



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women Fiftieth session

Summary record of the 1010th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 12 October 2011, at 3 p.m.

Chairperson: Ms. Ameline (Vice-Chairperson)

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

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined initial and second to fourth periodic reports of Chad (CEDAW/C/TCD/1-4; CEDAW/C/TCD/Q/4 and Add. 1-3; HRI/CORE/1/Add.88)

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

Article 10 (continued)

2. **Mr. Bamanga Abbas** (Chad), replying to questions asked by Ms. Bailey, said that he did not have up-to-date data concerning the numbers of girls and boys in school, but that administrative and legal measures were in place to encourage school attendance. He stressed that State education was free of charge. There was no discrimination against pupils on the basis of their ethnic origin or gender. Chad's report (CEDAW/C/TCD/1-4) contained statistics on trends in the education of girls (pages 43 to 47); however education in Africa was generally a family matter, with children being taught life skills from a very young age in the home. The school curriculum was geared to providing children with the necessary skills for a professional career. Parents were encouraged to send their daughters to school to ensure that they would be freed from household tasks and able to undertake vocational training.

3. Commerce was a traditional area of employment for women, and many girls who had the necessary qualifications chose to undertake vocational training in commerce and accountancy. His Government was aware that the number of girls in secondary education had decreased and had launched a campaign to encourage local ethnic and religious leaders to allow young girls to attend school.

4. Noting the omission from his country's report of information on the education centres, government allowances and training and assistance programmes in place for so-called "child-mothers" who were forced to leave school when they became pregnant, he said that a written reply on the matter would be sent to the Committee in due course. With regard to the situation of young girls recruited into armed groups, as with young boys in the same position, when they were taken out of such groups the Government arranged for them to be reunited with their families, or if that was not possible they were placed in educational facilities.

5. Sexual harassment had not been defined in Chadian law, but the legislation against indecent assault could be used to prosecute harassment cases. Early marriage was a cultural problem, the prevalence of which varied from region to region, in the same way as female genital mutilation. Given the presence of more than 200 different ethnic groups and tribes in Chad, it was proving difficult to eradicate certain traditional cultural practices despite Government-sponsored awareness-raising campaigns and other measures.

6. Finally, he drew attention to the fact the literacy figures could be perceived as misleading, as they only covered those persons who were literate in French, while those who could read and write Arabic were considered to be illiterate.

7. **Ms. Schulz** asked whether tackling early marriage was a priority for the Government, especially as that practice was a major obstacle to the education of girls in the State party.

8. **Mr. Bamanga Abbas** (Chad) said that there had been cases where local leaders had been imprisoned following complaints from parents that their daughters had been forced to

drop out of school and get married. An awareness-raising campaign had been launched to try to change social attitudes to early marriage.

9. **Ms. Schulz** asked whether local leaders or parents were responsible for marrying girls off at a young age, often to much older men.

10. **Mr. Bamanga Abbas** (Chad) reiterated that such traditions were a serious problem in his country. In some areas it was customary for men to steal girls from other villages and marry them. In many cases parents were complicit in arranged marriages, particularly in the northern, Muslim areas of Chad, whereas in the southern, Christian or animist areas, where education levels were higher, there were fewer arranged marriages. However, some parents had complained to the authorities that local leaders had arranged marriages for their children without their consent. Those cases had been taken to court and the culprits had been punished in accordance with the law.

Article 11

11. **Mr. Bruun** said that further to the issue of education and how to encourage children to remain in school, figures published by the United Nations Children's Fund (UNICEF) revealed the extent of the problem of child labour in the State party, where 45 per cent of children engaged in work of one kind or another; of those, 5 per cent were aged between 6 and 9, and 18 per cent were under 12 years of age. He asked what the Government was doing to tackle the problem, particularly with regard to young girls who carried out domestic work and were often abused. In that connection, he reminded the State party of its obligations under three International Labour Organization (ILO) conventions, namely the Worst Forms of Child Labour Convention, 1999 (No. 182), the Equal Remuneration Convention, 1951 (No. 100) and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). He also asked whether a 1984 Ordinance was still in force, under which a husband could object to his wife working outside the home. Finally, he asked what was being done to combat sexual harassment in the workplace.

12. **Ms. Murillo de la Vega** noted that the Labour Code made provision for statutory maternity leave starting six weeks before a woman's due date and ending eight weeks after the birth, but it was unclear how that relatively long period of leave was financed, whether it was paid for by the State or the employer, and whether it was available to all female employees or only those in the public sector. She also noted that there was a tripartite body for consultation between employees, employers and the High Committee for Labour and Social Welfare on employment issues, but asked how many women participated in that body and how many times they had dealt with the issue of discrimination against women, in the light of the fact that there were no specific regulations concerning women in the Labour Code.

