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COMMITTEE ON ECONOMIC, SOCIAL  
AND CULTURAL RIGHTS

Pre-sessional Working Group  
24-28 November 2008

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

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

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

1. Please specify whether the provisions of the Covenant have been incorporated into the State party's domestic law so as to make them directly applicable by the Chadian courts, and give examples as appropriate. What measures have been taken to enable victims of violations of economic, social and cultural rights to benefit from judicial remedies and to ensure that court decisions and judgements are implemented?
2. Please indicate whether the State party has created a national institution for the protection of human rights in accordance with the Paris Principles and whether it has been accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), as well as the measures taken to guarantee its autonomy. Please also indicate whether the promotion and protection of economic, social and cultural rights fall under its mandate.

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\* Paragraph numbers in parentheses in this document refer to the report of the State party (E/C.12/TCD/3).

3. Please indicate whether the State party has set objectives and adopted indicators enabling progress in the exercise of the rights recognized in the Covenant to be measured. Please also indicate whether there has been an evaluation of development policies from a human rights and environmental perspective.

4. Please provide statistical data by sex, age and urban/rural area in all sectors related to the Covenant, with particular reference to marginalized and disadvantaged social groups, so as to enable the Committee to better evaluate the implementation of the rights guaranteed by the Covenant.

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

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

5. Please indicate to what extent the State party takes into consideration its obligations under the Covenant when negotiating commercial, investment or economic agreements. Please also describe the impact of its investment policies on environmental protection and the enjoyment of economic, social and cultural rights.

6. Please provide specific updated information on measures taken to put an end to corruption, including corruption within the judiciary, and indicate whether there have been any prosecutions of senior officials during the past five years and, if so, whether they have resulted in convictions.

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

7. Please provide detailed precise information on current legislative provisions and specific measures taken by the State party to eliminate all forms of discrimination and in particular to implement article 40 of the Constitution relating to the rights of disabled persons.

8. Please provide detailed updated information on the situation of internally displaced persons and on the special measures taken by the State party during the period 2003-2008 to protect their economic, social and cultural rights, if any.

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

9. Please provide detailed updated information on the State party's legal framework with respect to equality between men and women.

10. Please indicate the measures taken to guarantee that the women's right to enjoy all economic, social and cultural rights on an equal basis is not threatened by discriminatory customary and religious laws and practices, and the measures taken to combat stereotyping and to make women aware of their rights.

11. In its report, the State party indicates that women do not enjoy the right to equality with men and that, according to recent studies, 78 per cent of women in rural areas are illiterate, as

against 56 per cent of men, and that 70 per cent of Chadian women's income is used to support their families, as opposed to 40 per cent of men's (report, para. 57). What urgent measures have been taken by the State party to remedy this situation, which is incompatible with the Covenant?

12. Please provide more detailed information on measures taken by the State party during the period 2003-2008 to ensure that women are better represented in Parliament and in executive posts within the Government, and indicate the number of women who have been appointed to posts in the judiciary and the civil service, whether at the central government level or in the provincial administrations. Please indicate the state of progress of the draft Quotas Act (report, para. 118).

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

#### **Article 6. Right to work**

13. Please provide detailed updated information on (a) national job-creation programmes and policies, particularly in the structured sector of the economy and especially for women; (b) the activities of the National Employment Promotion Office (ONAPE) (report, para. 82) and the results achieved.

14. Please provide detailed updated information on measures taken to regularize the situation of workers in the informal sector.

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

15. Please indicate the amount of the minimum wage, and whether this sum is sufficient to ensure a decent standard of living for all workers and their families, in accordance with the provisions of the Covenant. If this is not the case, please provide information on measures taken by the State party to periodically increase the minimum wage, including mechanisms for its review and adjustment.

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

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

18. Please indicate what effective measures the State party has taken or contemplates taking to guarantee equal employment opportunities for women and to reduce the sizeable gap in wages between men and women (report, paras. 106 and 108). Please also provide information on the results of such measures, if any.

### **Article 8. Trade union rights**

19. Please indicate the procedures for authorizing the establishment of trade unions and on what grounds authorization has been withheld.
20. Please provide information on recent case law with regard to collective bargaining between employers and trade unions.
21. Please provide detailed information on the number, cause and result of strikes that have taken place since 2003.
22. Please indicate what measures have been taken by the State party to guarantee the workers' trade union rights.

