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Chad*

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I. Introduction

1. The first common core document of Chad dates from 4 January 1997. Most of the information in that document is out of date and needs to be brought into conformity with the guidelines issued by the United Nations treaty bodies. In preparation for the drafting of this document, a workshop on the relevant drafting techniques was held for the members of the Interministerial Committee on Follow-up of International Human Rights Instruments.
2. The common core document was drafted by an ad hoc, seven-person committee made up of representatives of the Interministerial Committee on Report Drafting, civil society, the Ministry of Justice and Human Rights, the Ministry for Women, the Protection of Young Children and National Solidarity, the Ministry of Health and the faculty of law of the University of N'Djamena. The report was validated at a workshop held in Bakara from 27 to 29 November 2017.

II. Land and people

A. Geographical characteristics

3. Chad is a landlocked country in central Africa. It is located at the heart of the continent, between 7° and 24° north and between 13° and 24° east. Occupying an area of 1,284,000 km², it is bordered to the north by Libya, to the south by the Central African Republic, to the west by Cameroon, Nigeria and the Niger, and to the east by the Sudan.
4. Chad has three main climatic zones that play a part in influencing socioeconomic activity:
 - The Saharan zone in the north of the country occupies 780,000 km² and has practically no rainfall. It is characterized by desiccating winds that rarely stop blowing and high daily temperatures. In this region of date palms and camel breeding, agriculture is practised around water sources (oases).
 - The Sahelian zone in the centre occupies 374,000 km² and has an annual rainfall of between 300 mm and 650 mm. Despite the lack of water, it produces gum arabic, cereals (millet, sorghum, maize), oilseeds (groundnuts, sesame, Bambara groundnuts) and some tubers (sweet potatoes, manioc). Market gardening is growing exponentially and cattle and small ruminant breeding is widely practised.
 - The Sudanian zone in the south occupies an area of 130,000 km² and has a tropical climate and an annual rainfall of between 650 mm and 1,200 mm. The crops grown there include cotton, oilseeds and vegetables (groundnuts, black-eyed peas, sesame, Bambara groundnuts or earth peas and, more recently, soya beans), cereals (millet, sorghum, rice), and tubers (manioc, sweet potatoes, yams, taros). Market gardening is also well developed, as is flood-recession cropping along watercourses.

B. People

5. The second General Population and Housing Census showed that Chad had a population of 11,039,873 in 2009. Extrapolation of statistical data for 2014–2015 generated by the National Institute of Statistics for Economic and Demographic Studies yielded a population estimate of 13,670,084.
6. The majority of the population (52 per cent) are women. Women of childbearing age (15–49 years) account for 22 per cent of the population, which is predominantly rural (78.1 per cent). The urban population, which represents only 21.9 per cent of the total, is concentrated in N'Djamena and in the capital cities of the departments, which are considered to be urban centres. A relatively low proportion of the population (3.5 per cent) is nomadic.

7. Chad is made up of several ethnic groups that are divided into 12 language groups. About 216 dialects are spoken in the country. The official languages are French and Arabic.

8. Freedom of religion is guaranteed by the Constitution, allowing a broad range of religions to be practised. The population is 58.4 per cent Muslim, 18.5 per cent Catholic, 16.1 per cent Protestant, 4 per cent animist and 0.5 per cent other, with 2.4 per cent having no religion (second General Population and Housing Census).

9. Chad has one of the highest population growth rates in the world (3.6 per cent). The population density is increasing in areas with abundant natural resources (alluvial valleys, lakes, southern regions).

Population by sex and main age group

Main age group	Male	Female	Overall
0–14 years	52.2	49.0	50.6
15–64 years	44.6	48.4	46.5
65 years and over	3.2	2.5	2.9
Total	100	100	100
Population counted	5 403 075	5 538 607	10 941 682

Source: National Institute of Statistics for Economic and Demographic Studies, 2012.

10. The population of Chad is mainly made up of children and young persons. Around 5.535 million persons, or 50.6 per cent of the population, are under 15 years of age, while 46.5 per cent are aged between 15 and 64 years. Persons aged 65 years and over make up 2.9 per cent of the population.

Distribution of the total population by sex and census region

Census region	Male	Female	Total	Demographic		
				weight	Sex ratio	% Women
Batha	235 412	253 046	488 458	4.4	93	51.8
Borkou	49 985	43 599	93 584	0.8	115	46.6
Chari-Baguirmi	287 003	291 422	578 425	5.2	98	50.4
Guéra	261 191	277 168	538 359	4.9	94	51.5
Hadjer-Lamis	283 378	283 480	566 858	5.1	100	50.0
Kanem	162 840	170 547	333 387	3.0	95	51.2
Lac	219 032	214 758	433 790	3.9	102	49.5
Logone Occidental	334 357	354 687	689 044	6.2	94	51.5
Logone Oriental	379 105	400 234	779 339	7.1	95	51.4
Mandoul	305 598	322 467	628 065	5.7	95	51.3
Mayo-Kébbi Est	371 245	403 537	774 782	7.0	92	52.1
Mayo-Kébbi Ouest	273 333	291 137	564 470	5.1	94	51.6
Moyen-Chari	291 794	296 214	588 008	5.3	99	50.4
Ouaddaï	348 634	372 532	721 166	6.5	94	51.7
Salamat	146 906	155 395	302 301	2.7	95	51.4
Tandjilé	315 482	346 424	661 906	6.0	91	52.3
Wadi Fira	245 193	263 190	508 383	4.6	93	51.8
N'Djamena	506 218	445 200	951 418	8.6	114	46.8
Bahr el Ghazal	137 592	119 675	257 267	2.3	115	46.5
Ennedi	92 381	75 538	167 919	1.5	122	45.0
Sila	192 132	195 329	387 461	3.5	98	50.4

<i>Census region</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Demographic weight</i>	<i>Sex ratio</i>	<i>% Women</i>
Tibesti	13 672	11 811	25 483	0.2	116	46.3
Chad	5 452 483	5 587 390	11 039 873	100.0	98	50.6

Source: National Institute of Statistics for Economic and Demographic Studies, second General Population and Housing Census, 2009.

11. As this table shows, the total resident population of Chad at the time of the second General Population and Housing Census was estimated at 11,039,873 persons, of whom 5,452,483 were male and 5,587,390 (or 50.6 per cent) female. These figures correspond to a sex ratio of 98 males to 100 females. The data for the Sila and Tibesti regions include persons living in insecure areas that could not be included in the census. Such persons are estimated to number 94,041 (47,318 men and 46,693 women) and 4,180 (2,090 men and 2,090 women), respectively. The total population counted stands at 10,941,682 inhabitants (5,403,075 men and 5,538,607 women), including 293,450 persons living in Sila and 21,303 in Tibesti.

12. The table shows that there is a marked disparity in the spatial distribution of the population, with three regions containing fewer than 200,000 inhabitants (Ennedi, Borkou and Tibesti, the last of which has fewer than 26,000 inhabitants) and four regions containing over 700,000 inhabitants (Logone Oriental, Mayo-Kébbi Est, Ouaddaï and N'Djamena, which has around one million inhabitants).

13. Women outnumber men at the national level (50.6 per cent) and in most regions of the country, with the exception of N'Djamena, Bahr el Ghazal, Borkou, Ennedi, Tibesti and, to a lesser extent, Lac. This picture is almost identical to that seen in the 1993 census. The population of N'Djamena, like that of many African cities, is influenced by the number of single men or married men unaccompanied by their wives (students, young workers or young job seekers) who migrate there. The figures for other regions may perhaps be explained by the high rate of emigration among men and by women's reluctance to be registered by male census officials when their husbands are away. Further studies are needed to confirm these hypotheses.

Ethnic groups, languages, religions

14. The Constitution classifies the languages of the territory into two categories. French and Arabic are the official languages used in education, administration and official and international instruments. The other languages are the so-called national languages, more than 10 of which are used on the radio for daily news and press releases. In recent years, the use of literary Arabic has been promoted. Around 100 ethnic groups speak different languages, which has hindered efforts to construct a national identity.