13. She asked whether the State party had any plans to offer training programmes for women police officers, particularly with regard to the establishment of safeguards for those who worked in camps for refugees and displaced persons. According to the Committee on the Elimination of Racial Discrimination, the caste system had not been abolished. She recalled that it did not cost the Government anything to change laws or introduce new legislation to abolish that system. She asked whether sanctions were in place to prevent filtering on the basis of caste and what effect caste had on a person's entry into the employment market.

14. Finally, she noted that 52 per cent of young girls worked in the agricultural sector. It would appear that young girls in the State party were given few, if any, opportunities for advancement. She asked what steps were being taken to combat child labour, whether specific legislation was in place and whether the Criminal Code contained sanctions for the punishment of offences in that area.

15. **Mr. Bamanga Abbas** (Chad), referring to his introductory statement, reminded the Committee that serious political problems had prevented his country from submitting its first three periodic reports. He expressed his gratitude to the Committee for its technical assistance in transposing the articles of the Convention into domestic law and to the United Nations for providing the necessary funding. He hoped that it would improve the daily lives of the people of Chad.

16. The children of many families in rural areas, both boys and girls, were needed to help their parents with work in the fields, and therefore did not go to school. In some countries, children were employed in factories and workshops, but that was not the case in his country. Itinerant schools had been set up for the children of herders in a bid to offer them a route out of the rural economy. In recent years there had been a mass exodus from rural areas to urban environments, as younger generations wished to make a better life for themselves and not do the same work as their parents.

17. He stressed that education was a priority for his Government, as was demonstrated by the fact that there were three Ministers within the Ministry of National Education charged with overseeing primary, secondary and higher education and civic education. The Government was also implementing projects to reduce the distance women had to walk to find water and to distribute carts to help them transport it. Although Chad was an oil-producing country, the Government revenues from that industry were actually very small, so limited financial resources were available to carry out such projects.

18. The provision under which a husband could object to his wife working outside the home, which was based on Islamic law, was contested by human and women's rights associations and could not be accepted by a modern government. There were plans to remove that provision from the revised family code, as it was the duty of the Government to recognize women's right to work. Although the number of women who did work in the formal sector outside the home was actually very small, the Association of Chadian Women Entrepreneurs fought hard to defend their rights. In response to the question concerning maternity leave, he said that women had the right to be paid by their employer during their absence from work. With regard to the number of unionized women, he said that there were a number of women's associations in his country, but that the vast majority of trade union leaders and members were men. He noted the Committee's concern and said that he would raise the matter with his Government.

19. The Chadian Constitution provided for the equal treatment of workers and competency-based employment, which meant that no one should be subject to discrimination on the basis of caste. However, there had been tensions in some areas, as many of the workers employed in the oil industry were from Asia due to the lack of qualified local personnel.

20. **The Chairperson** said that the Committee was anxious to impress upon the State party the need for legislative reform and standardization of the law in the various areas of concern that had been touched upon.

Article 12

21. **Ms. Arocha Dominguez**, while welcoming the delegation's efforts to explain what action the State party was taking to enforce the Convention, expressed regret that no experts had been sent from the capital to give detailed, up-to-date replies to the Committee's questions. Although some articles of the Convention could be addressed by means of general policies, others required more specific legislation. The State party report lacked recent statistics and specific examples on a number of health issues and she did not wish to embarrass the delegation by asking detailed questions to which they would be unable to reply. She therefore referred to the more general concerns that had been raised by other

human rights treaty bodies and under the universal periodic review, notably the prevalence of HIV/AIDS, the risks of infection and the lack of reliable statistics on the matter; the high maternal mortality rate, particularly amongst rural, displaced and refugee women, and lack of up-to-date statistics; and family planning and the use of contraceptives in the State party. She had hoped to receive more information in the written replies, particularly on the rates of maternal mortality and HIV/AIDS infection, given that improving maternal health and combating HIV/AIDS were Millennium Development Goals. She asked the delegation to provide information on the evolution of the rates of maternal mortality and HIV/AIDS infection between 2004 and 2010.

22. **Ms. Rasekh** expressed disappointment that no delegation had been sent from the capital, especially in view of the fact that the submission of the periodic report had been delayed for over 10 years. It would have been useful to have the input of experts from the State party and their absence seemed to indicate a lack of political will and interest in the development of women. It was true that post-conflict situations created obstacles to the implementation of the Convention, but many countries faced with difficulties similar to those of Chad had managed to implement programmes and policies to improve women's health. She suggested that the Government of the State party could use those countries as a model for its own development programmes. The persistently low life expectancy, high maternal mortality rates and high rates of infection of communicable diseases and HIV/AIDS in the State party pointed to the need for better health policy, programmes and management.

