



**Economic and Social
Council**

Distr.
GENERAL

E/C.12/TCD/3
13 January 2009

ENGLISH
Original: FRENCH

Substantive session of 2009

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

**Combined initial and second and third periodic reports,
under articles 16 and 17 of the Covenant**

CHAD

[18 September 2007]

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INTRODUCTION

1. As a Member of the United Nations and on the basis of the international commitments which it has undertaken, Chad has drafted the present report in implementation of articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights of 1966. The report highlights the various legislative, administrative, judicial and other mechanisms established in order to implement the obligations contained in the provisions of the Covenant.
2. The present report - which combines the initial and second and third periodic reports - should be read in parallel with the core document (HRI/CORE/1/Add.88) submitted by Chad, which describes the general geographic, economic, political and administrative situation of the country.
3. Chad ratified the International Covenant on Economic, Social and Cultural Rights on 9 June 1995. In view of its commitment to democracy and respect for human rights, Chad made no reservation upon ratification of the Covenant.

ARTICLE 1: THE RIGHT OF PEOPLES

4. The fact that this provision is repeated in the International Covenant on Economic, Social and Cultural Rights in identical terms attests to its importance. Chad pays particular attention to this right, which includes the right of existence and the rights to self-determination, to freely dispose of wealth and natural resources and to equality among peoples.
5. All of these rights were already enshrined in the Charter of the United Nations of 1945, which Chad has ratified. Consequently, they are not restricted in any way.
6. By virtue of this right, Chad, formerly under French colonial rule, proclaimed itself a Republic on 28 November 1958 and declared its independence on 11 August 1960.

A. The right of existence

7. The principle of the rights of peoples has been an abiding feature of the international policy of Chad since it acceded to national and international sovereignty on 11 August 1960.
8. The Republic of Chad has never in any way pursued a policy that would undermine its own existence or that of another country. Moreover, in the preamble to the Constitution of 31 March 1996, as amended by Constitutional Act No. 08/PR/2005 of 15 July 2005, Chad affirmed its “will to cooperate in peace [...] with all peoples sharing our ideals of freedom, justice and solidarity, based on the principles of equality, reciprocal interests and mutual respect, and of national sovereignty, territorial integrity and non-interference”.
9. At the domestic level, Chad is divided into decentralized territorial units, which are guaranteed autonomy by the Constitution, as provided in its article 2.
10. Two laws have been adopted that deal specifically with these units: Act No. 002/PR/2000 on the status of the decentralized territorial units and Act No. 003/PR/2000 on their electoral system.

11. Since the environment forms part of the conditions and quality of life, article 48 of the Constitution requires its protection in the following terms: “The State and the decentralized territorial units shall ensure the protection of the environment.”

12. The article continues: “The conditions for the storage, handling and disposal of toxic wastes or pollutants arising from national activities are determined by law. Transit through, import into or storage, burial or dumping in Chad of foreign toxic wastes or pollutants are prohibited.”

13. The whole of Title XII of the Constitution refers to the decentralized territorial units. Articles 203 ff. determine the conditions of their autonomy.

14. Article 52 provides that all citizens have a duty to respect and protect the environment. Chad is a party to several international conventions on environmental protection. A dedicated ministry responsible for environmental issues ensures such protection, and many environment projects have been introduced.

15. With respect to petroleum exploitation, for example, the Government and the consortium agreed on a whole document on the environment, which is contained in the fifth volume of the petroleum project document.

16. It should be noted, however, that in practice the Government is facing certain difficulties which limit its efforts to ensure a good-quality environment for all Chadians.

B. The right to self-determination

17. Chad has always supported all movements for the liberation of peoples and territories whose rights to self-determination have not been fully respected.

18. In the preamble to the Constitution, Chad reaffirms its commitment to the principles of human rights as defined by the Charter of the United Nations, the Universal Declaration of Human Rights and the African Charter on Human and Peoples’ Rights.

19. Article 3 of the Constitution states plainly that: “Sovereignty belongs to the people, who exercise it either directly by referendum, or indirectly through their elected representatives. No community, corporation, political party or association, trade union, individual or group of individuals may arrogate its exercise.”

20. By virtue of the Constitution, Chad has opted for plural democracy, as it has demonstrated since 1996 by creating institutions and organizing electoral consultations for choosing representatives.

21. In the context of implementation of article 1 of the Covenant, Chad, an independent and democratic country, recognizes the general principles of international law and the customs and principles enshrined in the Charter of the United Nations. Convinced that the power of the State emanates from the Chadian people as a whole, Chad is determined to comply with the principles enshrined in article 1, paragraphs 1 and 2, of the Covenant to the best of its ability.

22. The President of the Republic is the guarantor of national sovereignty and unity, territorial integrity and respect for international treaties and agreements. The President of the Republic is elected by direct universal suffrage for a five-year term and is eligible for re-election (Constitution, arts. 60 and 61).

23. The National Assembly exercises legislative authority. Its members, known as deputies, are elected by direct universal suffrage (Constitution, arts. 107 and 108).

24. The judiciary is independent of the executive and legislative branches and consists of the Supreme Court, courts of appeal, ordinary courts and magistrates' courts (Constitution, arts. 142 and 144).

25. The constitutional amendment of 15 July 2005 established a consultative body called the Economic, Social and Cultural Council (art. 179). The Council gives its opinion on economic, social and cultural matters referred to it for consideration by the President of the Republic, the Government or the National Assembly (art. 180).

26. It should be noted that Chad does not have responsibility for the administration of Non-Self-Governing and Trust Territories, in conformity with the provisions of the Charter of the United Nations.

27. Since the adoption of the Constitution of 31 March 1996, Chadians have been called upon to vote several times:

- In 1996, in the constitutional referendum and the election of the President of the Republic
- In 1997, in the election of members of the National Assembly
- In 2001, in the election of the President of the Republic
- In 2002, in the election of members of the National Assembly
- In 2005, in the constitutional referendum
- In 2006, in the election of the President of the Republic

C. The right to freely dispose of natural wealth and resources

28. The right of peoples to freely dispose of their natural wealth and resources is one of the guiding political and philosophical principles of the State of Chad.

29. Accordingly, Chad has taken steps to prevent another State or legal person from appropriating anything falling within the scope of its national sovereignty. In particular, article 57 of the Constitution affirms that "The State exercises full permanent sovereignty over all national natural wealth and resources for the benefit of the entire national community. However, it may license the exploration and exploitation of these natural resources to private companies."

