



International Covenant on Civil and Political Rights

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Human Rights Committee

List of issues prior to submission of the third periodic report of Chad*

A. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

1. Please provide information on measures taken to implement the recommendations contained in the Committee's previous concluding observations (CCPR/C/TCD/CO/2). Please indicate which procedures are in place for the implementation of the Committee's Views under the Optional Protocol and provide information on measures taken to ensure full compliance with each of the Views adopted in respect of the State party.
2. Please report on any other significant developments in the legal and institutional framework within which human rights are promoted and protected that have taken place since the adoption of the previous concluding observations.

B. Specific information on the implementation of articles 1-27 of the Covenant, including with regard to the previous recommendations of the Committee

Constitutional and legal framework within which the Covenant is implemented (art. 2)

3. With reference to the Committee's previous concluding observations (paras. 3 and 5), please provide information on the measures taken to fully incorporate the provisions of the Covenant into the State party's legal order. Please provide examples of cases in which provisions of the Covenant have been invoked by national courts. Please indicate what measures have been taken to raise awareness of the Covenant among judges, lawyers and prosecutors, as well as among law enforcement officers.
4. Bearing in mind the Committee's previous concluding observations (para. 6), please provide information on the steps taken to ensure that the National Human Rights Commission is able to operate in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). Please provide information on the human and financial resources allocated to the Commission to allow it to fulfil its mandate effectively.

* Adopted by the Committee at its 120th session (3-28 July 2017).



Discrimination, gender equality and harmful traditions (arts. 2, 3, 17, 23, 25 and 26)

5. With reference to the Committee's previous concluding observations (para. 7), please indicate whether the State party has taken steps to establish a definition of discrimination and appropriate penalties in its legislation. Please also provide information on the measures taken to ensure that the State party's legislation: (a) prohibits all forms of discrimination in all spheres; (b) contains a comprehensive list of prohibited grounds of discrimination, which should include sexual orientation and gender identity; and (c) provides for effective administrative and judicial remedies.

6. Please provide information on the number of women in positions of responsibility in the public and private sectors. Please indicate what legislative and administrative measures have been taken to do away with practices and traditions that are detrimental to women's dignity and enjoyment of their rights and to put an end to the unequal treatment of men and women in the areas of inheritance and marital regimes. Please indicate what steps have been taken by the State party towards adopting a personal and family code that complies fully with the provisions of the Covenant, particularly with regard to the elimination of discrimination against women.

Violence against women (arts. 2, 6, 7 and 26)

7. In the light of the Committee's previous concluding observations (para. 10), please provide information on the measures taken to halt violence against women and on the results achieved. Please provide statistics and information on the investigations conducted, cases prosecuted, convictions handed down and penalties imposed on perpetrators and on the redress provided for victims during the period under review. Please provide information on the measures taken to: (a) assist victims in filing complaints; (b) offer protection to victims; and (c) provide rehabilitation for victims. Please also provide information on activities organized to raise awareness of the unacceptability and negative consequences of violence against women and information on capacity-building programmes for law enforcement officers. Please indicate whether the State party plans to adopt a national strategy to combat violence against women.

Counter-terrorism measures (arts. 2, 7, 9, 10 and 14)

8. Please indicate whether measures have been taken to amend Act No. 034/PR/2015 on the suppression of acts of terrorism and to ensure that its provisions are in conformity with the State party's obligations under the Covenant. In particular, please indicate what measures have been taken: (a) to provide a precise definition of what constitutes a terrorist attack; (b) to reconsider the decision to reinstate the death penalty; and (c) to reduce the allowable length of pretrial detention from 30 days, renewable twice, to 48 hours.

Right to life (arts. 2, 6 and 7)

9. In the light of the Committee's previous concluding observations (para. 11), please provide information on the reasons why the death penalty has been reinstated, the number of death sentences handed down by the State party's courts over the reporting period, the number of executions that took place, the grounds for each of the sentences, the age of each of the persons sentenced to death at the time of the crime, the number of persons sentenced to death who were pardoned or had their sentence commuted, and the number of persons currently on death row. In particular, please provide specific information on the execution of the 10 alleged members of Boko Haram in August 2015 and the judicial guarantees afforded to them for a fair and just trial. Please provide an exhaustive list of the offences that are punishable by the death penalty and indicate whether that punishment is mandatory for all those offences and what possibilities exist for obtaining a pardon. Please indicate when the new draft Criminal Code providing for the abolition of the death penalty will be enacted and whether the State party intends to ratify the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty.

10. Please provide information on the legal standards in effect in the State party governing the appropriate use of force and of firearms by law enforcement officers and the source of those standards in national law. Please indicate what steps have been taken to

ensure that law enforcement officers and members of security forces abide by those standards in practice and provide information on the cases in which law enforcement personnel have had recourse to lethal force.

