37. **A representative of Chad** said that, according to a survey undertaken in 2017, the gross enrolment rate in primary school had fallen from 91.9 per cent in 2015 to 86.4 per cent in 2016. For girls, the enrolment rate had been 80 per cent in 2015 and 75.2 per cent in 2016. The primary school completion rate in 2016 had been 43.9 per cent.

38. **The Chair** said that she would be interested to learn whether the State party had identified any other reasons than the unavailability of menstrual hygiene products for girls dropping out of education.

39. **Mr. Hennebel** said that he would like to know more about the justiciability of Covenant rights in the State party and the extent to which those rights could be invoked by individuals. He wondered whether Covenant rights were included in the draft new constitution. He would like to know what legal status the Covenant, other human rights conventions and the recommendations made by human rights treaty bodies had in the State party. The delegation was invited to provide a copy of the draft constitution.

40. **Mr. Fiorio Vaesken** said that he wished to find out more about how information had been gathered for the report and what kind of consultations had been held on its content. Did the State party have a permanent mechanism for follow-up on recommendations related to human rights or for the drafting of treaty body reports?

41. **Ms. Rossi** said that she would like to know whether the State party had a strategy to address climate change and whether it had received subsidies or loans from the Special Climate Change Fund.

42. The delegation was invited to provide further information about the impact of COVID-19 in the State party, particularly regarding access to health care and the lack of vaccines and supplies. An indication of the vaccination rate and number of deaths would also be appreciated.

43. It would be interesting to learn how businesses, and especially transnational companies, were taxed in the State party.

44. **Mr. Alhabo** (Chad) said that agriculture was of central importance in Chad. The Government's objective was for the essential nutritional needs of the population to be met using local produce. Certain international studies had revealed the Chadian diet to be one of the healthiest in the world owing to the low level of chemical products present in the food. Wheat was rare, with the population more often eating corn, millet and sorghum. Although efforts had been made to introduce genetically modified cotton for industrial farming, they had been unsuccessful. The Lake Chad basin and the Salamat region had very favourable conditions for agriculture, but they were suffering from the effects of climate change. The use of groundwater for irrigation was being considered, but it was expensive. Seasonal rains had been affected by climate change which, in turn, disrupted crop farming.

45. Grand promises of financial support for African countries had been made at numerous sessions of the Conference of the Parties to the United Nations Framework Convention on Climate Change, but those promises remained unfulfilled or had been made with conditions attached. In some cases, the cost of meeting those conditions would exceed the amount of funding granted to the recipient country. It was important to set up simpler mechanisms to obtain such funding.

46. While girls tended to outnumber boys in primary schools in N'Djamena, the number of girls in education fell significantly in secondary school. Girls typically dropped out for financial or sociocultural reasons or because they had married and become mothers. As to the issue of access to menstrual hygiene products, girls living in cities had an advantage over those in rural and poor areas, where such products were considerably harder to find.

47. The Government would continue working on the transposition of the provisions of the Covenant into national law. He was unable to guarantee, however, that all provisions would be incorporated as a number of them were incompatible with his country's culture and values.

48. Chad had been hit hard by the COVID-19 pandemic, which had caused a large number of deaths. The Government had concentrated primarily on treating patients with COVID-19 and protecting the population. It had nevertheless mobilized resources to help companies avoid bankruptcy and had offered tax breaks and other forms of financial support to individuals whose business activities had been brought to a halt by night-time curfews.

49. **A representative of Chad** said that the first draft of any report to a treaty body was produced by an interministerial committee drawn from all ministries working on human rights issues, including the Ministry of Justice and Human Rights, as well as trade unions,

academia, the Bar and civil society. After review by a range of stakeholders, the approved version was sent to the United Nations Children's Fund (UNICEF) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) for consideration. The Ministry for Foreign Affairs, Chadians Abroad and International Cooperation was then responsible for submitting the report to the relevant United Nations treaty body. A permanent five-member secretariat had been formed to follow up on each report and provide any additional information requested by the treaty bodies.

50. Cases involving violations of Covenant rights could be brought before the courts; the report gave details of cases in which the courts had handed down penalties (E/C.12/TCD/4, para. 33).

51. **A representative of Chad** said that his Government took note of the recommendations made by United Nations treaty bodies and sought to give them effect, as it considered them an important tool for helping it to achieve its objectives.

52. Climate change was having a severe impact on the country and on people's lives. One of the largest cities, Abéché, was located just 30 km from groundwater reserves, yet the lack of extraction infrastructure meant that the city faced major problems in terms of access to water. The Government therefore required support in developing such infrastructure if it was to meet the population's water needs. It was also working on a project with other countries in the region to channel water from the Ubangi River into Lake Chad, in the hope of preventing the lake from disappearing altogether, restoring it to its original size and meeting the water needs of inhabitants of the Lake Chad basin.

53. The Government had adopted a tree-planting policy and organized a week-long event every year, during which the population was encouraged to plant trees to combat desertification and climate change. It was also introducing a scheme to improve the population's access to various fuels, including gas, thereby reducing the need to illegally cut down trees for firewood.

54. **Mr. Hennebel** said that the State party was clearly facing a very complex security, geopolitical and economic situation and he could only commend the delegation's efforts to meet the Committee and engage in a constructive dialogue. The Committee would bear in mind the exceptional circumstances described by the delegation and adjust its expectations accordingly. He took note of the delegation's request for technical capacity-building initiatives to support the State party's efforts to protect and implement human rights.

55. **Mr. Alhabo** (Chad) thanked the Committee for the frank, constructive and informative dialogue. He said that his Government was unwaveringly committed to improving the lives of its population by combating poverty and underdevelopment, in line with its obligations under the Covenant, despite its continuing lack of resources. He looked forward to receiving the Committee's recommendations.

56. **The Chair** thanked the delegation of Chad for an important face-to-face exchange of views and for its frank replies to the Committee's questions. She hoped the Committee's concluding observations would be received in the constructive spirit in which they were intended.

*The meeting rose at 5.55 p.m.*