30. Article 212 of the Constitution states that one of the resources of the decentralized territorial units is a percentage of the proceeds from the exploitation of their surface and subsurface resources.

31. Part of Chad's wealth lies in the sheer size of its territory. Articles 1 and 51 of the Constitution guarantee, and make it the duty of all citizens to uphold, the integrity of the territory. By virtue of this requirement, Chad brought a case before the International Court of Justice in which it claimed the Aouzou strip as part of its territory (*Territorial Dispute (Libyan Arab Jamahiriya/Chad)*, Judgment of 3 February 1994).

32. In the interests of the future of its population, Chad has begun to exploit its natural resources. In exercise of the right of Chad to freely dispose of its natural wealth and resources, the Petroleum Code made it mandatory to obtain a Permit H in order to conduct any exploration in its subsurface. Of its own free will, Chad launched negotiations that led to the conclusion of the petroleum agreements of 1988 and 2004 with the petroleum consortium which today consists of ExxonMobil, Petronas and Chevron.

33. Chad adopted Act No. 001/PR/99 of 11 January 1999 on the management of petroleum revenues in order to ensure the proper and efficient management of its resources. The Act, which is an excellent example of sound management, grants 5 per cent of such revenues to the petroleum-producing region.

34. The Act, which was initially one of the conditions for financing of the petroleum project by the World Bank, was subsequently amended by Act No. 02/PR/2006 of 11 January 2006 to reflect the right of Chad to decide its own destiny.

35. Recently, having become aware of mistakes that were due to the lack of certain information when the 1988 and 2004 petroleum agreements were negotiated, Chad decided to exercise its right to dispose of its resources by renegotiating the agreements. An announcement to that effect was made on 22 August 2006 by the President of the Republic. In addition, a National Commission for the Negotiation of Petroleum Agreements was established on 28 August 2006, by decree. In taking this action, the Head of State placed particular emphasis on the fact that Chad must fully enjoy all of its petroleum, mining and other resources. As a result, there has been a resurgence in enjoyment of the right to dispose of its resources.

36. Generally, it should be noted that the State's efforts to achieve the full enjoyment of its rights are hampered by the country's extreme poverty. However, Chad hopes that with the support and cooperation of development partners, a major step forward will be made.

ARTICLE 2: THE RIGHT TO NON-DISCRIMINATION

37. The Chadian State is concerned to ensure the development of the economic, social and cultural rights of its nationals. The measures often taken to exploit resources or introduce particular policies are underpinned by a desire to advance the welfare of its citizens.

38. As regards legislation, the Constitution of the Republic of Chad contains provisions that clearly affirm the recognition of economic, social and cultural rights. This is the case in the following examples:

- Freedom of association, recognized under article 28 of the Constitution. Under this provision, all citizens are free to join the trade union of their choice.
- The right to strike recognized and provided for explicitly under article 29. However, the Constitution provides that this right must be exercised within the framework of the laws that regulate it.

39. The law makes the dissolution of associations, political parties and trade unions subject to the conditions provided for by their statutes or to legal procedures (Constitution, art. 30). All Chadians have access to public-service employment without discrimination (art. 31), and the State recognizes the right to work of all citizens. It guarantees workers fair remuneration for their services or output. No one may be prejudiced in his work or account of his origins, opinions, beliefs, sex or marital status.

40. Chad has accepted the principle set out in the Universal Declaration of Human Rights and ratified other United Nations instruments that ensure the protection of economic, social and cultural rights.

41. Chad guarantees everyone equality before the law regardless of origin, race, sex, religion, political opinion or social status (Constitution, art. 14). The Constitution thus provides under article 14, second paragraph, that the State has a duty to ensure the elimination of all forms of discrimination against women and to guarantee the protection of their rights in all areas of private and public life.

42. It is clear in this respect that discrimination relating to economic, social and cultural rights is prohibited. With regard to foreigners, with the exception of the political rights reserved solely for nationals, they enjoy the same rights as nationals within the limits of the law, as set out in the Covenant. Article 15 of the Constitution provides that “Foreigners who have been admitted legally to the territory of the Republic of Chad enjoy the same rights and freedoms as nationals, excluding political rights. They are required to abide by the Constitution and the laws and regulations of the Republic.”

43. Initiatives taken by Chad with a view to implementing economic, social and cultural rights are often supported by external partners.

44. Chad participates in development cooperation programmes with a number of development partners, including the World Bank, the European Union and United Nations agencies (the United Nations Population Fund (UNFPA), the Food and Agricultural Organization of the United Nations (FAO), the United Nations Children’s Fund (UNICEF), the World Health Organization (WHO), the World Food Programme (WFP) and others).

45. At the national level, the Government has earmarked 65 per cent of royalties and 70 per cent of dividends from petroleum revenues for priority sectors with a view to combating poverty. Under article 7 of Act No. 002 of 11 January 2006 amending the Petroleum Revenues Management Act,

“Direct funds shall be allocated mainly to priority sectors. The following are considered to be priority sectors:

- Public health and social affairs
- National education
- Infrastructure
- Rural development ...”

46. Article 8 of the Act provides for the allocation of resources as follows: “Direct resources made up of dividends and royalties, deposited in special accounts provided for under article 3 above, shall be allocated in the following manner: (a) 65 per cent of royalties and 70 per cent of dividends shall be used for expenditure in the priority sectors listed under article 7 ...”

47. Nevertheless, there are still many disparities among the Chadian population concerning certain kinds of economic, social and cultural rights. This is largely due to the state of poverty. Much remains to be done in this respect, and the Chadian Government greatly needs the support of its partners.

ARTICLE 3: EQUALITY BETWEEN MEN AND WOMEN

48. Chad recognizes that men and women have the same rights. This also applies to economic, social and cultural rights. Under article 13 of the Constitution, “Chadians of the two sexes have the same rights and the same duties. They are equal before the law.”

49. Article 14 goes further, stating that the State guarantees everyone equality before the law regardless of origin, race, sex, religion, political opinion or social status. In practice, however, some social and cultural constraints prevent women from enjoying certain rights on an equal footing with men.

50. Paradoxical though it may seem, women themselves share in the perpetuation of the stereotypes that marginalize them, particularly by educating daughters to be obedient and sons to assume leadership roles. This is due to the internalization of models of learned behaviour passed on from generation to generation through school, the family, religion and many other diverse channels.