11. In the light of the Committee's previous concluding observations (para. 12), please provide information on summary and extrajudicial executions perpetrated in the territory of the State party by law enforcement officers or members of the armed forces and on the measures taken to prevent and put an end to such acts. Please provide information on the investigations conducted, cases prosecuted, convictions handed down and penalties imposed on perpetrators, including disciplinary measures, and on the redress provided for victims. In particular, please provide specific information on the measures taken in relation to the events of 14 November 2016 in Miandoum and of February 2017 in Goré. Please provide information on the steps taken to protect civilians from violence at the hands of the Boko Haram terrorist group.

Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (art. 7)

12. Bearing in mind the Committee's previous recommendations (para. 14), please provide information on the specific steps taken to prevent and address acts of torture and ill-treatment by the police and security forces. Please provide information on the number of complaints filed, investigations conducted, cases prosecuted, convictions handed down and the penalties imposed on perpetrators, including disciplinary measures, as well as the redress provided for victims. Please explain what specific measures have been taken in response to allegations that Ngabo Nabia, Djita Madjitoïngué and Elysée Mbaïadjim — all three of whom were found dead subsequent to their detention — had been tortured. Please indicate what measures have been taken to establish an effective and independent mechanism for the prevention of torture and ill-treatment and for the investigation of any claims of torture or ill-treatment by the police and security forces. Please provide information on the measures taken to ensure that law enforcement officials receive comprehensive initial and refresher training on how to investigate cases of torture and ill-treatment by incorporating the contents of the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) in all their training programmes. Please identify the steps taken to ensure that the Criminal Code will include a definition of torture which is in line with the provisions of the Covenant.

13. Bearing in mind the Committee's previous concluding observations (para. 13), please provide information on the measures taken to prevent and put an end to enforced disappearances. Please also provide information on the investigations conducted, the number of complaints filed, cases prosecuted, convictions handed down and penalties imposed on perpetrators. Please provide details on the measures taken in the case of Mr. Ibni Oumar Mahamat Saleh, who was arrested by the national army defence forces on 3 February 2008, and in the case of the soldiers who disappeared on 9 April 2016, the day after the presidential elections.

14. Bearing in mind the Committee's previous concluding observations (para. 9), please indicate what measures have been taken to ensure that the ban on female genital mutilation is enforced in practice. Please also provide information on the number of complaints filed, investigations conducted, cases prosecuted, convictions handed down and penalties imposed on perpetrators and on the redress provided for victims. Please provide information on the awareness-raising campaigns and programmes launched to draw attention to the harmful nature of this practice and its incompatibility with the provisions of the Covenant.

15. In the light of the Committee's previous concluding observations (para. 15), please indicate what legislative measures have been adopted to prohibit corporal punishment in all settings, including in the family environment, childcare services and other care facilities and penal institutions. Please describe all the measures taken to prevent and put an end to this type of punishment.

Prohibition of slavery, trafficking and servitude (art. 8)

16. With regard to the previous concluding observations of the Committee (para. 23), please provide information on the scope of slavery, trafficking, forced labour and servitude, including of children for the purposes of sexual or economic exploitation. In particular, please provide information on: (a) the extent of the sale, trafficking or kidnapping for ransom of children, particularly in the southern region of Salamat; (b) the reported kidnapping of 21 children in Mayo Kebbi-Est in 2016; and (c) the allegations of enslavement of individuals to tend livestock in the Borkou, Ennedi and Tibesti regions. Please indicate what measures have been taken to identify, protect and provide redress for victims, as well as the results achieved. Please provide information on the number of complaints filed, investigations conducted, cases prosecuted, convictions handed down and the penalties imposed on perpetrators, as well as the redress provided for victims. Please describe the awareness-raising campaigns conducted on this issue, the impact they have had and the results achieved. Please provide information on the training in this area that is offered to all relevant stakeholders.

Liberty and security of the person and treatment of persons deprived of their liberty (arts. 7, 9, 10 and 11)

17. In the light of the previous concluding observations (para. 16), please indicate what measures have been taken: (a) to put an end to all forms of arbitrary arrest and detention; (b) to ensure that persons taken into custody have access to all fundamental legal safeguards, in particular the right to be informed of the grounds for their detention, the right to be brought promptly before a judge, the right of access to a lawyer and a physician and the right to inform their family; and (c) to ensure that the 48-hour limit for pretrial detention is observed. Please indicate what progress has been made towards incorporating the limits on pretrial detention into national legislation and towards preventing prolonged periods or improper use of pretrial detention. Please indicate what measures have been taken to address the situation of persons who have been held in pretrial detention for years, in particular Ms. Khadija Ousmane Mahamat. Please provide statistics on the number of persons being held in places of detention, including those being held on remand, and on the total capacity of places of detention. Please provide information on the measures taken in places of detention to keep remand prisoners separate from convicted prisoners, minors separate from adults and women separate from men. Please describe what measures have been taken to ensure that pretrial detention is used only in exceptional cases and the steps taken to promote the use of alternatives to detention.