Ethnic groups

15. The Gourane, the Toubou and the Zaghawa, who are pastoralists, live in the Saharan zone. The Sahelian zone is home to many Arab tribes who originate from the Arabian peninsula. Centuries ago they introduced the Arabic language, which subsequently spread to most parts of the country as a language of communication. Other sedentary ethnic groups, with varying degrees of adherence to Islam, also live in this part of the country. These groups, which inhabit an area that crosses the country from west to east, include the Boudouma, some of whom live on the islands of Lake Chad, the Bilala, who live on the banks of Lake Fitri, the Kouka and the Medogo. In the centre live the Hadjarai (Arabic for mountain people), a term used to refer to a heterogeneous mix of ethnic groups including the Kenga, the Dangaleat and the Djongor. Other ethnic groups live in the east, including the Maba, the Massalit and the Dadjou.

16. In the Sudanian zone, which is the wettest and most populous part of the country, there lives a mix of farming peoples (the Ngambaye, the Ngama, the Nar, the Goulaye, the Mboum and the Laka) collectively known as the Sara.

17. The Massa, the Moussey, the Toupouri, the Moundang and the Fulani or Peul are among the ethnic groups that practise agriculture, animal husbandry and sometimes fishing in the geographical area of Mayo-Kébbi.

Languages

18. Chad has about 100 languages or dialect groups that correspond to three main ethnic groupings: Afro-Asiatic, Sara-Bongo-Baguirman and Niger-Congo, which is the smallest.

Religions

19. Religions fall into two categories: revealed religions and traditional beliefs. Muslims are in the majority in the north and centre, while Christians inhabit the centre and south.

20. The 2009 general census showed that 58.4 per cent of the population are Muslim, while 18.5 are Catholic and 16.1 per cent are Protestant. A total of 4 per cent identify as animists, 2.4 per cent have no religion and 0.5 per cent say they are undecided.

21. Despite the conflicts that Chad has experienced, relations between the different religions are characterized by tolerance and understanding. In that regard, a day of prayer is celebrated every year by practitioners of the various religions.

Population by sex and religious affiliation

<i>Religion</i>	<i>Male</i>	<i>Female</i>	<i>Overall</i>
Muslim	59.3	57.5	58.4
Catholic	17.7	19.3	18.5
Protestant	15.7	16.5	16.1
Animist	4.1	3.9	4.0
Other religion	0.5	0.5	0.5
No religion	2.7	2.2	2.4
Total	100	100	100
Population counted	5 403 075	5 538 607	10 941 682

C. Education system

22. Articles 38 et seq. of the Constitution of 4 May 2018 guarantee the right to education and provide that public education should be secular and free of charge.

23. Article 1 of the Education System Act No. 16/PR/2006 of 13 March 2006 stipulates that every person has the right to education and training, without distinction as to age, sex, regional, social or ethnic origin or religious belief. Education is a national priority. The State guarantees access to basic education for young persons aged between 6 and 16 years. The Act is implemented in pursuit of the following worthy goals: to ensure that all Chadian children have equal access to quality education; to promote a spirit of scientific and technical awareness and enquiry; to develop education and vocational training with a view to ensuring children's social and professional integration into the country's socioeconomic and cultural life; to eliminate illiteracy; to promote the enrolment of girls in schools by eliminating stereotypes and other socioeconomic and cultural constraints that prevent girls and women from realizing their full potential in the learning process; and to provide Chad with managers who are well qualified and have undertaken high-level scientific and technological research.

24. With the help of its development partners, the Government drew up an action programme for development of the education and training sector for 2000–2003 and a support programme for the reform of education in Chad for 2004–2007, which were adopted at sectoral consultations held in January 2000 and March 2002, respectively. An

interim plan for education in Chad for 2018–2020, which follows on from the interim education and literacy strategy, was also drawn up.

25. Considerable efforts have been made to achieve the Sustainable Development Goals.

26. The gross enrolment ratio for primary schools rose from 31.8 per cent (40.4 per cent for boys, 22.8 per cent for girls), as recorded in the first General Population and Housing Census, conducted in 1993, to 68.3 per cent (75 per cent for boys, 61.4 per cent for girls) in 2009 (second General Population and Housing Census).

27. In rural areas, the ratio is only 60.8 per cent (67.7 per cent for boys, 53.7 per cent for girls).

28. Despite the efforts made, the literacy rate remains low at around 33 per cent, meaning that two thirds of the population are illiterate. This lack of progress is caused by the high population growth rate. According to the second Demographic and Health Survey of 2004, 73 per cent of women and 54 per cent of men are illiterate. Furthermore, 34 per cent of women and 23 per cent of men who have not completed primary education relapse into illiteracy.

29. In 2011, there were 47 higher education establishments in Chad, of which half were in the private sector. A total of 20,347 students, of whom 23 per cent were girls, were enrolled in these establishments. The creation and construction of universities and institutes in some provinces has brought about significant improvements in the provision of higher education. A department for the promotion of national languages in schools has been set up within the Ministry of Education. However, efforts still need to be made to ensure effective implementation of the measures taken to extend the teaching of national languages throughout the country.

30. In order to guarantee the right to education for all children, nomadic schools have been established; orphans, children with disabilities and the children of persons with disabilities have been granted exemption from tuition fees; and fees for girls in State schools have been reduced.

Budgetary allocations of the Ministry of National Education and Vocational Training

<i>Year</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>
Total	111 340 337 000	110 683 103 776	118 836 728 117	132 588 182 000	127 936 972 000
%	7%	7%	8%	8%	8%

Source: Ministry of National Education and Vocational Training.

31. Although public spending on education had been rising significantly until 2014, largely thanks to oil revenues, the fall in the price of a barrel of oil and the rise in security spending led to a significant decrease in the proportion of the budget allocated to basic social services. In the face of the country's current economic situation, the Government has taken special measures to reduce its spending, such as reducing the bonuses paid to civil servants, which has led to disruptions in the provision of social services, including education.

32. The Government has adopted a 10-year education and literacy development plan for 2017–2026 that covers all levels of the education system. A study carried out in 2016 by the Ministry of National Education and Civic Promotion and the United Nations Children's Fund (UNICEF) revealed that around one in two children of primary school age, or about 1.2 million children aged from 6 to 11 years, were not enrolled in school.

33. The majority of teachers (about 70 per cent of primary school staff) are community teachers, which reinforces inequality in children's schooling. The majority of trained teachers are in urban areas, while most community teachers work in rural areas.

34. A recent analysis has established that the main challenges and constraints hindering the development of the education system in Chad are the lack of early childhood education and the insufficient and uneven provision of basic education.

35. There are significant disparities in the gross enrolment ratio, which ranges from 95 per cent in the south to between 20 and 40 per cent in the north. Physical facilities in these areas are of poor quality and insufficient quantity.

36. Teacher training schools, of which there were 22 in 2010–2011, train teachers for the primary level. Although these schools train 3,000 primary schoolteachers every year, not all graduates automatically become teachers. Over 10,000 persons trained by the schools in recent years had not yet been recruited in 2012.

37. Although the availability of university and technological education is currently satisfactory, insofar as training establishments may be found in all major cities, their objectives and quality remain problematic: human resources are lacking, training programmes are insufficiently relevant, efficient and connected to the world of work, and there are no routes or pathways from such establishments into private-sector employment.

38. Although quantitative improvements have been made in recent years, the Chadian education system continues to face challenges that will make it difficult to achieve the Education for All goals and the Millennium Development Goals by 2015, particularly with regard to universal primary school enrolment and the closing of the gender gap.

D. Economic situation

39. Chad is classified as one of the poorest countries in the world. Its annual population growth rate of 3.6 per cent continues to pose a considerable challenge, while the vulnerability of women and children is exacerbated by a complex political situation, regional instability and the negative impact of global factors such as climate change, the worldwide economic crisis and sociocultural constraints.

40. In terms of human development indicators, Chad was ranked 186th out of 187 countries in the United Nations Development Programme report of 2015. Life expectancy is 50 years. Poverty is perpetuated by cyclical and structural factors. Having long been reliant on agriculture (cotton, gum arabic, sugar cane), the Chadian economy took on a new dimension in 2003 when the country first exported significant quantities of oil to the rest of the world. This event brought about a significant change in the country's economic structure.

41. Before oil exploitation began, cotton was the main export crop, accounting for 60 to 65 per cent of income from exports. An average of 36 per cent of the gross domestic product (GDP) came from the primary sector, 14 per cent from the secondary sector and 50 per cent from the tertiary sector. The exploitation of oil completely reversed this situation.