51. An old law, Decree No. 58/PR/MTSJ/DTMOPS of 2 August 1969, set forth a number of measures, intended to protect women, that excluded them from several occupations. The measures include: the prohibition against employing women for work lasting more than 10 hours per day broken up by one or more rest periods totalling at least one hour; the prohibition against employing women in factories, plants or quarries, on building sites and in workshops, and on recognized or legal holidays, even for tidying up a workplace; the prohibition against employing

women in places where the work involves the preparation, handling and sale of printed material, posters, engravings and emblems whose sale, supply and display are contrary to public morality; and the absolute prohibition against employing women of any age at stands outside stores and shops after 8 p.m.

52. In addition, Ordinance No. 006/PR/84 on the status of shopkeepers in Chad gave the husband the opportunity to object to his wife engaging in commercial activities.

53. The 1990s marked a turning point in women's efforts to assert their rights in Chad. Seven of the 125 seats in the Assembly were filled by women. In the civil service, 1 of 19 general directors and 5 of 116 chiefs of service were women in 1994. This emergence of women at the national level, although negligible, has contributed to raising public awareness about the issue. Therefore, however modest the real achievements made to date, it may be thought that the cause of women is beginning to gain ground.

54. It should also be stressed that the presence of Chadian women in the country's political life dates back to 1963, when there were three women deputies. Since 1969, however, the emancipation of Chadian women has been hampered not only by historic constraints but also by a severe structural crisis that has had a major impact on broad segments of the rural and urban population and thus created another obstacle to improving women's living conditions. It is therefore clear that women's campaign for the enjoyment of their fundamental rights is closely linked to overall social progress. Similarly, it would be misguided to envisage profound social changes without the effective integration of women at all levels of the democracy-building process.

55. According to the latest estimates, Chadian women make up 51.72 per cent of the total population of the country. They sustain the family by taking charge of daily household management, the education of children, health care and other tasks. Chadian society still has difficulty in fully assessing the role played by women as a vital force in the community. In addition to performing domestic chores practically on their own and assuming primary responsibility for the survival of the family unit, they contribute a great deal to gross domestic product (GDP) by their very significant presence in agriculture (production, processing, conservation and marketing of basic foodstuffs), industry (they form the majority of the subcontract labour force) and trade in general, especially in the informal sector.

56. A total of 58.1 per cent of Chadian women are involved in the country's agricultural production; they hold an important place in the subcontract industry; they are well represented in the crafts industry; and they are responsible for almost 90 per cent of the marketing of basic foodstuffs under the arduous conditions of access to rural and urban markets in Chad. Yet official statistics do not reflect the double day's work that women perform, since the second part of the day, which is taken up by maintaining the household, is not taken into account in the figures.

57. The Beijing Declaration of September 1995 emphasized that the feminization of poverty has become a significant problem in the countries with economies in transition and that, under conditions of increasing scarcity, poverty is particularly acute for women living in rural households. Recent studies by the German Agency for Technical Cooperation (GTZ) have shown that more than 90 per cent of the female population in rural areas live below the absolute

poverty line. The 1998 demographic and health survey of Chad put the illiteracy rate at 67 per cent, including 56 per cent of men and 78 per cent of women in rural areas. Another survey conducted on the impact of women's work establishes that more than 70 per cent of Chadian women's income is spent on maintaining their family, as against 40 per cent of men's income. Even so, this percentage does not take into account the vital unpaid work done by women to look after the household.

58. Taking account of the statistics, and considering the pre-eminent role of women in household management, it is clear that they are more seriously affected than men by problems relating to access to basic services such as education and health, administrative jobs, etc.

59. The illiteracy rate is higher for women than for men. While the gap between boys and girls is not very significant in primary school, it widens considerably towards the final year of secondary school. It is important to analyse this problem in depth to find adequate solutions that can address it. It should also be noted that a significant number of adolescent girls become pregnant between the ages of 15 and 19.

60. This lack of mass education has negatively affected the development of women and their effectiveness in all areas: their prospects of obtaining higher-paying jobs; and their ability to give their children the desirable upbringing, especially when they are the head of household.

61. Women suffer greatly from the lack or poor quality of obstetric and gynaecological care. They are also seriously affected by the drastic decline in food security. This is the case, for example, of nursing mothers who are torn between breastfeeding their baby and protecting their own health. Lastly, fetching water remains an exhausting chore for women and girls. This is not to mention the critical problem of household energy, which is even more acute in rural areas.

62. It should be noted that a draft personal and family code is currently pending adoption. The code will help to strengthen the existing legal framework and will increase the equality of rights between men and women.

ARTICLES 4 AND 5: MEASURES INVOLVING RESTRICTION OF OR DEROGATION FROM RIGHTS

63. The Chadian State conforms to the spirit of the provisions of articles 4 and 5. Only in situations of extreme emergency or when the Government is facing serious difficulties that prevent it from ensuring the enjoyment of economic, social and cultural rights in a normal manner can limitations be introduced.

64. The main constraint in implementing the Covenant is the fact that the State often lacks the necessary resources to respond promptly to the concerns of citizens.

65. One restrictive measure that may be mentioned involves the non-admission of foreigners to employment in the Chadian civil service. In the private sector, Decree No. 191 sets the quota for foreign workers at 2 per cent of the workforce in order to promote local labour and contribute to the welfare of the population. However, this does not concern jobs for which the State lacks national expertise.

ARTICLES 6 AND 7: THE RIGHT TO WORK AND ASSOCIATED RIGHTS

66. Chad has acceded to International Labour Organization (ILO) conventions, including the Employment Policy Convention, 1964 (No. 122) and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Chad has also acceded to the Convention on the Elimination of All Forms of Discrimination against Women.

67. Despite efforts to create jobs, demand remains high. The result is that unemployment, which used to be negligible, rose significantly in 1991. Today, the active population aged 25 or over is experiencing unemployment in major urban areas.

Table 1

Population by employment situation

Population by employment situation	Unit	1993 census ^a
Total active population	No. of people	2 322 229
Female	%	47.9
Male	%	52.1
Unemployed	No. of people	16 268
Female	%	18.1
Male	%	81.9
Employed	No. of people	2 305 961
Female	%	48.1
Male	%	51.9

Source: Department of Statistics for Economic and Demographic Studies.

^a These statistics date from the 1993 census. It should be noted, however, that unemployment is steadily increasing.

