



**International covenant
on civil and
political rights**

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**LIST OF ISSUES TO BE TAKEN UP IN CONNECTION WITH
CONSIDERATION OF THE INITIAL REPORT OF CHAD
(CCPR/C/TCD/1)**

**Constitutional and legal framework within which
the Covenant is implemented (arts. 1 and 2)**

1. Please indicate the status of the Covenant in the domestic legal order and the measures taken by the State party to ensure that its legislation is compatible with the Covenant. Also, please indicate whether individuals can invoke the Covenant directly before the courts and whether the courts have implemented the provisions thereof in specific cases. Please give examples, if any.
2. Please provide information on the measures taken by the State party to ensure the independence of the National Human Rights Commission and indicate whether the Commission has taken the necessary steps, in view of its accreditation with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, to ensure its conformity with the Paris Principles.

Right to freedom of movement (arts. 2 and 12)

3. Please provide detailed information on: (a) the extent, causes and dynamics of forced displacement in Chad and on the measures taken to guarantee the protection of displaced persons in the east of the country, “who continue to be gravely affected by ongoing internal and cross-border hostilities”; (b) measures taken to ensure humanitarian access to displaced persons; and (c) measures taken to protect and provide assistance to displaced persons returning to Chad, including refugees.

**Equal rights of men and women, prohibition
of discrimination (arts. 2, 3 and 26)**

4. The State party report indicates that, in Chad, in many cases women are not considered to be equal to men, have few rights and are often marginalized (para. 108). Please provide detailed and updated information on measures taken to eliminate discrimination against women and to eradicate the sources of such discrimination. Please provide information on the prohibition against women owning land (para. 54) and on the inheritance system as it applies to women. Please also clarify whether a person who abducts a minor and marries the person concerned is subject to penalties (para. 107). Please also provide information on measures taken or envisaged to raise public awareness of equal rights for men and women.

5. Please provide: (a) information on the legal framework for combating domestic violence in Chad; (b) statistical data for the past three years, in addition to the number of domestic violence complaints filed in Chad; (c) information on measures that the State party is considering in order to eliminate this practice.

States of emergency (art. 4)

6. Please clarify which of the rights set out in the Covenant are restricted during states of emergency (para. 120) and indicate whether effective remedies are available, in law and in practice, to persons affected by emergency measures.

**Right to life and prohibition of torture and other cruel, inhuman or degrading
treatment of persons deprived of their liberty (arts. 6, 7 and 10)**

7. Please: (a) provide further information on the reasons why the State party has ended the moratorium on the death penalty; (b) indicate whether the persons executed on 6 and 9 November 2003 were guaranteed the right to a fair trial (para. 133); and (c) indicate the precise offences for which the death penalty is imposed.

8. According to some sources, armed attacks against civilians are being carried out by men in civilian clothes or military uniforms in the east of the country. What measures are being taken to end this situation, which is at variance with articles 6 and 7 of the Covenant?

9. Please provide information on: (a) follow-up to the work of the National Commission of Inquiry into Human Rights Violations concerning the events of February 2008, in particular with regard to summary executions; (b) the measures taken or envisaged by the State party to implement the recommendations made in the report of the Commission of Inquiry; (c) the prosecutions brought against those responsible for abuses and the penalties imposed; and (d) the remedies available to victims to obtain compensation.

10. What measures has the State party taken to put an end to traditional practices that are inconsistent with the Covenant and, in particular, to ensure the effective prevention of female genital mutilation (para. 56)? Please provide detailed information on the practice of polygamy and indicate whether the State party intends to abolish it.

11. Please: (a) provide information on the measures taken by the State party to bring to justice and punish those responsible for crimes of torture and other inhuman or degrading treatment

against prisoners of war, opposition politicians and Chadian civilians during the confrontations of February 2008; (b) indicate why torture is not regarded as an offence in the Criminal Code, when Chad is a party to the Convention against Torture; (c) indicate the remedies available to torture victims; and (d) provide detailed information on the “police blunders [which], depending on how serious they are, [...] are referred to the judicial authorities” (para. 119).

12. The State party draws attention in its report to the following situations that are contrary to the Covenant: (a) “... owing to budgetary constraints preventing the construction of separate places of detention, presumed perpetrators of lesser offences are held in pretrial detention with convicted prisoners. During pretrial detention, there is a risk of abuse by some judicial officers” (para. 176); (b) “the lack of segregated accommodation for adult and juvenile detainees” (para. 151); and (c) “the time limit on police custody is not often observed in police stations and gendarmeries” (para. 177). Please provide information on the measures that the State party intends to take in order to remedy these situations. Please also indicate whether the judicial officers responsible for the abuse of detainees have been identified and brought to justice.