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

23. Please indicate whether there is universal social security coverage in the State party. Please also indicate whether all categories of workers, including casual workers and the self-employed, are covered by social security (report, para. 144).
24. Please indicate whether by law minimum allowances, including retirement allowances, are regularly reviewed, and whether these minimums are sufficient to guarantee beneficiaries and their families an adequate standard of living.
25. Please provide information on social security programmes, including protection structures for workers in the informal sector of the economy, in particular medical, maternity and old age coverage.

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

26. Please provide detailed updated information on measures taken by the State party to prevent family violence, including conjugal rape.
27. Please state whether there are criminal provisions classifying this type of violence as a specific offence or treating it as an aggravating circumstance and provide information on recorded cases of women killed or injured as a result of acts of family violence during the period 2003-2008.
28. Please state the number of criminal prosecutions and convictions, sentences imposed on perpetrators of family violence and remedies available to victims.
29. Please provide information on measures taken by the State party to encourage victims of sexual violence to report such incidents.
30. Please indicate whether the new Persons and Family Code (report, para. 62) has been adopted, and whether it guarantees equal rights for men and women.

31. Please provide detailed updated information on the measures taken by the State party during the period 2003-2008 to end discrimination against women with regard to marriage, divorce, inheritance, property and nationality.
32. Please state whether the practice of female genital mutilation is forbidden by law and provide information on: (a) the extent of female genital mutilation in Chad; (b) measures taken or envisaged to combat the practice and, in particular, measures aimed at raising public awareness and promoting the education of girls.
33. Please provide information on measures taken to protect children against all forms of exploitation, in particular dangerous work or work liable to harm their health, education or development.
34. Please provide detailed updated information on measures taken to abolish the practice of exploitation of child drovers, who are subjected to a contemporary form of slavery.
35. Please: (a) provide detailed information on urgent measures taken or envisaged by the State party to ensure respect for the rights of the categories of children referred to in paragraph 152 of the report; (b) describe in particular measures aimed at child victims of armed conflicts, including measures to reintegrate child soldiers; and (c) describe progress made in the project for the integrated development of children mentioned in paragraph 149 of the report.
36. In view of the high rate of pregnancy in teenage girls between the ages of 15 and 19 (report, para. 59), please indicate what measures the State party is taking to diminish the number of early pregnancies. Please also provide information on existing sex education programmes and on access to those programmes. Please also describe measures taken by the State party to promote access to contraceptives, public health services in the area of sexuality and reproduction, and education in those subjects.

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

37. In connection with the information provided in paragraphs 154 and 157 of the report, please give detailed information on the programmes and policies the State party intends to adopt to combat poverty, and particularly those aimed at female-headed households and at persons and families living in unplanned communities.
38. Please give detailed updated information on measures taken to ensure inexpensive access to clean water and good quality sanitation, in particular in rural areas and unplanned urban communities.
39. The State party indicates in paragraph 157 of the report that a large part of the population is experiencing chronic food insecurity. Please describe what urgent measures are being taken to guarantee the population's right to food.
40. In addition to the information provided in paragraph 177 of the report, please provide information on the number of persons and families who are (a) homeless or inadequately housed and have no access to basic sanitation services, or (b) living in shelters exposed to the elements.

Please also describe public programmes aimed at guaranteeing access to adequate housing with legal security of tenure for persons and families belonging to the most disadvantaged and marginalized groups.

41. Please indicate the number of persons or families expelled from their homes during the last five years. In light of recent reports that thousands were expelled from their homes in N'Djamena in March 2008 and that Chad's 1967 Land Act prohibits expropriation without due process, please provide information on legal provisions establishing the circumstances in which expulsions may be carried out, on occupants' right to legal security of tenure and protection against expulsions, including restitution, resettlement and adequate compensation.

42. Please provide specific information on the content of the Investment Code established under Ordinance No. 025/PR/87 (para. 70), in light of articles 7, 8 and 9 of the Covenant.

43. Please provide information on the impact of oil extraction activities on the enjoyment of economic, social and cultural rights, in particular the right to food. Please also state to what extent oil revenues are used to implement poverty-reduction policies.

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

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

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

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

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

#### **Articles 13 and 14. Right to education**

48. Please provide information on measures taken by the State party to combat illiteracy, which according to some reports is an alarming problem in Chad.

49. Please indicate to what extent free and compulsory primary education is provided to all children in Chad. In this regard, what is the situation of poor children in urban and rural areas and of indigenous children?

50. Please describe measures taken by the State party to reduce the high rate of school dropout in the poorest regions of the country, particularly the rural regions.

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

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

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