Table 2

Distribution of jobs in the modern sector

Chad	Unit	1998	1999
Total employees in government departments			
Total employees in the civil service	No. of employees	29 315	30 180

Source: Ministry of the Civil Service and Labour.

68. Although there are not many civil servants, there are real difficulties in absorbing large numbers of new graduates, given the budgetary constraints.

Table 3

Distribution of employees in large companies, according to size and turnover

Chad	Unit	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
10 largest companies according to size (number of employees)											
Cotontchad	Employees	910	1 300	1 190	1 120	1 400	1 170	1 460	2 090	2 410	1 075
ONPT	Employees	484	509	536	564	594	625	658	693	697	689
SATOM	Employees	676	712	750	789	831	875	921	969	1 338	600
STEE	Employees	353	372	392	413	435	458	482	507	510	504
SONASUT	Employees	180	202	224	249	277	308	342	427	451	402
TTS	Employees	85	106	133	148	164	182	202	224	70	378
AFF	Employees	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	209
BdL	Employees	118	126	134	142	150	158	166	175	173	177
SOTEXHO	Employees	83	92	102	113	127	141	157	175	207	143
MCT	Employees	86	91	96	101	106	112	118	124	110	137
10 largest companies according to turnover ^a											
Cotontchad	Millions of CFA francs	45 663.0	48 066.0	50 596.0	53 259.0	56 062.0	59 013.0	62 119.0	65 388.0	67 424.0	63 352.0
SONASUT	Millions of CFA francs	2 591.0	2 879.0	3 199.0	3 555.0	3 950.0	4 389.0	4 876.0	6 095.0	7 619.0	11 844.0
STEE	Millions of CFA francs	5 921.0	6 233.0	6 561.0	6 906.0	7 269.0	7 652.0	8 055.0	8 479.0	5 518.0	11 440.0
SATOM	Millions of CFA francs	2 109.0	2 220.0	2 337.0	2 460.0	2 589.0	2 726.0	2 869.0	3 020.0	3 114.0	10 263.0
MCT	Millions of CFA francs	2 926.0	3 081.0	3 243.0	3 413.0	3 593.0	3 782.0	3 981.0	4 191.0	4 411.0	5 832.0
Total Tchad	Millions of CFA francs	1 704.0	1 794.0	1 889.0	1 988.0	2 093.0	2 203.0	2 319.0	2 441.0	5 164.0	5 162.0
Tchad import	Millions of CFA francs	N/A	N/A	N/A	N/A	702.0	1 003.0	1 254.0	1 567.0	2 239.0	4 113.0
Mobil Oil Tchad	Millions of CFA francs	1 417.7	2 835.0	2 769.0	2 901.0	2 638.0	3 165.0	2 110.0	4 220.0	4 464.0	3 976.0
BdL	Millions of CFA francs	2 573.0	2 709.0	2 851.0	3 001.0	3 159.0	3 326.0	3 501.0	3 890.0	3 922.0	3 857.0
BTCD/SGTB	Millions of CFA francs	2 226.0	2 343.0	2 466.0	2 596.0	2 732.0	2 876.0	3 028.0	3 187.0	3 013.0	3 361.0

Source: Ministry of Finance.

^a Some of these companies are facing a number of difficulties, which is having a negative impact on citizens' living conditions.

69. With a population of 9 million in 2005, Chad has not been using its productive capacity to the full, leading to permanent underemployment since independence. Disadvantaged groups are women, children and persons with disabilities.

70. Chad adopted and implemented the Investment Code by Ordinance No. 025/PR/87 of 8 December 1987. In addition, the Labour Code was adopted on 11 December 1996 with a view to regulating working conditions and facilitating negotiations.

Investment

71. The above-mentioned Ordinance provides for two types of regime for private investments. Under article 1, "Private investments in the Republic of Chad benefit from an ordinary-law regime and privileged regimes:

(a) Regime A: for small and medium-sized enterprises with a majority domestic ownership;

(b) Regime B: applicable to enterprises whose activity is limited to the national territory;

(c) Regime C: applicable to enterprises and establishments based in Chad whose market extends to the territories of two or more States of the Central African Economic and Monetary Community;

(d) Regime D: reserved for enterprises that are of great importance to the economic and social development of the Republic of Chad and whose levels of investment are very high.

In addition, conventions on establishment may be concluded between the Government and approved enterprises.”

72. Article 2 of the Ordinance provides that private investments may be made freely in Chad subject to specific provisions aimed, in particular, at ensuring protection of public health and environmental health, social protection or protection of the public economy. In addition, all acquired rights are guaranteed to enterprises that are lawfully established in Chad.

73. In the context of exchange-rate regulation, the State guarantees the free transfer of capital, including profits that have been properly accounted for and funds resulting from transfer or liquidation.

74. Articles 5 to 8 provide details regarding enterprises under foreign ownership and their employers. Enterprises whose capital comes from other countries and branches of companies based in countries other than Chad are able to acquire all rights that would be useful to them in the exercise of their activities: property rights; industrial rights; administrative concessions, authorizations and permissions; and participation in public contracts under the same conditions as Chadian enterprises. However, in the case of contracts concerning the civil service, semi-public establishments and government bodies whose total value is less than or equal to 60 million CFA francs and which involve wholly or in part services or goods that may be provided or delivered by small national and medium-sized enterprises (SMEs), SMEs must be given priority.

75. Article 6 provides that enterprises referred to in article 5 or their directors shall be represented under the same conditions as Chadian enterprises or nationals in consular assemblies and in bodies representing their professional and economic interests.

76. Under article 7, in the exercise of their professional activities, foreign employers and workers are assimilated to nationals. They benefit from social and labour legislation under the same conditions as nationals. They may participate in trade union activities and join bodies for the defence of professional interests.

77. Under article 8, foreign employers and workers cannot be made individually liable for fees, rates or contributions that are higher than those imposed on nationals.

78. The Investment Code further provides fiscal advantages according to the chosen regime. The provisions of articles 5 to 8 apply, subject to reciprocity. A preferential customs-tariff regime may be granted to these enterprises. This regime involves applying a reduced overall rate of 5 per cent to fees and taxes imposed for imported equipment, except for materials, furniture

and spare parts, provided that they correspond to an equipment programme approved by the Government and that their value is 20 million CFA francs or more. However, for SMEs, a minimum amount of 10 million CFA francs is required.