42. Between 2004 and 2005, this exploitation resulted in GDP almost doubling, from 1,732 billion CFA francs (CFAF) in 2004 to 3,101 billion CFAF in 2005. Between 2005 and 2011, oil revenues accounted for an average of 30 per cent of GDP, compared to 25 per cent for the agriculture and livestock sectors, 15 per cent for trade and 30 per cent for all the other sectors.

43. Despite the difficult international context, the growth recorded over the past 10 years has helped to ensure that the management of public finances has generally been satisfactory. Under a programme to support the modernization of public finances, the budget cycle and cash management have been improved in order to ensure the quality of public investment and the funding of social services and to restrict the significant share of the budget (25 per cent) devoted to extrabudgetary expenses.

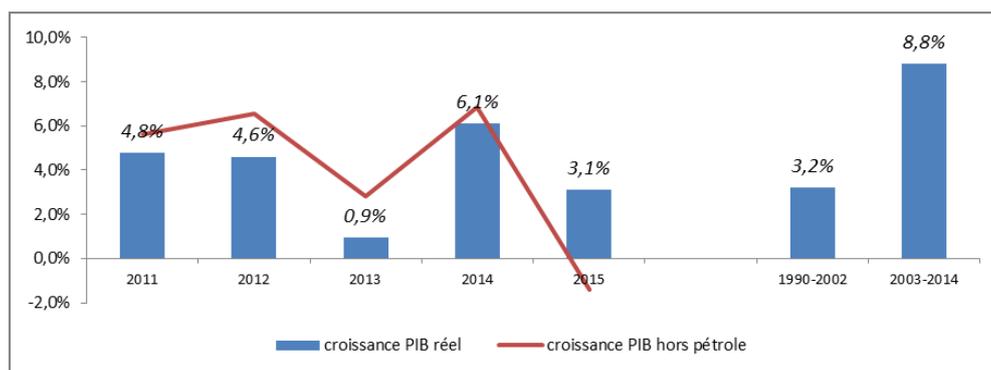
44. However, significant budgetary challenges remain for the Government, which must bear the considerable burden of funding salaries, operations, transfers and investments. The State's resources largely come from oil exploitation, which, on average, accounts for nearly 80 per cent of its annual budgetary revenue.

45. Currently, revenue from sources other than oil represents only 13 per cent of GDP per year and does not allow the State to cover its wage bill. External aid, the country's other source of funding for growth, has fallen. According to the Organization for Economic Cooperation and Development (United Nations Conference on Trade and Development,

Least Developed Countries Report, 2010), the total net amount of official development assistance programmable for Chad over the period 2009–2011, all donors combined, was \$251 million in 2009, \$212 million in 2010 and \$200 million in 2011, corresponding to a change index of 84 in 2010 and 80 in 2011 (based on a benchmark value of 100 for 2008). On its own, the country cannot face the many challenges posed by growth, poverty reduction and the development of basic services such as roads, schools, health centres and hydraulic infrastructure. The economy is still dependent on external aid. External support therefore remains crucial for the country’s development. The country’s total debt stood at an average of 30.9 per cent of GDP between 2009 and 2011. External debt was 24 per cent of GDP, while domestic debt was 6.9 per cent. The net present value of external debt represents nearly 40.7 per cent of the value of exports of goods and services during the period under review. Compliance with the debt relief conditions established under the enhanced Heavily Indebted Poor Countries Debt Initiative and the Multilateral Debt Relief Initiative would reduce external debt by half in nominal terms (over \$1 billion), which, according to the National Debt Analysis Commission, could reduce debt servicing by about \$40 million per year over 30 years.

46. This unfavourable economic situation is caused by the global crisis arising from the fall in the price of oil and the country’s participation in the fight against transnational terrorism.

Graph 1
Evolution of real GDP growth with and without the oil sector



Source: National Institute of Statistics for Economic and Demographic Studies, Directorate of Studies and Forecasts/Ministry of Finance and Budget, 2016.

47. The private sector is dominated by informal enterprises, reflecting the slow pace at which the economy is modernizing. Chad has very few formal enterprises that contribute effectively to growth and the creation of decent jobs. Business creation is progressing positively but very slowly owing to the difficulties faced by the business environment.

48. Over the past three years, however, Chad has improved its Ease of Doing Business ranking, moving from 189th out of 189 countries in 2013 to 183rd out of 189 countries in 2016.

Table 1
Position of Chad in the Ease of Doing Business ranking

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016
Ease of Doing Business ranking	173rd/178	175th/181	183rd/183	183rd/183	183rd/183	184th/185	189th/189	185th/189	183rd/189

Source: World Bank.

49. In Chad, there is no discrimination in employment in either the private or the public sector. In the private sector, gender-based discrimination affecting recruitment and access to social security is prohibited under Act No. 038 establishing the Labour Code and under the General Collective Agreement.

50. In the public sector, neither Act No. 017/PR/2001 of 31 December 2001 establishing the General Civil Service Regulations nor Act No. 038/PR/96 of 11 December 2001 establishing the Labour Code provides for any distinction in the way that men and women are integrated and recruited or in the way that their careers and retirement are managed. No law provides for any kind of gender-based wage gap. Equal pay must be awarded for equal work.

51. Under Ordinance No. 006/PR/84 on the status of merchants, however, married women were discriminated against in that they were required to seek their husbands' opinion before undertaking any commercial activity. This Ordinance has been repealed since the enactment of the Uniform Act relating to general commercial law of the Organization for the Harmonization of Business Law in Africa.

52. According to experts and specialists, women around the world play a decisive role at all levels and their empowerment contributes to a country's development.

53. The Government seeks to promote this empowerment through mechanisms such as the Criminal Code, the National Gender Policy and the Project for Women's Empowerment and the Demographic Dividend in the Sahel.

E. Health in Chad

54. The national health policy is in line with the Government's vision for 2030 and the Sustainable Development Goals. It will be implemented through national and provincial health development plans and will provide Chad, by 2030, with an efficient and resilient health system that will meet the health needs of all members of the public, particularly the poor and vulnerable.

55. This policy derives its legitimacy from the Constitution, article 17 of which stipulates that the human person is sacred and inviolable and that every individual has the right to life. In the light of the Constitution, the Government has, in its political programme of action, reaffirmed the priority it assigns to the health sector, making the Ministry of Health one of the key ministries.

56. Like other countries in the subregion, Chad has high morbidity and mortality rates (the 2014–2015 Demographic and Health Survey and Multiple Indicator Cluster Survey revealed that one child in eight dies before the age of 5 years) owing to epidemics of diseases such as meningitis, measles and cholera, other communicable and non-communicable diseases and maternal conditions. This heavy burden leaves Chadian families bereaved every year and has serious consequences, particularly for the health of poor and vulnerable groups such as mothers and children.

57. In order to tackle these challenges, the Government has made enormous efforts to build health infrastructure, provide biomedical equipment and logistics, train and mobilize qualified staff, fund services, provide free health care and set up new health programmes. These efforts have been made in order to strengthen the health system effectively and reverse mortality and morbidity trends in the country. The country's highest authorities support and monitor these actions by organizing monthly meetings that bring together the various actors in the health sector, particularly development partners, to work with the Head of State on monitoring the progress made and, where necessary, correcting any flaws detected at any level of the health-care pyramid.

58. All these efforts have led to steady improvements in health indicators and the performance of the health-care system. The 2014–2015 Demographic and Health Survey and Multiple Indicator Cluster Survey revealed that, between 2004 and 2014, the maternal mortality rate dropped from 1,099 to 860 deaths per 100,000 live births, the infant mortality rate fell from 102 to 72 deaths per 1,000 live births, and the infant and child mortality rate fell from 191 to 133 deaths per 1,000 live births. The proportion of assisted deliveries rose from 21 per cent in 2004 to 34 per cent in 2014.

59. Although the country has not experienced a major epidemic of meningitis or measles since 2012, some cases of cholera were reported in N'Djamena, Mayo-Kébbi and Tandjilé

in 2014 and in the Salamat and Sila regions in 2017. No cases of polio transmission have been recorded since 2012.