23. The Government was responsible for providing its citizens with basic health care, yet despite its best efforts, the situation in the State party had not improved. She asked what was being done to identify the reasons and to rectify the situation. She reminded the delegation that technical assistance could be made available to the Government. Finally, with regard to the unsatisfactory health and sanitation conditions faced by women prison inmates in the State party, as described in a non-governmental organization (NGO) report, she said that basic health care, sanitation and access to safe drinking water and food were fundamental rights for all, including prisoners.

24. **Mr. Bamanga Abbas** (Chad) thanked the Committee members for their comments and suggestions. He emphasized that the absence of a delegation from the capital, which he regretted, did not reflect a lack of political will. In fact, arrangements had been made for a delegation to attend the forty-eighth session of the Committee, but the necessary documentation had not been transmitted in time and the arrangements had been cancelled by the Committee at the last minute. He agreed, however, that the absence of a delegation was no excuse for the lack of reliable, up-to-date statistics. He assured the Committee that the relevant data would be provided in writing at a later date.

25. He agreed that the public health system suffered from poor governance: despite its having received a large share of the State budget, the health indicators were worse than ever before. The situation was taken very seriously by the Government and the President was currently meeting with senior health officials on a monthly basis in an effort to resolve existing problems. His country needed the technical assistance and advice of the Committee to turn the situation around. Training programmes were in place for doctors, nurses and midwives, but more needed to be done. His Government would look to other countries for best practices and experience.

26. **The Chairperson** asked whether the delegation could provide any specific data in response to the questions posed by the Committee. If not, was that because no data were available or because no policies were in place?

27. **Mr. Bamanga Abbas** (Chad) said that the only data he had to hand were those provided in the report, which was now outdated.

28. **Ms. Rasekh** reiterated that although the State party was facing a number of difficulties as a result of its recent past, that was no excuse for inaction. She said that she hoped that the situation would begin to improve and that the next report would be more comprehensive. It was not simply a matter of providing statistics, but also detailing any strategies or plans that had been implemented and giving reasons for the failure of particular programmes. For example, were internal issues within the health service to blame for its unsatisfactory results in tackling the population's health problems? Finally, she asked the delegation to comment on the situation of women detainees in the State party's prisons.

29. **Ms. Šimonović**, underscoring the difficulty of engaging in effective dialogue with the State party in the absence of a full delegation, requested clarification as to why no officials had travelled from the capital and whether there had been delays in the translation or transmission of documents.

30. **Mr. Bamanga Abbas** (Chad) assured the Committee that his Government was equally concerned with the lack of progress in the area of health care. The President of the Republic had taken a personal interest in the situation and was holding monthly meetings with the responsible officials to identify ways to improve health indicators. As for the poor conditions in prisons, he said that the prisons were visited regularly by national human rights NGOs as well as representatives of the International Committee of the Red Cross (ICRC). His Government was working to improve prison conditions with a view to protecting the human rights of detainees, in particular the right not to be subjected to inhuman treatment.

31. With regard to the absence of a delegation from the capital, he said that consideration of the periodic report of Chad had originally been scheduled for the Committee's forty-eighth session, when a high-level delegation had been prepared to come to Geneva. Logistical problems and delays in the availability of translated documents had caused consideration of the report to be deferred to the current session, to which it had not been possible to send a delegation.

32. **The Chairperson** noted that the documents for the current session had been transmitted in June 2011 and all documents had been translated, including the list of issues.

Article 13

33. **Ms. Schulz** expressed concern at the legal situation of women, in particular their access to the means of production, including land ownership, and requested information on any measures the State party envisaged to promote women's rights, including property rights, and increase their ability to undertake agricultural activities. She regretted that the most recent statistics provided in the report with regard to article 13 were from 2003. She suggested that women's organizations might be better placed than the various ministries to collect data in the field, subject to the necessary financing being made available.

34. She noted that microcredit schemes were available to women but wondered if the formalities involved in applying for such loans might be a barrier for many women, especially illiterate or rural women. She suggested that the traditional informal solidarity-based system of *tontine* could perhaps be further developed as a valid alternative to microcredits, in particular for illiterate women. She also encouraged the State party to earmark some of its oil revenues for targeted measures aimed at improving the situation of women in general and rural women in particular.

35. **Ms. Jahan** said that in some regions microcredit schemes had been the butt of criticism for charging high interest rates and for actually worsening the situation of some women who were unable to repay their loans and high interest charges. She wondered whether that was also the situation in Chad.