79. In order to implement the Investment Code effectively, Decree No. 446/PR/MCI/87 of 8 December 1987 established the procedure for granting concessions under the Code. The aim of the Decree, under article 1, is as follows:

- To establish the procedure for granting and withdrawing concessions under the Investment Code
- To identify the conditions under which a natural or legal person, whose applications for approval are submitted according to the provisions laid down to that effect, may benefit from the various regimes in the Investment Code upon recommendation by the investment commission
- To identify the conditions under which a natural or legal person who has been approved for one of the regimes may benefit from the overall reduced rate of 5 per cent upon recommendation by the technical approvals committee

80. In terms of customs duties, a common external tariff with lighter customs duties on equipment and raw materials intended for enterprises has been adopted.

81. Regarding export promotion, the following have been accepted:

- Exemption from export duties and insurance fees on manufactured goods
- Reduction of taxable income for manufactured goods

82. Concerned by the steady rise in unemployment, Chad has created a body to promote employment: the National Employment Promotion Office (ONAPE), whose mission is to increase employment opportunities and to encourage integration of first-time job-seekers into the job market.

83. Under article 32 of the Constitution, “The State recognizes the right of all citizens to work. It guarantees workers fair remuneration for their services or output. No one may be prejudiced in his work on account of his origins, opinions, beliefs, sex or marital status.”

84. To ensure the practical application of this constitutional right, Act No. 038/PR/96 of 11 December 1996 establishing the Labour Code and other implementing regulations including the General Collective Convention of 2002 have been adopted.

85. The Labour Code is applicable throughout the national territory, and governs relations between employers and workers. Article 1, paragraph 2, provides the following: “It governs relations between employers and workers resulting from employment contracts intended to be executed on the territory of the Republic of Chad, regardless of the place of conclusion of the contracts or the residence or nationality of the parties.”

86. Article 1, paragraph 3, provides that the Code “also governs the occasional execution on the territory of the Republic of Chad of employment contracts intended to be executed in another State. However, this provision is not applicable to workers who are relocated for a temporary mission not exceeding three months”.

87. It should be noted that judicial magistrates, members of the armed forces, persons appointed to a permanent senior post within the civil service and public officials and assistants at the State and public authorities level are excluded from the scope of application of this Code, excepting contrary provisions of a specific statute.

88. Articles 3 and 4 of the Labour Code define the terms “worker” and “employer”. A worker or employee is any natural person, irrespective of sex or nationality, who has undertaken to place his occupational activity, in exchange for remuneration, under the direction and authority of a person referred to as an employer. An employer is any natural or legal person, whether public or private, who, under his or its management and authority, utilizes the services of one or more natural persons in exchange for remuneration.

89. The Labour Code explicitly prohibits forced or compulsory labour. Article 5 prohibits “any work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily. Nevertheless, for the purposes of this Code, the term ‘forced or compulsory labour’ shall not include:

(a) Any work or service exacted in virtue of compulsory military service laws and which is of a purely military character;

(b) Any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country;

(c) Any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations;

(d) Any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population;

(e) Minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services and have offered themselves voluntarily”.

90. In addition, employers may not discriminate on the basis of the sex, age or nationality of workers when making decisions relating, in particular, to recruitment, performance or

assignment of work, vocational training, advancement, promotion, remuneration, provision of social benefits, disciplinary action or termination of employment contract, legal restrictions apart. The same prohibition applies to discrimination on the grounds of a worker's membership or lack of membership of a trade union or his trade union activity or origin or opinions - particularly those of a religious or political nature. This, in essence, is the requirement set forth in articles 6 and 7.

91. In articles 11-37, the Labour Code regulates apprenticeship contracts, apprentice training centres and the participation of the State, enterprises and institutions in training apprentices.

92. Despite the fact that this Code is not applicable to public officials, provision is made for the State's active involvement. This is illustrated, for example, in article 32, which stipulates that training centres for apprentices are subject to the technical, educational and financial oversight of the State. No financial oversight is provided for private centres.

93. If such oversight reveals serious shortcomings or breaches of obligations resulting from the Labour Code, the State will take steps to close the centres. In such cases, the State may require the managing body to complete any training courses in progress. Measures to oversee and inspect apprentice training centres are established by decree.

94. The Labour Code clearly stipulates the requirement for the State, enterprises and institutions to participate in training apprentices. According to article 35, any enterprise or institution employing at least 10 workers must contribute to the development of apprentice training by participating in the financing of training activities through payment of the annual apprenticeship and vocational training tax set forth in the Finance Act. Enterprises and institutions subject to this tax may seek an exemption if they can show that they have provided training for their own staff.

95. The State's intervention may take the form of a subsidy. Article 37 specifies that apprentice training centres may receive subsidies for equipment and operations from the State, local authorities and public institutions.

96. As far as workers are concerned, under articles 38-45, they may receive vocational training, as well as skills upgrading and in-service training. Pursuant to article 46 of the Labour Code, workers must have the opportunity for promotion. This entails providing workers with the means to facilitate their access to a higher post or to guidance in preparing for a new occupation.

97. The adoption of the Labour Code was followed by the signing of a General Collective Convention in 2002. Article 1 states that the purpose of the convention is to regulate labour relations between employers and workers - in keeping with the definition given in article 339 of the Labour Code - irrespective of their sex, origin or status, in companies operating anywhere in the territory of the Republic of Chad.

98. This convention places particular emphasis on the free exercise of trade union rights and on staff representation. Under article 9, the contracting parties recognize the right to freedom of opinion and the right freely to join a staff union that has been set up in accordance with the provisions of article 294 of the Labour Code.

99. When making decisions, employers commit themselves:

- Not to take into consideration workers' membership or lack of membership of a trade union or their exercise or lack of exercise of trade union responsibilities
- Not to base their decisions regarding recruitment, performance or assignment of work, disciplinary measures, measures relating to remuneration, dismissal or advancement, provision of social benefits or vocational training, on workers' political or philosophical opinions, or social, racial, national, tribal or other origins
- Not to exert pressure or to adopt discriminatory measures in favour of or against members of a trade union organization

100. For their part, workers commit themselves, with regard to work, as well as to social benefits and vocational training, not to take into consideration workers' membership or lack of membership of a particular trade union, to respect the right to freedom of opinion and not to exert any pressure that might hamper the free exercise of trade union rights within the occupation or the right to work within the company. The contracting parties agree to consider the company to be a workplace, to strictly observe the above-mentioned commitments and to ensure full compliance with them.