18. In the light of the previous concluding observations of the Committee (para. 18), please indicate what measures have been taken to improve the conditions of detention and treatment of prisoners in places of detention in line with the Standard Minimum Rules for the Treatment of Prisoners, in particular with a view to eliminating prison overcrowding, improving the quality of food and sanitation conditions for prisoners and permitting family visits. Please provide information on the measures taken to establish effective and confidential mechanisms for prisoners to report violations, including those related to the conditions of detention, and information on the results attained through the use of such measures. Please indicate what measures have been taken to establish prison inspection committees, and describe how they operate and what resources are available for them to effectively fulfil their mandate.

Administration of justice (art. 14)

19. In the light of the previous concluding observations (para. 19), please indicate the practical measures that have been taken to ensure that everyone — including members of the various castes — has effective access to a court where all the guarantees of a fair trial are upheld, including the right to be assisted by a lawyer or counsel during the various stages of judicial proceedings. Please provide information on the measures taken to ensure the effectiveness and independence of the judiciary, including those taken to guarantee, under the law and in practice, the full independence and impartiality of judges in relation to the executive branch. Please indicate what measures have been taken to prevent and to ensure punishment for any threats, intimidation or interference aimed at lawyers or judges

and any arbitrary disciplinary measures taken against lawyers and judges. Please describe the procedures and criteria used in selecting, appointing, suspending, dismissing and imposing disciplinary measures on judges. Please provide information on the annual budget allocated to the judicial system during the review period and on the measures taken to improve the training and working conditions of magistrates and to increase their numbers and improve their geographical distribution.

20. Please describe the measures taken to effectively end customary and traditional rules and practices that are contrary to the provisions of the Covenant, such as the paying of blood money (*diya*).

Freedom of expression and freedom of peaceful assembly (arts. 19 and 21)

21. With regard to the Committee's previous concluding observations (para. 20), please indicate what measures have been taken to bring domestic law into line with article 19 of the Covenant, in particular to ensure the effective exercise of the freedoms of expression and of the press and to protect journalists and human rights defenders from threats, intimidation and arbitrary arrest. Please provide information on the number of journalists who have been fined or sentenced to prison terms, on media outlets whose operations have been suspended by a decision of the authorities and on the questioning of journalists by the authorities or by the High Council for Communication. Please comment on allegations of censorship in the public media. Please provide information on investigations, prosecutions, convictions and penalties imposed on the perpetrators of harassment, threats, intimidation or arbitrary arrests of journalists or human rights defenders and the redress provided for victims.

22. Please provide information on the measures taken to guarantee, in practice, that the right to freedom of assembly and peaceful demonstration is upheld in the State party and that any restrictions thereon are in accordance with the provisions of the Covenant. In particular, please provide information on measures taken to bring Ordinance No. 45/INT/SUR of 27 October 1962, which regulates assemblies and public demonstrations, into line with article 21 of the Covenant. Please comment on reports that peaceful demonstrations that would be critical of the Government have been systematically prohibited, as well as reports of excessive or unjustified force being used to disperse demonstrations and causing injuries and deaths. Please supply information on the investigations, prosecutions, convictions and penalties imposed on the perpetrators of such violent acts and the redress provided for victims.

Treatment of refugees and displaced persons (arts. 6, 7, 12, 13, 14, 24 and 26)

23. In the light of the previous concluding observations of the Committee (para. 21), please provide information on the measures taken:

(a) To prevent and provide protection to displaced persons and refugees against violations of the right to life and physical integrity, sexual and gender-based violence and forced displacement. Please describe the measures taken to ensure that they have access to the justice system. Please provide information on the number of complaints lodged by victims; the investigations, prosecutions, convictions and penalties imposed on the perpetrators of such acts; and the redress, protection and assistance provided to victims;

(b) To ensure that the births of all children of refugees and displaced persons are registered and that birth certificates are issued for all newborn infants;

(c) To guarantee displaced persons' access to essential services and effective protection, the availability of long-term solutions, respect for the principle of non-refoulement, the prevention of statelessness, and access to fair and effective asylum procedures.

Rights of children (art. 24)

24. With regard to the Committee's previous concluding observations (para. 22), please indicate what measures have been taken to introduce a minimum age of marriage for boys and girls that is in compliance with international standards and to prevent and take action

against early marriage. Please describe the measures that have been taken to reactivate the programme for demobilizing children from the armed forces and armed groups, as well as the rehabilitation and reintegration services provided to them.

Participation in public affairs (art. 25)

25. Please provide information on the efforts being made to ensure that the next elections are held on schedule and identify the legislative provisions that set the electoral calendar. Please indicate what measures have been adopted by the Independent National Electoral Commission and what decisions have been handed down by the courts assigned to hear electoral disputes to apply sanctions in the cases of election fraud which, according to some reports, occurred during the 2016 presidential elections. Please indicate whether the State party plans to review the mapping of electoral districts to ensure greater equality among the different regions, to strengthen the Independent National Electoral Commission and to guarantee that all members of the electorate are able to exercise their right to vote by, inter alia, ensuring the full participation of women and persons with disabilities in the electoral process.

Dissemination of information about the Covenant (art. 2)

26. Please provide information on the measures taken to disseminate information on the Covenant and the first Optional Protocol, and indicate whether the Covenant has been translated into all local or national languages.