36. **Mr. Bamanga Abbas** (Chad) said that his Government was open to using any and all means of providing credit to the population, in particular women, whether through NGOs or other associations, bank and microcredit loans or the traditional *tontine* schemes. A woman expert had been appointed by the President to promote such solutions. Women represented 90 per cent of the beneficiaries of Government microcredits. He agreed that interest rates on microcredits could be high; that was why the *tontine* loan arrangements were such an attractive option. His Government would continue to work to make credit more readily available and better manage credit schemes with a view to improving the situation of women, in particular rural women.

37. A significant proportion of oil revenues was allocated to priority areas, including education, health and social policy, for programmes aimed at tackling specific issues. Unfortunately the ministries concerned often lacked the capacity to manage and distribute those funds effectively. In one case, large quantities of mosquito nets had been purchased as a means of limiting the spread of malaria, yet those nets had never been distributed to the population. Such situations underscored the need for the international community, including the United Nations, to provide technical assistance to his Government.

38. He also regretted the lack of current data in the report. That was a common problem in meetings with international partners. Most ministries did not have the capacity for effective data collection and analysis. He agreed that the Government could perhaps reach out to NGOs and other associations to collect and share statistics. He would do everything possible to obtain updated statistics and provide them to the Committee.

Article 14

39. **Ms. Jahan** requested more information on any steps taken by the State party to improve the situation of widows and older women. She was also concerned at the situation of rural women who were particularly disadvantaged due to traditional attitudes. In Chad 80 per cent of the population earned their livelihood from agriculture and livestock raising and of the 55 per cent who lived in poverty, 78 per cent were rural women. Such women had limited access to productive resources, including water, and although there were no legal obstacles to them owning or inheriting land, in practice they were rarely able to do so. They also had limited access to education and health care and were likely to be seriously affected by changes in climate, for example drought, and by male outmigration and armed conflict, which forced many rural women into the position of heads of household.

40. She asked what proportion of the State budget was allocated to rural development and uplift of rural women, including temporary special measures of assistance, and whether the country's poverty reduction strategy made improving the situation of rural women a priority. In the context of the empowerment of rural women, she would be interested to know how many women, in particular rural women, would be standing as candidates in the forthcoming local elections.

41. Noting that the traditional courts continued to exert considerable influence in rural Chad, she requested information on any efforts by the State party to change mindsets among local leaders, religious leaders and civil society in general, with a view to improving the lives of rural women. Despite the low level of urbanization in the State party, women in urban slums faced many of the same problems as rural women. Had any measures been taken to address those problems?

42. She agreed that oil revenues should benefit the national economy, but noted that, in the south of the country, oil exploration and drilling had reportedly led to the loss of agricultural land and adversely affected food production. She asked whether any programmes of assistance and compensatory mechanisms had been established, which were needed to safeguard the livelihoods of rural women.

43. **Ms. Rasekh** said that, according to reliable sources, refugee and internally displaced women and girls in camps in the east of the country continued to be prey to sexual violence and attacks by the Janjaweed when they ventured out of the camps. Recalling Security Council resolution 1325 (2000) on women and peace and security and its provisions relating to protection of women and girls in situations of armed conflict, in particular against gender-based violence, she asked what measures the State party had taken or intended to take to protect the camps. She also wished to know whether the State party was cooperating with UNHCR and other international humanitarian organizations to protect refugee and internally displaced women and girls and ensure that they had access to basic necessities, including food, water and health care.

44. **Mr. Bamanga Abbas** (Chad) said that widows often found themselves placed in the position of heads of household and in some cases had to send their children out to work in order to make ends meet. He noted that widowed women received subsidies from the Ministry of Social Action, National Solidarity and the Family.

45. His Government shared the Committee's concerns about the situation of rural women and intended to address that issue in the coming years, including by earmarking funds from the State budget. He pointed out that land ownership in rural areas was communal, which meant that, legally, the problem of women's ownership of land did not arise and they were not at risk of expulsion or expropriation. The crops and products grown on communal land of course belonged to the producer.

46. Chad had very few slums, given the country's low level of urbanization. An area around N'Djamena had, however, been flooded and the inhabitants relocated, in part to social housing, without discrimination of any kind.

47. He said that the information relating to attacks by the Janjaweed on refugee camps was outdated. The Janjaweed were no longer active in the border area and there were no longer any incursions into Chadian territory. His Government cooperated closely with UNHCR and other international partners and had for example established the *Détachement intégré de sécurité* (Integrated Security Detachment) (DIS) to provide security for the camps and their inhabitants. It had likewise drafted, in cooperation with international partners, the Eastern Chad Recovery Programme. Conflict between the communities in the region had come to an end in 2008 and many displaced persons had been encouraged to return to their home villages through the use of incentive programmes, for example being provided with new tools and seeds for planting crops.