60. Despite the fact that significant progress has demonstrably been made, a great deal of work remains to be done to establish an efficient and resilient health system in Chad. This was corroborated by the first review of the health sector, conducted in June 2015 in Sarh, in the Moyen-Chari region, which recommended strengthening the organization of services, the coordination of health-care activities at all levels of the health system and partnerships.

61. The specific problems affecting nomadic populations, island dwellers and persons living in remote areas must be properly addressed. Access to high-quality curative, preventive and promotional care services will be increased and made equitable for all sectors of the public. A mechanism for covering the financial risk associated with illness will be developed and launched throughout the national territory, ensuring universal access to appropriate and high-quality health care. The community-based approach will be prioritized and strengthened to facilitate access to basic health care for rural communities, in strict accordance with the guidelines established under the national community health strategy. In order to strengthen the minimum care package provided by health centres, a first-stage laboratory should be included in the package.

62. The Government is continuing its efforts to train health-care staff. In July 2019, for example, 133 Chadians received medical training in Cuba thanks to an agreement between Chad and that country.

Table 1
Some health indicators

<i>Indicator</i>	<i>Chad</i>	<i>Average for Africa</i>	<i>Best value recorded</i>
Contraceptive use	2.8%	23.7%	75.8%
Proportion of births attended by qualified staff	14%	47%	99%
Maternal mortality (per 100,000 live births)	1 500	900	15
Fertility rate among teenage girls	193%	118%	4%
Antenatal care coverage (one antenatal care consultation)	39%	73%	98%
Unmet family planning needs	23.3%	24.3%	3.5%
Prevalence of HIV	3.5%		
Staffing levels			
Doctors	1 doctor per 26,645 persons instead of per 986 (according to the World Health Organization (WHO))		
Midwives/nurses	1 qualified nurse per 5,789 persons instead of per 1,972 (according to WHO)		

Source: 2005 national seroprevalence survey and second General Population and Housing Census (2009).

F. Overall situation

HIV/AIDS

63. Following notification of the first cases of AIDS in 1986, a system for monitoring HIV infection was set up to support the national response to HIV. The 2005 national seroprevalence survey revealed that 3.3 per cent of persons aged 15 to 49 years (4 per cent of women and 2.6 per cent of men) were HIV-positive. This survey revealed disparities in prevalence across the country (see the table below).

Table 2
Prevalence of HIV infection by group of regions

<i>Regions</i>	<i>HIV seroprevalence rate</i>
N'Djamena	8.3%
Borkou-Ennedi-Tibesti/Kanem/Lac	3.5%
Batha/Guéra/Salamat	1.40
Ouaddaï/Wadi Fira	1.20%
Hadjer-Lamis/Chari-Baguirmi	2.70%
Mayo-Kébbi Est/Mayo-Kébbi Ouest	2.5%
Logone Occidental/Logone Oriental/Tandjilé	6.4%
Mandoul/Moyen Chari	

Source: 2005 national seroprevalence survey and second General Population and Housing Census (2009).

Table 3
Indicators on HIV and AIDS in Chad

<i>Category</i>	<i>Indicator</i>	<i>Numerator</i>	<i>Denominator</i>	<i>Percentage</i>	<i>Year</i>
Adults	Number of persons living with HIV	206 467	10 837 532	2%	2010
	Estimated number of persons living with HIV	97 196	206 467	47%	2010
	HIV prevalence among pregnant women seen in antenatal consultation	567	15 758	4%	2010
	Number of HIV-positive pregnant women giving birth per year	656	15 758	4%	2011
Children aged under 5	Estimated number of new paediatric HIV infections per year	666	15 758	4%	2010
	Estimated number of children aged under 5 living with HIV	656	11 965	5%	2010
	Mortality rate due to AIDS among children aged under 5	359	11 965	3%	2010

Source: 2000 national seroprevalence survey.

64. An analysis of the situation confirms that there is a generalized epidemic of a progressive type affecting all regions of the country. Aside from regional disparities, HIV infection rates also fluctuate in respect of certain target groups, with different trends emerging over time.

State funding of the health-care system in Chad

65. The Government funds all aspects of the health sector in Chad, including the costs associated with staff, goods and services, transfers and investments. However, the level of funding is low when considered in the light of the country's commitment to allocating at least 15 per cent of the overall budget to the health sector. The trends in the proportion of the total State budget allocated to the Ministry of Health show that the sums allocated and the actual levels of expenditure are very low. The proportion of the total State budget allocated to the Ministry of Health stood at 8.44 per cent in 2003, 4.2 per cent in 2006 and 5.3 per cent in 2007.

66. Despite the low levels of funding allocated, the Ministry of Finance reports that the percentage of the budget that is actually executed varies from year to year, having stood at 86.9 per cent in 2003, 85.8 per cent in 2004, 65.4 per cent in 2005 and 75.6 per cent in 2006. This figure does not give a complete picture of the situation, as over 80 per cent of external funding is executed for investments.

67. Staff costs also increased over the same period as a result of new hires and regular promotions of existing staff.

68. Expenditure on investments accounts for more than half the budget of the Ministry of Health. This high level of investment is explained by the fact that contributions made by partners are very significant but falling.

Partners of the health system in Chad

69. The support of development partners provides a boost for the Department of Public Health. For reasons related to their geographical distribution and areas of activity, however, they are unable to provide support in all regions of the country.

70. Generally, partners offer assistance in accordance with the needs of the country. In agreement with the Ministry of Health, they operate in different spheres of activity.

71. The Government's multilateral partners include the World Health Organization, the European Union, through the implementation of the various European Development Funds (from the first Fund to the current Fund, which is the ninth), the World Bank (Health Sector Support Project), the African Development Bank, the United Nations Development Programme, the United Nations Children's Fund and the United Nations Population Fund. Its bilateral partners include the French Development Agency, Coopération Française, the Swiss Agency for Development and Cooperation (the Health Support Office project), Médecins sans frontières (Belgium, France, Luxembourg), the German Corporation for International Cooperation and the Cuban Health Mission. The Government's faith-based partners include the Catholic Church, through the health project organized by the Bureau d'Etudes et de Liaison d'Action Caritative et de Développement (Study and Liaison Office for Charitable and Development Activities) and the Order of Malta, the Chadian Churches and Evangelical Missions Entente, and various Muslim organizations that have set up health centres and/or organized medical caravans.

III. Political and administrative history of Chad

72. The Republic of Chad was proclaimed in 1958 and acceded to internationally recognized national sovereignty on 11 August 1960. Following independence in 1960, Chad underwent tumultuous political and institutional developments. Years of dictatorship marked by uniformity of thought in a one-party State destroyed all efforts to democratize political life.

73. Successive regimes imposed a system of arbitrary rule, extortion by public officials, tribalism and serious mass violations of human rights. Not until 1 December 1990 did Chad enter a new era, which marked the beginning of the democratic process.

74. A Sovereign National Conference was organized in January 1993 and ended in April of the same year. Following the Conference, a transitional period was inaugurated and led to the Constitution of 31 March 1996, amended by Constitutional Acts No. 013/PR/2013 of 3 July 2013 and No. 008/PR/2005 of 15 July 2005. That Constitution was then repealed through Constitutional Act No. 002/PR/2018 of 4 May 2018 promulgating the Constitution of the Fourth Republic. In the new Constitution, executive power is vested in the President, who is elected for a six-year term and may be re-elected only once. Legislative power is exercised by the National Assembly. Judicial power is vested in the Supreme Court, courts of appeal, lower courts and magistrates' courts. It should be noted that, among other institutional reforms, the establishment of a military justice system is provided for by articles 175 to 178 of the new Constitution.

75. Since 1996, Chad has opted for a highly decentralized unitary State, in order to bring government closer to the people and allow decentralized local authorities to take control of the development process.

76. The process of decentralization and devolution of services to the provinces and departments is ongoing. The country has 23 provinces, including the city of N'Djamena,

112 departments and 414 municipalities. However, this structure will be overhauled as part of the reforms under way.

A. Executive branch

77. The Constitution was promulgated on 4 May 2018 after the meeting of an inclusive national forum. It provides for a full presidential system of government. The President is elected by direct universal suffrage for a six-year term and may be re-elected only once. The President appoints and dismisses the members of the Government and presides over the Council of Ministers.