101. Chad has taken the following measures in the area of vocational training:

- The establishment, in 1993, pursuant to Decree No. 165/PR/PM/MPC of 31 December 1993, of the National Committee for Linking Education and Training to Employment (CONEFE), whose mission is to match training policy to employment (1990)
- The establishment of a number of university institutes in various cities across the country, including the University Institute of Agronomy of Sarh, the Adam Barka University of Abéché, the Polytechnic Institute of Mongo, the Business Institute of Moundou and the Higher School of Exact and Applied Sciences of Bongor
- The renovation and establishment of teacher-training colleges
- The liberalization of the vocational training sector through the grant of permits to a large number of private vocational training centres functioning legally throughout the country in various fields, such as industry, engineering, information technology, office automation, the hotel business, communication, health, banking, law, social sciences, etc.
- The grant and renewal of training and further training scholarships to select workers engaged in the fields of health, higher education, finance, etc.

102. Noteworthy accomplishments are recognized by the civil service through the recruitment of graduates from the teacher-training colleges, the Faculty of Health Sciences, the National Institute of Health Workers and Social Services, the National Institute of Youth and Sports, the National Institute of Public Works, etc.

102 bis. Although Chad has experienced some improvement in employment as a result of petroleum production activities, certain constraints have brought about a progressive reduction in the workforce and have added to a new wave of unemployed skilled workers. This was the case of the former employees of Tchad-Cameroun Constructors (TCC), a large proportion of whom were dismissed following the downsizing of the company's activities at its petroleum site. These former employees have recently filed suit against TCC over the non-payment of earned overtime. This suit, which has taken the parties as far as the Supreme Court, has resulted in recognition being given to the rights of the former employees and in securing payment of their overtime. We wish to highlight in particular the contribution of the Union of Trade Unions of Chad and that of the Government in settling this matter.

103. Projects to support microenterprises are operational, but because of a lack of funding, their effects are not very visible for the time being. The establishment of the Ministry of Solidarity and Microcredit in 2006 is a reflection of the Government's wish to encourage the promotion of the entrepreneurial sector. The Government supports the initiatives of cooperative savings and credit associations, which have recently gone through some very critical times as a result of their members' mismanagement. Efforts are currently under way to restore trust in these microfinance institutions on the part of their cooperation partners. Discrimination in employment is formally prohibited. Chad ratified the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111) on 29 March 1966.

104. As to domestic legislation, Chad's Constitution guarantees equal access to public employment for all Chadians without discrimination. In accordance with article 1 of the Universal Declaration of Human Rights, which states that "[All] human beings are born free and equal in dignity and rights", in its Constitution as well as in its labour laws, Chad offers its nationals and foreigners working in its territory equal employment opportunities without distinction as to race, colour, sex, religion, political opinion, nationality or social origin.

105. Nevertheless, it may be noted that, in certain companies, foreign workers are in some cases given privileged treatment in relation to national workers with the same skills profile. The inequality is seen in terms of remuneration where, for the same post and with the same qualifications, the salary can be as much as three times higher. It was in response to this type of discrimination that the national employees of Esso Tchad staged a series of strikes in 2006 in order to demand equality and fair treatment.

106. As regards women, sociocultural constraints work against them in practice, with the result that they hold only lesser, lower-paid jobs.

107. It should also be pointed out that in some organizations or companies, cases may be found of persons holding several posts concurrently. However, the corresponding figures are unavailable. In Chad, the economically active population is characterized by the continuing predominance of plentiful but unskilled labour. In order to ensure the effective exercise of the right to work, international assistance is present in the form of technical, financial and logistic support.

108. The minimum wage system is monitored through periodic physical censuses. It is based on the principle of equal pay for work of equal value. The ILO Equal Remuneration

Convention, 1951 (No. 100) has been ratified by Chad. In practice, however, the principle of equal pay for equal work is not always respected. Articles 13-17 of Act No. 17 guarantee such equality in the public administration by specifying that all civil servants are entitled to remuneration for services rendered.

109. In Chad, the national classification of occupations is based on the International Standard Classification of Occupations which classifies workers by category. Under article 44 of the Act, an occupation is defined as the body of employees in the same sector of activity, all of whom are subject to the same statute, grouped within the same specialty or area and suited to similar jobs. Each occupation is made up of classes, grades and steps. The class defines the employee's position within his professional hierarchy. It also defines different qualification levels. Each category is made up of between one and four classes in ascending order: first, second, third and fourth class.

110. The grade defines the employee's position within his professional class hierarchy and indicates different levels of skill. Each class is made up of three grades in ascending order: initial, standard and final grade. The step defines the employee's position within the grade hierarchy and indicates different levels of seniority. The number and hierarchy of steps per grade are stipulated by decree of the Council of Ministers.

111. The occupations are divided into three categories, designated, in descending order, by the letters A, B and C. Category A includes managerial, planning and monitoring posts and requires at least a basic university degree ("*licence*") combined with professional experience; category B includes high-level administrative and executive jobs, and requires at least a baccalaureate diploma combined with vocational training; category C includes technical and general jobs, and requires at least a general school certificate ("*brevet*"), combined with vocational training.

112. The distribution of public-sector incomes is calculated according to two variables: firstly, the employee salary index for employees in categories A, B and C; then, the category, each comprising two classes in descending order: second class and first class, with each class divided into steps. Certain employees are grouped in a special class.

113. The salaries of government officials are calculated on the basis both of their index and their category. Whether the salary is high or low thus depends on the index value. Domestic staff and other employees of non-registered premises are not protected.

114. Private-sector employees are also remunerated according to differentiated categories, with each category comprising steps A to G. Salaries in the private sector tend to be higher than those in the public sector. However, public-sector salaries have risen by 20 per cent since 1996 in relation to the annual budget in so-called priority sectors such as education, health, infrastructure, social affairs and rural development.

115. Generally speaking, salaries have not risen significantly, despite the Government's efforts in this respect. The trade unions have deemed these efforts inadequate and have called repeated strikes. The devaluation of the CFA franc has affected household purchasing power, while petroleum exploitation has exacerbated inflation and lowered purchasing power.

116. Article 224 of the Labour Code regulates health and safety at work. However, measures are still needed to ensure effective application of these provisions in view of the limited number of labour inspectors trained for the job, as well as the leniency of officials and the inadequate funding that make the mechanism ineffective. Pursuant to Act No. 17, a medical council was established responsible for all workplace health and safety issues as well as medical issues affecting employees (art. 31).