**Prohibition of slavery and forced labour, right to recognition as a person
before the law and special protection of the child (arts. 8, 16 and 24)**

13. Please report on the consultations initiated by the State party with its partners in order to eradicate modern forms of slavery, including women and girls forced into prostitution, child cowherds, *muhajirin* (mendicant Koranic students) (para. 154) and child domestic workers, and indicate the measures being considered to eliminate these practices.

14. Under article 30 of Act No. 007 of 6 April 1999, “a minor may be placed under a banning order for a minimum of 5 and a maximum of 10 years”. Please clarify the scope of this rule and comment on its compatibility with article 24 of the Covenant. Please also indicate the age at which a minor may be brought before the judicial authorities.

15. What measures has the State party taken to prevent, eradicate and combat the recruitment of minors, including girls, to armed groups? Are monitoring visits conducted regularly in military camps and military training centres in order to avoid further recruitment of minors? What training has been organized to raise military commanders’ awareness of the issue of child protection?

16. Please: (a) indicate whether the State party intends to take resolute action to ensure the registration of all births in its territory; and (b) provide school enrolment statistics for children, in particular for girls.

17. Please provide detailed information on child abduction and on adoption.

**Security of person and right not to be subjected to
arbitrary detention (art. 9)**

18. Please provide: (a) information on the judicial control mechanisms through which any abuses committed by the national security forces during arrests and detentions may be challenged; (b) recent statistics on legal proceedings brought against members of the national security forces accused of arbitrary arrest and/or detention (para. 162); (c) information on reports

of the existence of secret places of detention in the State party; (d) information on measures taken to put an end to arbitrary arrests and detentions; and (e) information on the circumstances surrounding the disappearance of Mr. Ibni Oumar Mahamat Saleh.

19. Paragraph 177 of the State party report indicates that “the time limit on police custody is not often observed in police stations and gendarmeries”. Please comment on this in the light of article 9 of the Covenant, and specify the duration of custody.

**Imprisonment for failure to discharge
contractual obligations (art. 11)**

20. Is imprisonment for failure to pay debts common in Chad (paras. 178-183)? Does the State party plan to adopt measures to ensure compliance with article 11 of the Covenant?

Right to a fair trial (art. 14)

21. According to some reports, the justice system of Chad does not function properly because of the lack of judges and prosecutors, as well as serious gaps in infrastructure. Moreover, there is an almost complete absence of defence lawyers in the east of the country. Please indicate the measures that the State party would consider taking in order to ensure respect for the guarantees related to the right to a fair trial, and the time frame for their implementation. Please also specify what constitutes discrimination in “procedural matters” mentioned in paragraph 197 of the State party report.

Right to privacy (art. 17)

22. Paragraph 236 of the State party report indicates that “arbitrary interference in private life is often perpetrated by over-zealous officials, of whom there is no shortage in the administrative authorities”. Please indicate the measures that the State party is considering taking in order to eliminate this practice. Please also provide detailed information, including statistical data, on the petitions filed by persons who have been subjected to arbitrary or illegal interference in their private lives.

Freedom of conscience and religion (art. 18)

23. Paragraph 63 of the State party report refers to religious conflicts that lead the Government to adopt “appropriate penalties to prevent such excesses”. Please provide detailed information in this regard.

**Freedom of expression, assembly and
association (arts. 19, 21 and 22)**

24. Please comment on reports that some human rights defenders and journalists have been harassed, threatened and physically attacked. What limitations are placed on gatherings? What mechanism is in place to ensure freedom of expression, assembly and association? Please clarify the regulations governing the right to freedom of assembly and association and indicate the extent to which they are compatible with the Covenant. Please also indicate the measures taken to guarantee the right to freedom of association.

Right to take part in the conduct of public affairs (art. 25)

25. Please comment, in the light of article 25 of the Covenant, on reports that the cycle of political and military crises in Chad, of which the civilian population is the first victim, is the result, *inter alia*, of the lack of democracy from which the country has suffered for many years. Please also indicate the status of the bills drafted on the basis of the political agreement of 13 August 2007, including: (a) the bill governing the democratic opposition; (b) the bill on the establishment of an independent national electoral commission (CENI); and (c) the draft electoral code.

26. Please provide detailed and updated information, including statistical data, on the penalties imposed in cases of corruption and nepotism among public officials (para. 279) (art. 25).

Dissemination of the Covenant (art. 2)

27. Please provide information on the training provided to public officials, in particular to teachers, judges, lawyers and police and national security officers, with regard to the Covenant. Please also describe other measures taken to disseminate information on the Covenant, the State party's initial report and its consideration by the Committee.