78. In terms of relations with the legislative branch, the Head of State can dissolve the National Assembly in the event of an ongoing crisis between the executive and legislative branches (Constitution, art. 95) and is not accountable to the National Assembly (Constitution, art. 83).

79. Ministers are only accountable to the National Assembly under the procedures provided for in articles 109, 112, 144 and 145.

80. The current President is Mr. Idriss Deby Itno. He took office on 1 December 1990, putting an end to the ruthless dictatorship of Hissène Habré. From that time on, Chad was placed under a state of emergency until the Sovereign National Conference held from 15 January to 7 April 1993. The Conference adopted a Provisional Charter and established a High Transitional Council. The transitional period ended in 1996, after being twice renewed. Following the adoption by referendum of a new Constitution in March 1996, the first multiparty presidential election was held in July of that year and won by Mr. Idriss Deby Itno. After assuming the presidency in 1990, President Idriss Deby Itno was democratically elected through the elections of 1996. In 2001, he was re-elected for a new term. The elections of 2006, in which the President sought a third term, gave rise to a political crisis.

81. On the initiative of the President, the international community (France, the European Union and the International Organization of la Francophonie) supported the inter-Chadian political dialogue that culminated in the Political Agreement for the reinforcement of the democratic process in Chad, concluded on 13 August 2007.

82. This agreement was implemented by a follow-up committee consisting of equal numbers of majority and opposition members. The agreement is the foundation for political decision-making based on consensus and enabled the Government to organize peaceful elections in 2011 and 2016.

83. The presidential election took place on 9 and 10 April 2016. The Constitutional Council approved 14 of the 23 candidates nominated. During the elections, Chad experimented with biometric technology. President Idriss Deby Itno was elected in the first round with 59.92 per cent of the vote, followed by the leader of the opposition with 12.77 per cent and the mayor of Moundou with 10.61 per cent. The opposition parties challenged the election results. The Constitutional Council found the petitions to be unsubstantiated.

B. Legislative branch

84. In Chad, legislative power is exercised by the National Assembly. The members are elected by direct universal suffrage for a five-year term (Constitution of the Fourth Republic, art. 113). If the presidency is vacant, the Speaker of the National Assembly becomes acting President.

85. Since the parliamentary elections of 13 February 2011, which resulted in an absolute majority for the President's party, the Patriotic Salvation Movement (MPS), with **117** of **188** seats, and in 10 seats for the National Union for Democracy and Renewal, 8 seats for the Union for Renewal and Democracy, 6 seats for the National Rally for Democracy in Chad-Awakening and 4 seats for Federation, Action for the Republic, etc.

86. The membership of the National Assembly has not been renewed. This situation is attributable to the financial and economic crisis in the country.

87. However, the local and parliamentary electoral process is under way.

88. The National Assembly meets as of right for two ordinary sessions each year. The length of each session may not exceed 120 days (art. 124). The first session opens on 5 March and the second on 5 September. If 5 March or 5 September is a public holiday, the session opens on the following working day. It may also meet in extraordinary session if necessary.

89. The National Assembly has 10 committees:

- Committee on General Policy, Institutions, Laws and Administrative and Judicial Affairs
- Committee on Finances, the Budget and Public Accounting
- Committee on the Economy and Planning
- Committee on Rural Development and the Environment
- Committee on Communication, New Information and Communication Technologies, Fundamental Rights and Freedoms
- Committee on Health, Social Affairs, the Status of Women and the Rights of the Child
- Committee on Schools, Higher Education, Scientific Research and Human Resources
- Committee on Culture, Youth and Sport
- Committee on Foreign Affairs and International Cooperation
- Committee on Defence and Security

C. Judicial branch

90. In Chad, the judiciary is recognized in articles 146 and 147 of the Constitution as one of the three pillars of democracy. Act No. 11/PR/2013 on the Judicial Code provides for a single judicial system, with the Supreme Court at the top of the hierarchy. Article 1 of the Act stipulates that there is only one judicial system and also specifies that it comprises the Supreme Court, appeal courts, criminal courts, *tribunaux de grande instance* (courts of major jurisdiction), labour courts, commercial courts and magistrates' courts.

91. These courts try all civil, commercial, social and criminal cases in accordance with their own specific rules and hand down their judgments in the name of the Chadian people.

92. Tradition has a certain influence on the institutional framework of justice in Chad. This influence can be seen in the presence, in civil and customary matters, of assessors who represent the custom of the parties in order to explain it to the court. Article 95 of Act No. 11/PR/2013 of 17 June 2013 on the Judicial Code provides that, until such time as unified civil legislation has been passed and before a date that will be determined by decree, judicial panels in civil cases will be supplemented by two community leaders with recognized knowledge of the relevant customs who will act as assessors.

93. Several instruments affirm the independence of the judiciary. These instruments have constitutional status and legal force. They include:

- Constitution of the Fourth Republic of 4 May 2018
- Organic Act No. 17/PR/2014 of 17 May 2014 on the organization, functioning and rules of procedure of the Supreme Court
- Act No. 11/PR/2013 of 17 June 2013 on the Judicial Code

- Ordinance No. 03/PR/2010 correcting Act No. 005/PR/98 of 7 July 1998 on the organization and functioning of the Supreme Council of Justice
- Ordinance No. 007/PR/2012 of 21 February 2012 on the regulations governing the judiciary

Supreme Court

94. Pursuant to articles 157 et seq. of the Constitution, the Supreme Court is the highest court in judicial, administrative, constitutional and public accounting matters. It also hears disputes related to presidential, parliamentary and local elections and referendums. Its jurisdiction covers the entire territory of the country. It rules on claims of unconstitutionality raised by any citizen before a court in a case involving that citizen.

95. It has five divisions:

- One judicial division
- One administrative division
- One audit division
- One constitutional division
- One ad hoc division consisting of seven members of the National Assembly and four Supreme Court judges elected by their peers to try cases of high treason

96. The Supreme Court has 43 members, including the President. The President of the Supreme Court is chosen from among the senior members of the judiciary. He or she is appointed by the President of the Republic after consultation with the Speaker of the National Assembly.

97. The other members are appointed either by the President of the Republic or by the Speaker of the National Assembly and selected from among the senior members of the judiciary as specialists in administrative law, budget law and public accounting or constitutional law.

98. The powers and other organizational and operational rules of the Supreme Court and the procedure followed before the Court are determined in Ordinance No. 15/PR/2018 of 31 May 2018 on the organization, functioning and rules of procedure of the Supreme Court.

99. The Supreme Court rules on cassation appeals on the grounds of lack of jurisdiction, abuse of authority or violations of the law and gives its opinion on draft laws before they are discussed by the Council of Ministers.

Courts of appeal

100. Chad has five courts of appeal currently in operation and five in the process of being established, each with a well-defined territorial jurisdiction. Each court of appeal is divided as follows:

- One civil and customary division
- One administrative division
- One commercial division
- One social division
- One criminal division for minor and less serious offences
- One indictment division
- One juvenile division

101. A court of appeal is an ordinary court of second instance, which rules on cases initially tried by the *tribunaux de grande instance* and magistrates' courts under its jurisdiction, in which appeals have been lodged in the form and within the time frame prescribed by law.

102. Decisions of the court of appeal are made by a panel of judges. The public prosecution service is represented by the chief prosecutor or deputy prosecutor, assisted by a registrar.

Criminal courts

103. Pursuant to the Act on the Organization of the Judiciary, criminal courts are ad hoc divisions of a court of appeal, which try the serious offences brought before them in line with the Code of Criminal Procedure.

104. They are composed of:

- The President of the court of appeal or another member, who presides over the panel
- Two members of the court of appeal
- Four jurors

105. The jury consists of citizens over 30 years of age who are able to speak, read and write and in full possession of their civil, political and family rights. They are chosen by lot from a list of 25 names. Persons who hold a government position or parliamentary seat, police officers and military personnel from all armed services are ineligible for jury service.

***Tribunaux de grande instance* (courts of major jurisdiction)**

106. Pursuant to Decree No. 1010/2014 on the establishment of courts and their territorial jurisdiction, each departmental capital has a *tribunal de grande instance* with a territorial jurisdiction covering the administrative and judicial scope of the department.