117. In Chad, nobody is excluded from the scope of labour legislation. However, it is very difficult to ensure effective monitoring of the majority of informal-sector activities owing to tax evasion. This applies to millers, welders and fuel vendors, inter alia.

118. Following ratification of the ILO Equal Remuneration Convention, 1951 (No. 100) on 29 March 1966, Chad enshrined this principle in article 246 of the Labour Code. Article 247, for its part, stipulates that the various components of remuneration should be identical for men and women, thus incorporating the principle of non-discrimination. Women, however, remain underrepresented in salaried employment. A bill on quotas has been drafted to redress this inequality and procedures are currently under way for its adoption. Rural women, who comprise the most significant subgroup, are marginalized, even though they represent a significant proportion of the labour force (45 per cent in the agricultural sector). The CHD/00/P07 gender project, launched in 2001, lays down a twofold strategy:

- Awareness-raising and education efforts among women on family well-being, the status and role of women in the community and the promotion of schooling for girls
- Provision of financial and technical support for rural women's associations by making credit available through income-generating activities in order to strengthen their purchasing power. This project covers 500 associations in more than 400 villages, with 213 associations receiving credit to date

119. Article 209 of the Labour Code regulates weekly rest, which is usually accorded on a Sunday. No difficulties have been encountered in applying this provision. Although the State remains the chief employer, the trend is towards liberalization of the labour market. The private sector receives more job applications at all skill levels because of the higher salaries it offers. However, in view of the insufficiency of job opportunities in the private sector, the State remains the largest employer. The International Labour Organization and International Labour Office provide international assistance in the form of support for Chad's trade union movement.

ARTICLE 8: TRADE UNION RIGHTS

120. Chad is party to a number of ILO conventions. Article 28 of the Constitution recognizes the freedom of association. Every citizen is accordingly free to belong to the trade union of his choice. Act No. 17/PR/2001 of 31 December 2001 accords this same right to civil servants (art. 8).

121. In the private sector, the requirements for establishing trade unions are regulated by articles 294 and 295 of the Labour Code.

122. Members of the armed and defence forces, police officers and gendarmes do not enjoy the right to strike, nor do diplomatic staff and magistrates. Prior authorization is required to establish a trade union, a measure introduced to prevent trade union anarchy. Trade unions enjoy the right to federate, to form confederations and to affiliate with international trade unions. No restrictions are placed on such affiliations.

123. Article 299, fifth paragraph, of the Labour Code provides for restrictions on the activities of a trade union that conflict with regulations in force. However, no such conflict has been registered. The following trade union federations have been formed:

- The Union of Trade Unions of Chad (UST)
- The Free Confederation of Workers of Chad (CLTT)

These two large trade union entities play a very important role in strengthening human rights and democracy in Chad by publicizing national and international instruments concerning labour rights and the rights and responsibilities of citizens.

124. A worker's right to strike is recognized in the Constitution (arts. 28 and 29), the Labour Code (art. 456) and Act No. 17/PR/2001 (art. 8). The procedure for initiating a strike is laid out in article 457 of the Labour Code, which makes it conditional upon six working days' notice being given and public order being respected. Except in the case of magistrates, law-enforcement and security officers, servicemen and other military professionals, no legislative provisions regulate public-sector employees' right to strike.

ARTICLE 9: THE RIGHT TO SOCIAL SECURITY

125. Chad's National Social Security Fund (CNPS) covers the branches of social security provided for in the ILO Social Security (Minimum Standards) Convention, 1952, (No. 102). There are three branches of social security in Chad, namely: (1) family benefits; (2) old-age benefits, invalidity and survivor's benefits; (3) employment injury and work-related sickness benefits. The benefits awarded to contributors under these branches are:

- Maternity benefits
- Invalidity benefits
- Survivor's benefits
- Employment injury benefits
- Family benefits

The following branches include a number of different benefits that may be awarded to contributors:

Family benefits

- Family allowances
- Allowances for pregnant women
- Maternity allowances
- Medical expenses
- Sick pay

Occupational hazards

- Sick pay
- Invalidity allowances
- Contributors' pension
- Survivor's annuity
- Compensatory settlement
- Medical costs (rehabilitation)
- Miscellaneous/fringe benefits
- Other technical aid costs

Old-age and disability pensions and death benefit

- Old-age pension
- Old-age allowance
- Disability pension
- Survivor's pension
- Survivor's allowance

126. This social protection system is applicable to employees engaging in occupational activities under the direction of an employer, namely a natural or legal person, public or private. government officials are not covered by the system, nor are staff coming under:

- The General Civil Service Regulations
- The Judiciary Regulations
- The National Police Regulations
- The provisions applicable to Civil Service auxiliary staff

127. The system currently covers social insurance contributors and children. Benefits granted include:

- Work accidents and work-related sickness benefits. Irrespective of the amount of time the victim has to be absent from work, he is eligible for a daily allowance, payable until such time as he is able to return to work. The amount of this allowance is equivalent to two thirds of the victim's monthly salary, calculated on the basis of his average salary received over the three months preceding the date of the work-related accident.
- A partial permanent disability pension is awarded to the victim if the rate of partial permanent disability exceeds 20 per cent. Depending on the degree of disability, the partial permanent disability pension is proportional to the pension that would be payable to the victim in case of total permanent disability, i.e. 85 per cent of the victim's average monthly salary.

128. A disability allowance is paid to the victim if the rate of partial permanent disability is less than 20 per cent. The amount of the allowance is equivalent to 10 times the annual pension. A survivor's pension is paid to survivors of the deceased (the father, the mother and any recognized legitimate or adopted children), provided that the death is a consequence of a work-related accident or sickness. The total amount of the survivor's pension is equivalent to 85 per cent of the deceased's average monthly salary.

129. With regard to benefits in kind, the CNPS covers the costs of treatment, physiotherapy and rehabilitation of the victim (including hospitalization, orthopaedics and medicines), as well as funeral expenses. Occupational hazard benefits paid to the worker are funded by contributions calculated on the basis of salaries up to a limit of 130,000 CFA francs, with the employer solely responsible for making contributions.

Old-age, disability and survivor's insurance

130. The normal old-age pension is awarded to insured persons who have been registered for at least 20 years in the system, who are at least 60 years old and who have made at least 180 monthly contributions. The minimum amount of the pension is 30 per cent of the average monthly remuneration, calculated using the average wage of the 36 or 60 months preceding retirement. The pension amount is increased by 1 per cent for every 12 months of contribution exceeding 180 months.