Articles 15 to 16

48. **Ms. Halperin-Kaddari** expressed concern at the low age of marriage and reports of forced marriages for girls as young as 13 or even younger. The delegation had indicated that the Government intended to amend the Civil Code and adopt the draft personal and family code but that process would take time. She suggested dealing with priority issues separately by, for example, amending the Criminal Code provisions relating to the age of marriage and those on statutory rape, which currently did not apply to sexual relations with a girl aged over 13. She wondered whether the new Civil Code would protect the inheritance rights of wives and daughters and take precedence over customary law.

49. She was concerned that polygamy was still practised despite not being officially recognized in the Civil Code. If the spouses had renounced polygamy at the time of the marriage and the husband later violated that promise, the wife had the right to dissolve the marriage, although it was not clear whether the dowry would have to be reimbursed. The State party should amend the Code to resolve the dowry issue and also prohibit polygamy. She noted that the draft personal and family code would raise the marriage age for girls to

17, but it should be 18 in accordance with the Committee's general recommendation No. 21.

50. **Mr. Bamanga Abbas** (Chad) agreed that rather than wait for amendment of the Civil Code and adoption of the draft personal and family code it would be worthwhile to address as many issues as possible through other legislative measures. The fact that the draft code raised the minimum marriage age to only 17 was no doubt a result of the fact that no institution existed to ensure that national legislation conformed with international norms. As for polygamy, he emphasized that only the marriage to the first wife could be officially registered and recognized. The new family code would prohibit polygamy, and that practice would disappear as sociocultural attitudes changed.

51. The number of children per family had dropped from six to four, in part as a result of the availability of contraception. Children that the family did not have the means to support often left for the cities to seek work. Increased awareness of HIV/AIDS would also help lower the incidence of that disease. Reform of the Civil Code, the draft personal and family code and the increased number of women representatives in the National Assembly would place a spotlight on women's issues.

52. Women's inheritance rights were protected by law. Allowance was, however, made for Islamic and animist traditions in matters relating to inheritance and succession. Under animist customary law, if the husband died, his family inherited everything and could even drive the widow from the family home. That situation was, however, changing thanks to efforts by the State and the work of women's associations to assert women's rights, including the right to compensation for unfair treatment.

53. **Ms. Belmihoub-Zerdani** enquired whether the same laws relating to personal status applied to all women or whether Muslim women received different treatment.

54. **Ms. Rasekh** welcomed the State party's efforts to protect refugees and internally displaced persons but reiterated her concern about credible reports, from various sources, of continued violence against those populations. Armed conflict inevitably led to violence against women, and Chad was not the only country currently facing that situation. She reiterated her request for confirmation that the State party was working with international partners to protect refugees and internally displaced persons and to provide women victims of violence with appropriate care and psychosocial services.

55. **Mr. Bamanga Abbas** (Chad), referring to the situation of Muslim women, said that the Constitution declared Chad to be a secular State; therefore all its citizens had equal rights. As for violence against refugees and displaced persons, he stressed that the Janjaweed were no longer active in Chad and that the borders were patrolled to prevent incursions. His Government's efforts to protect the refugee camps and improve the security situation in border areas had been recognized by UNHCR.

56. The Eastern Chad Recovery Programme did provide for some measures to address the psychosocial trauma of the recent conflict but there was a paucity of services. After so many years of conflict, it could be said that the entire population, both rural and urban, had been traumatized and there were many other pressing problems to be addressed, for example HIV/AIDS and malaria. His Government was doing what it could in the face of so much need, currently aggravated by the return of hundreds of thousands of its citizens fleeing the current conflict in Libya.

57. He thanked the Committee for its sincere interest in the people of Chad. Any new information he was able to obtain from his capital in response to the issues raised by the experts would be transmitted to the secretariat. He recalled that it had been said that women were the future of the human race and that when women were the driving force in a project, the project would surely succeed. He trusted that with the continued assistance of the

international community his Government would be able to ensure progress, justice and peace in Chad. The Committee's recommendations would inform his Government's efforts to improve the situation of women.

58. **The Chairperson** thanked the delegation for having engaged in a constructive dialogue with the Committee and encouraged the State party to address the concerns raised by the Committee with a view to comprehensive implementation of the Convention for the benefit of all women and girls in the country.

The meeting rose at 5.05 p.m.