107. Articles 32 et seq. of the Act on the Organization of the Judiciary stipulate that the *tribunaux de grande instance* try all civil and administrative cases over which no other court has jurisdiction owing to their nature or the value of the claim. This is the case regardless of the applicable law and the status of the parties. *Tribunaux de grande instance* have a civil division, an administrative division, a criminal division for minor and less serious offences, a juvenile division and one or more investigation offices.

108. *Tribunaux de grande instance* consist of a president, one or more vice-presidents, judges, investigating judges and juvenile judges. The judges are assigned to the various divisions by order of the president of the *tribunal*.

109. The public prosecution service is represented before the *tribunaux de grande instance* by a prosecutor assisted by deputy prosecutors. The prosecutor is under the authority of the chief prosecutor attached to the court of appeal.

110. *Tribunaux de grande instance* have registrars, including a chief registrar, and clerks, including a chief prosecution clerk.

111. The courts sit as a panel of judges, except temporarily if the number of judges assigned to it is less than three, not including investigating judges.

Labour and social security courts

112. Article 40 of the Judicial Code provides that the jurisdictional rules of the labour and social security courts are determined by article 411 of the Labour Code. Labour and social security courts hear individual disputes between workers and their employers regarding employment or apprenticeship contracts, collective agreements on working conditions, health and safety, election of staff representatives and the social protection system. Labour and social security courts consist of one judge, who presides, one worker assessor and one employer assessor. The assessors are nominated by a joint decree of the Minister of Labour and Social Security and the Minister of Justice after consultation with the most representative employer and worker organizations; they swear an oath before the presiding judge. The presiding judge is assisted by a registrar.

Commercial courts

113. The jurisdictional rules for commercial courts are set out in articles 2 to 6 of Ordinance No. 009/PR/2004 of 23 August 2004 on the organization and functioning of commercial courts.

114. Commercial courts have first instance jurisdiction over cases regarding commercial activities and disputes related to businesses, especially insolvency cases.

115. Commercial courts consist of a president, one or more other judges, assessors, registrars, including the chief registrar, and clerks.

116. The president and other judges are members of the judiciary.

117. The assessors are businesspersons. The statutory and disciplinary system for assessors is defined in articles 17 to 22 of Ordinance No. 009/PR/2004 on the organization and functioning of commercial courts.

118. Ordinance No. 009/PR/2004 of 23 August 2004 provides that commercial courts hear commercial disputes and apply the uniform acts of the Organization for the Harmonization of Business Law in Africa. Under article 14 of Ordinance No. 009/PR/2004 of 23 August 2004, proceedings before the commercial courts follow the procedure established in the uniform acts of the Organization for the Harmonization of Business Law in Africa and the national Code of Civil Procedure.

Magistrates' courts

119. There is a magistrates' court in every district of the city of N'Djamena and in every sub-prefecture without a *tribunal de grande instance*. The magistrate sits alone with the assistance of a clerk of the court. Magistrates exercise the powers granted by law to the president of a *tribunal de grande instance*. The prosecutor attached to the *tribunal de grande instance* may in all cases represent the public prosecution service before a magistrates' court.

120. Magistrates' courts are competent to try civil matters and criminal cases involving minor and less serious offences within the limits and conditions prescribed by law. An exception is the district-level magistrates' courts in N'Djamena, which do not have jurisdiction over criminal cases. Magistrates' courts do not try cases involving violations of the law on the press, economic and fiscal legislation and foreign exchange legislation.

Judges and judicial officers

121. Admission to the judiciary is obtained through a competitive examination. It is open to graduates with a master's degree in law. A new judicial training school, which has been operating since 2011, provides training to cohorts of judges. The school offers technical and practical training courses lasting 90 weeks.

122. In July 2019, the number of serving judges was estimated at 435, of whom 35 were women. Currently, 333 trainee judges are awaiting an appointment. There are also 257 registrars, 143 practising lawyers, including 18 women, and 77 lawyers completing a traineeship, including 11 women, 35 notaries, including 5 women, and 43 bailiffs, including 1 woman.

123. This number of judges and judicial officers is objectively insufficient for 11.5 million inhabitants.

124. Furthermore, the distribution of judges over the country is unequal. The issues that arise with the independence of the judiciary involve all types of interference that undermine court decisions.

125. To make justice more accessible to citizens, the Government has put in place structures to ensure access to law and justice in the five courts of appeals and has passed Act No. 021/PR/2019 of 15 April 2019, which regulates legal aid and assistance.

Juvenile justice

126. Until the age of 13, minors are subject only to assistance, protection and education measures. Between the ages of 13 and 18, they can be sentenced to imprisonment or the payment of fines. Pretrial detention may not in principle exceed six months.

127. The Government intends to develop specialized facilities for minors, in line with the spirit of Act No. 007/PR/1999 on the prosecution and trial procedure for offences committed by minors between the ages of 13 and 18.

128. Chad has ratified almost all international conventions and protocols on the rights of the child.

129. In that respect, the Council of Ministers adopted an interim strategy on juvenile justice in 2016.

Penitentiary system

130. The prison system in Chad suffers from overcrowding. In 2016, the prison population stood at 4,775 with a nominal capacity of 2,080 (figures from the Programme to Support Justice in Chad (PRAJUST)).

131. Article 21 of Act No. 19/PR/2017 of 28 July 2017 on the prison system stipulates that male prisoners must be kept separate from female prisoners and convicted prisoners must be kept separate from untried prisoners. Article 23 of the Act stipulates the same separation for minors and adults.

New developments in the judicial system*Anti-Terrorism Act (2015)*

132. In July 2015, the National Assembly adopted a new law on the suppression of terrorism. The law contains a fairly broad definition of terrorism.

133. The law provides for the death penalty for the most serious crimes. The duration during which a suspect can be held before being brought before a court was increased from 48 hours to 30 days, renewable twice by the prosecutor. It is envisaged to amend the law to bring it into line with international commitments on human rights and the new Criminal Code, especially with regard to abolition of the death penalty.

Reform of the judiciary

134. Pursuant to the reforms of 2013, court rulings must be made by a panel of judges. However, it is possible to return to a single-judge bench if the number of judges in certain courts is insufficient.

135. The new Judicial Code provides that the State is liable for deficiencies in the delivery of justice (for example, when courts delay decisions on urgent measures). Proceedings must be brought before the Supreme Court.

Prohibition of child marriage

136. To combat child marriage effectively, the Government promulgated Act No. 029/PR/2015 of 21 July 2015 on the prohibition of child marriage and Act No. 01/PR/2017 of 8 May 2017 on the Criminal Code.

New Criminal Code and Code of Criminal Procedure

137. The death penalty has been eliminated from the new Criminal Code, which entered into force on 8 May 2017, and the Code of Criminal Procedure, which entered into force on 14 July 2017. However, the death penalty remains in force for acts of terrorism that fall under Act No. 34 of 2015.

IV. Legal and institutional framework for the protection of human rights

A. Legal framework

138. Certain conventions need to be ratified in order to improve the level of protection provided by the State. The legal framework must be brought into line with the State's domestic and international commitments, particularly by taking into account the recommendations from the third cycle of the universal periodic review, the treaty bodies, the special procedures, the first National Forum on Human Rights and the Forums on Justice.

139. At the institutional level, the reorganization and capacity-building initiatives in the Ministry of Justice and Human Rights will enable it to play a central role in the implementation of the legal framework.

140. Human rights organizations and institutions play a significant role in the implementation of the Government's policy on the promotion and protection of human rights.

B. Institutional framework

Ministry of Justice and Human Rights

141. Within the framework of the promotion and protection of human rights and the promotion of fundamental freedoms, the Ministry of Human Rights and Fundamental Freedoms was created in 2005. This Ministry was responsible for promoting the Government's human rights policy in the areas of protection, promotion and awareness-raising.

142. In 2014, the Ministry of Human Rights was merged with the Ministry of Justice, becoming the Ministry of Justice and Human Rights. Within this Ministry, policy for the promotion and protection of human rights is devolved to the Human Rights Directorate. The Directorate is responsible for protecting and promoting human rights and fundamental freedoms.

143. The Directorate plays an important role in strengthening the legal framework for the promotion and protection of human rights and fundamental freedoms.

144. However, some laws that have been officially introduced into the domestic legal system have not been sufficiently disseminated and citizens are unfamiliar with them.

Human rights organizations

145. The Sovereign National Conference held in 1993 encouraged the emergence of civil society organizations. Associations may be freely established.

146. In Chad, associations are governed by Ordinance No. 27/INT-SUR/62 of 28 July 1962 on the regulation of associations and its implementing Decree No. 165/INT-SUR/62 of 25 August 1962. Under the Ordinance, authorization to operate as an association is subject to the prior approval of the Ministry of Territorial Administration and Public Security, which is the only authority with the power to issue such approval.

147. There are currently 2,407 associations. They include general human rights associations, as well as those that focus specifically on advocacy for women and persons with disabilities. Some associations are organized into groups. The associations organize activities on human rights and work with the country office of the Office of the United Nations High Commissioner for Human Rights. The country office holds meetings with civil society organizations every two months.

148. When drafting its thematic reports, the Government draws on reports from civil society organizations. The organizations also prepare shadow reports.

149. It should also be noted that human rights associations are increasingly advocating not only for capacity-building but also, and above all, for the Government to provide them with a legal framework to protect them in the fulfilment of their mission.

C. Human rights institutions

150. Not only the Ministry of Justice and Human Rights but also the National Human Rights Commission, the High Authority for Media and Audiovisual Affairs, the High Council of Autonomous Communities and Traditional Leaders, the Economic, Social and Cultural Council and human rights organizations contribute to the promotion and protection of human rights.

D. National Human Rights Commission

151. On the recommendation of the Sovereign National Conference, Chad set up a National Human Rights Commission in 1994 by means of Act No. 031/PR/94.

152. The Commission is composed of representatives of ministries and civil society and is responsible for the activities described below.

153. The Commission formulates opinions for submission to the Government on matters relating to human rights and freedoms, including the status of women, the rights of the child and the rights of persons with disabilities.

154. It provides assistance to the Government and other national and international institutions in all matters relating to human rights in Chad.

155. It also conducts surveys and studies and produces publications on issues relating to human rights and fundamental freedoms.

156. The Commission in its current form has a number of shortcomings. The Act does not conform to the principles relating to the status of national institutions (the Paris Principles).

157. The weaknesses of the National Human Rights Commission were highlighted during its accreditation reviews by the International Coordinating Committee of National Human Rights Institutions in 2002 and 2009. As a result, it lost its A(R) status (accreditation with reserve) and was downgraded to B status.

158. This has had an impact on the Commission's image. Its status does not allow it to be elected to the International Coordinating Committee of National Human Rights Institutions, the bureau of the Network of African National Human Rights Institutions or the bureau of the Association francophone des commissions nationales des droits de l'homme (Francophone Association of National Human Rights Commissions).

159. To demonstrate its political will and address the many concerns raised by the International Coordinating Committee of National Human Rights Institutions, the Government has taken steps to reform the National Human Rights Commission.

160. In September 2015, the Ministry of Human Rights, with the support of the country office of the Office of the United Nations High Commissioner for Human Rights, organized a workshop to endorse a preliminary bill on reform of the Commission.

161. These steps led to inclusion of the Commission among the country's key institutions and adoption of Act No. 28/PR/2018 of 22 November 2018 on the powers, organization and functioning of the Commission. As part of the process of establishing the Commission, the process of selecting commissioners was launched in accordance with the provisions of the new law.

162. The reform of the Commission addresses not only the need to improve the legal and institutional framework for the protection of human rights in the Republic of Chad but also the many recommendations made by the International Coordinating Committee of National

Human Rights Institutions, the treaty bodies of the United Nations and the universal periodic review.

E. Cooperation between the Government and civil society

163. Human rights associations came into existence thanks to the country's democratization in 1990. As part of moves towards more strategic and comprehensive engagement, the Government is working closely with civil society organizations. This helps it to understand the practical issues and the social and political challenges that the organizations are facing. As such, they are involved in certain activities organized by the Government, particularly field missions and workshops held in N'Djamena and other parts of the country to prepare and approve reports to the treaty bodies, as well as various pieces of human rights documentation.

164. In the context of monitoring international human rights instruments, civil society organizations are members of the Interministerial Committee for the Monitoring of International Human Rights Instruments, which was established by Decree No. 3912/PR/PM/MDHLF/2011 of 12 December 2011.

165. Civil society organizations make a significant contribution to improved governance and peacebuilding. They are grouped around issues of national interest such as peace (Comité de Suivi de l'Appel à la Paix et à la Réconciliation (Monitoring Committee of the Appeal for Peace and Reconciliation)), human rights (Collectif des Associations de Défense des Droits Humains (Collective of Associations for the Defence of Human Rights)) and women's rights and the status of women (Cellule de Liaison des Associations Féminines (Women's Associations Liaison Unit)). They have conducted training, awareness-raising and information initiatives, including the creation of community radio stations, the organization of civic education campaigns, the provision of legal assistance and the training of paralegals.

F. Awareness-raising on human rights issues

166. The Government of the Republic of Chad has ratified a large number of international, regional and subregional legal instruments on the promotion and protection of human rights.

167. In order to put the provisions of the instruments into practice and raise public awareness of them, the Government of the Republic of Chad is working with technical and financial partners including the Office of the United Nations High Commissioner for Human Rights, UNICEF, the United Nations Population Fund and civil society organizations to conduct outreach activities and provide training to civil and military administrative authorities, traditional authorities, religious leaders and the general public on legal instruments relating to the protection of women, children, persons with disabilities, displaced persons and refugees.

168. Human rights issues also make up a large portion of the training programme for the defence and security forces, with the aim of ensuring that defence and security personnel are able to respect, in a fair and humane manner, the laws, conventions and rules they are responsible for applying and to ensure that others do the same. General training on the rights of the child is provided to judicial police officers. The training is provided by the Government with assistance from the French authorities responsible for the police and gendarmerie. The current code of ethics for the police is contained in Decree No. 413/PR/PM/MSPI/2016 of 15 June 2016. A code of ethics is being developed for the National and Nomadic Guard.

169. With support from UNICEF, the Government also organizes an ongoing series of capacity-building sessions for judges, clerks, lawyers and officials from other central services of the ministries involved in the child protection system.

170. With the aim of raising awareness among target groups such as young people, women and persons living with HIV, the National AIDS Committee, UNICEF and other

partners have developed communication materials with clear and precise messages for the different target groups.

171. The messages have been designed for each target group with the aim of bringing about behavioural change through practices that will help to prevent the disease, which unfortunately continues to claim victims, especially among young people, who are the worst-affected group. These messages are intended not only for facilitators but also for anyone else involved in the prevention of HIV/AIDS and sexually transmitted infections.

172. The AIDS response relies on the adoption of simple practices and attitudes to encourage everyone to get tested and find out their HIV status, with a view to either remaining HIV-free or beginning treatment for the disease.

173. The media in Chad also contributes to the dissemination of messages aimed at raising awareness of and promoting and protecting human rights. Public media outlets such as RNT and TVT and community media outlets including FM Liberté and Radio KAR OUBA broadcast programmes on citizens' rights and duties and workers' concerns, as well as debates on human rights issues.

G. Commemoration of the anniversary of the Universal Declaration of Human Rights

174. In the preamble to its Constitution, Chad reaffirms its commitment to the human rights principles defined in the Charter of the United Nations (1945), the Universal Declaration of Human Rights (1948) and the African Charter on Human and Peoples' Rights (1981).

175. As a member of the United Nations and the African Union, Chad commemorates the anniversary of the Universal Declaration of Human Rights on 10 December each year.

176. This is only possible thanks to the joint efforts of the Government and the technical and financial support provided by the Office of the United Nations High Commissioner for Human Rights.

177. The themes of the events are usually those set by the Secretary-General of the United Nations. In addition, students read some provisions of the Universal Declaration of Human Rights and the Constitution of Chad and theatre groups perform sketches.

178. As a prelude to the day, the Minister of Justice and Human Rights makes a statement recalling the role of human rights institutions and organizations, the efforts made by the Government to implement its international commitments and the challenges that must be overcome.

179. The activities to commemorate the anniversary of the Universal Declaration of Human Rights provide an opportunity for the Chadian authorities to disseminate the international human rights protection instruments to which the country is a party and to raise awareness among administrative, traditional and religious authorities about the concepts of human rights and the content of the Universal Declaration of Human Rights.

Human rights situation in Chad

180. Since it achieved independence, Chad has experienced numerous institutional and political crises that have led to armed conflicts lasting more than three decades, during which a range of serious violations of human rights and fundamental and collective freedoms have been recorded.

181. The advent of democracy in 1990, together with the corresponding liberalization of public life, encouraged the emergence of political parties and civil society.

182. The conflict has given rise to human rights violations by State and non-State actors. The main victims are women and children.

183. Women are usually victims of gender-based violence, the most common forms of which are forced and/or early marriage, female genital mutilation, rape and other forms of

physical violence. The perpetrators of these acts sometimes enjoy impunity as a result of significant gaps in the regulatory framework, low reporting and prosecution rates, ingrained attitudes, the application of inappropriate penalties, interference in judicial matters by certain administrative and military authorities and the trivial amounts of compensation awarded.

184. A large proportion of children, particularly nomadic children, have been deprived of their right to education. Large numbers of children have also been recruited by armed forces and groups or put to work at a very early age, in violation of the legal provisions protecting them. This includes child domestic workers, child livestock-herders, *mouhadjirine* (pupils at Koranic schools) forced into begging and child victims of sexual exploitation for financial gain.

185. Armed conflicts to the east and south of the country have also led to massive displacement from the Sudan and the Central African Republic of refugees requiring humanitarian assistance.

186. However, while some significant human rights laws have been adopted, others of no less importance remain pending. These include the Child Protection Code and the Personal and Family Code.

Legislative challenges

187. Title II of the Constitution of Chad is devoted to the fundamental rights and freedoms and the duties of citizens (art. 12 ff.). Despite these constitutional provisions, the protection of women's and children's rights faces major challenges, including harmful traditional practices and difficulties in adopting a family code and a child protection code. At the judicial level, measures must be taken to ensure appropriate sanctions for rape and acts of sexual violence, female genital mutilation and harmful traditional practices and customs.

188. With regard to the situation of children, although measures are being taken to protect them, real challenges remain, especially with regard to legal protection and protection from practices that are harmful to their development, including various forms of exploitation.

189. In the national, regional and international context, the enjoyment of human rights is being hindered by new phenomena, including the emergence of the violent extremist group Boko Haram in Lac region. This has given rise to a range of consequences, including violations of the right to life, recruitment of women and children, often to transport bombs for use in terrorist attacks, destruction of property, rape, sexual violence and summary executions.

190. In order to respond to these major challenges and implement the recommendations of the universal periodic review, the new Criminal Code covers a range of issues including those relating to torture (arts. 323 and 324), war crimes resulting from serious violations of the Geneva Conventions of 12 August 1949 (arts. 285 to 289), the attribution to military commanders and other superior officers of responsibility for the actions of their subordinates (arts. 290 and 291), cybercrime (arts. 429 to 438) and Act No. 012/PR/2018 of 22 June 2018 on combating human trafficking.

191. The new Code of Criminal Procedure also covers the procedures for prosecutions and trials concerning offences committed by minors aged over 13 years and under 18 years.

Legal remedies for human rights violations

192. Anyone whose rights are violated has access to legal remedies. These include domestic, regional and international remedies. At the national level, victims can bring proceedings before a number of mechanisms, including human rights NGOs, the National Human Rights Commission or the judicial authorities. Cases of rape and sexual violence are brought before the national courts.

193. There are no specialized judges on matters of rape and sexual violence or any institutions specializing in the resolution of discrimination issues.

194. The human rights situation is regularly assessed through reports issued by civil society, dialogue with the Human Rights Council in the context of the universal periodic review procedure and with treaty bodies, and reports on field visits by special procedures mandate holders.

195. As part of its interactive dialogue with the Human Rights Council, in 2018 Chad submitted its report for the third cycle of the universal periodic review. Following discussions with the Human Rights Council, the Council made 204 recommendations to the Government, covering all the human rights challenges facing the country. The recommendations relate to matters including:

- The strengthening of national human rights institutions
- The situation of vulnerable persons, including women and children
- The harmonization of national legislation with international obligations
- Human trafficking
- Human rights education
- Enhanced cooperation with mechanisms
- The abolition of the death penalty
- Measures to be taken to eradicate rape, torture, human trafficking, etc.

Cooperation with regional and international bodies

196. Chad is a party to the majority of the international, regional and subregional legal instruments in the field of human rights. These instruments for the protection of human rights are incorporated into the Constitution.

197. Decree No. 3912/PR/PM/PM/MDHLF/2011 of 11 December 2011 established the Interministerial Committee for the Monitoring of International Human Rights Instruments. The Committee is a consultative and monitoring body.

198. In response to the recommendations of the universal periodic review, a national action plan was developed and approved by the Interministerial Committee for the Monitoring of International Human Rights Instruments.

199. With regard to cooperation with the special procedures of the United Nations, the Government extended invitations to the special rapporteurs to visit the country. This led to the organization of two visits by special procedures mandate holders, namely the Working Group on discrimination against women and girls and the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination. The two visits took place in December 2017 and April 2018 respectively. Following the visits, the human rights situation was analysed and recommendations for improvement were made. The Government has committed to making efforts to implement the recommendations.

200. With respect to its international commitments regarding the ratification of human rights conventions, the Government has undertaken to ratify those to which Chad is not yet a party. In that spirit, it ratified two conventions in November 2018, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of Persons with Disabilities.

H. Anti-discrimination measures, equality and effective remedies

201. The legal framework in force in Chad grants equal rights to men and women (articles 13, 14 and 15 of the Constitution). For example, article 14 stipulates that the State shall ensure equality before the law for everyone, without distinction as to origin, race, sex, religion, political opinion or social position.

202. It further stipulates that the State has a duty to ensure that all forms of discrimination against women are eliminated and that women's rights are protected in private and public life.
203. The Electoral Code guarantees equality between men and women with regard to the right to vote and the right to stand for election. Article 178 (3) of the Code stipulates that lists must include the same number of candidates as the number of seats to be filled and must respect gender parity to the furthest extent possible.
204. Despite these constitutional provisions, some forms of discrimination still occur in practice in various areas of politics and society.
205. For example, article 205 of the Labour Code prohibits women employed in the industrial sector from working at night.
206. A lack of awareness of existing laws and the coexistence of customary rights and modern legislation confuses many people and limits effective equality between the sexes as enshrined in the Constitution.
207. There are some cultural practices and customs that violate women's rights and the principle of gender equality, such as levirate, sororate, excision, beatings and early and forced marriage.
208. In some areas where a caste system is in place, girls and boys from a particular caste cannot marry girls or boys from outside their community.
209. The gender gap is evident throughout schooling and increases considerably at the higher levels of education. It stands at 0.8 per cent in preschools, 0.87 per cent in primary schools and 0.6 per cent in secondary schools (Multiple Indicator Survey 2010).
210. For the time being, Chad has adopted a gender parity policy recommending that women's representation be fixed at a minimum of 30 per cent. Efforts are continuing to increase this level. Following the National Forum for Inclusion, the Government passed a parity law establishing a 30 per cent quota for women in elected and appointed positions as a transitional measure to full parity.
211. At the legal and psychological levels, women who are victims of rape or who are HIV-positive, for example, fear being stigmatized and marginalized by society and find it difficult to talk about their situation. However, it must be recognized that women do not turn to the justice system owing to a certain mindset. If women divulge their experiences, their dignity and honour are tarnished; therefore, they avoid doing so. In addition, certain constraints such as the lack of reporting of perpetrators of violations of women's rights and the significant influence of customs and traditions pose an obstacle to the effective application of the principle of equal access to justice.
212. In response to this situation, the Government has undertaken to repeal all discriminatory provisions. It has therefore embarked on the process of drafting a new Personal and Family Code, which is awaiting adoption. The draft code takes into account the State's international commitments, in particular those relating to the Convention on the Elimination of All Forms of Discrimination against Women.
213. The Government, through the National Gender Policy and the National Strategy to Combat Gender-Based Violence, has made the issue of women's rights a priority. Particular emphasis is placed on the elimination of all forms of violence against women, non-discrimination and equal access to opportunities, resources and decision-making power in all spheres, from the family to public and private institutions.
214. It is also important to note that the training, awareness-raising, reporting and advocacy activities conducted by civil society organizations throughout the country make a significant contribution to tackling the problem.