131. The granting of early retirement pensions is subject to the same conditions, except for the age limit, which is lowered to a minimum age of 50 years. The old-age allowance is paid to insured persons registered for at least 12 months in the system, who are at least 55 years old and

who have made at least 12 monthly contributions. The amount of the old-age allowance is equal to the average monthly remuneration of the insured person, multiplied by the number of times the insured person has accrued 12 months of contributions.

132. The granting of early retirement pensions is subject to the same conditions, except for the age limit, which is lowered to a minimum of 50 years. The old-age allowance is paid to insured persons registered for at least 12 months in the system and who have reached the age limit and ceased all remunerated activity, when they do not meet the other conditions for entitlement to an old-age pension or an early retirement pension. The amount of the old-age allowance is equal to the average monthly remuneration, multiplied by the number of times the insured person has accrued 12 months of contributions.

133. The disability pension is awarded to employees who, subsequent to an illness or a non-occupational accident, suffer from a permanent physical or mental disability of at least two thirds, and who are able to prove that they have been registered in the system for at least five years and have made at least six months of contributions in the last 12 calendar months preceding the onset of the disability.

134. The latter condition is, however, waived when the disability is the result of an accident. In such a case, it is sufficient for the insured person to be engaged at the time of the accident in a job covered by the insurance. The disability pension is calculated in the same way as old-age pensions, but the disability pension is subject to a special bonus in respect of the number of months of insurance contributions. The age condition applicable to normal or early retirement pensions (50 or 60 years) does not apply to people who are disabled.

135. Rates are increased to cover third parties when the beneficiary of an early retirement or disability pension requires constant assistance and care from another person to be able to carry out everyday tasks. The increase is equivalent to 40 per cent of the pension.

136. A survivor's pension is granted to eligible persons on the death of a pension beneficiary or of an insured person still in employment. The old-age or disability pension or the early retirement pension to which the insured person is entitled, or would be entitled, at the date of death is reduced to a percentage of 50 per cent for a spouse, 25 per cent for children who have lost both parents, 15 per cent for children who have lost one parent and 10 per cent for blood relatives in the ascending line.

137. The survivor's allowance is awarded to eligible survivors of employees who, at the time of death, have a claim only to an old-age allowance. The insured person must have at least six months of insurance in the 12 calendar months preceding the onset of the disability. The amount of the allowance is equal to the amount of the old-age pension to which there would have been entitlement if the insured person had accrued 180 months of insurance, multiplied by the number of six-month periods accrued at the date of death.

138. Funeral expenses are covered by the CNPS if the insured person dies without leaving behind any eligible survivors. The pension scheme is funded through employers' contributions.

Family benefits

139. Family benefits are paid in respect of the dependent children of entitled persons. They amount to 600 francs per month for each child. In the public service, family benefits have been suspended since 1979 owing to the civil war. Those in the private sector are exceedingly low and need to be improved in view of the current situation.

140. Prenatal allowances are paid to female employees and to the wives of male employees whenever a pregnancy is duly declared with the CNPS. The amount comes to nine times the monthly rate of the family allowance.

141. Maternity allowances are paid to female employees and to the wives of male employees who have given birth to living and healthy children. The amount comes to 12 times the monthly rate of the family allowance.

142. A daily allowance is granted to female employees on maternity leave who have been employed for at least six consecutive months when the employment contract is suspended. The duration of maternity leave is 14 weeks, and may be extended by 6 weeks upon presentation of a medical certificate. The amount of the allowance is equal to half the net salary actually received by the female employee when the employment contract is suspended.

143. The medical fees related to prenatal care and childbirth are respectively reimbursed in the amounts of 200 and 1,400 francs for each delivery. In some companies, mutual aid funds set up outside the framework of the official scheme pay social benefits to their members; this is the case, for example, for the Post and Telecommunications Mutual Fund (MUTUAPOSTEL). Star Nationale insurance company, too, offers policies for certain sectors covered by the official social security system (life and health insurance). However, a lack of awareness in this field restricts user access to such services.

144. There is no discrimination in respect of access to the official social security system. Workers covered by the Labour Code and others are able to take out individual insurance without any restrictions.

ARTICLE 10: FAMILY, MATERNITY AND CHILD PROTECTION

145. Chad has acceded to the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. It has also ratified ILO Conventions, including:

- The Minimum Age (Industry) Convention, 1919 (No. 5)
- The Night Work of Young Persons (Industry) Convention, 1919 (No. 6)
- The Worst Forms of Child Labour Convention, 1999 (No. 182)
- The Minimum Age Convention, 1973 (No. 138)

146. In Chad, terms such as “family” and “relatives” are to be interpreted in the broadest possible sense. The family extends beyond the smallest social unit, comprising the mother, father and children, to include uncles, aunts and grandparents.

147. Under the Constitution and the Electoral Code, the age of majority and voting rights are attained at the age of 18. The Civil Code sets the age of marriage at 15 for girls and 18 for boys. However, in practice it is not uncommon to find girls under 15 years of age in marriage-like relationships, or who have already had their first child. According to some associations, girls in rural areas are betrothed even earlier, sometimes as young as 13; under that age, the Criminal Code treats consummation of (customary) marriage as rape.

148. The revised Constitution of 2005, in articles 37 and 38, makes parents and local communities responsible for the upbringing and welfare of children. However, the State does not grant benefits to ensure that such provisions are implemented; most families do not receive any assistance in this respect. The measures planned in this field consist in cooperating with UNICEF on parent education in rural areas and community day-care centres.

149. Women in rural areas are the most disadvantaged. Inadequate infrastructure serves to marginalize them still more. A draft comprehensive child development policy to address this question is currently pending adoption.

150. Children may not be employed in any occupation before the age of 14, unless they are covered by a dispensation through a decree, as proposed by the Minister of Labour and Social Security and the Minister of Public Health, in the light of the tasks that such children would have to carry out. Children may be hired only with the consent of their legal guardians.

151. Street children, muhajirin children (mendicant Koranic students), children of lepers and children of livestock herders are the ones most concerned. Generally, mentally and physically disabled children and orphans are looked after entirely by their families. The State has no facilities to provide them with care. Orphanages do exist, but there are only a few of them.

152. The Department for Children and the Department for Disabled Persons of the Ministry of Social Action and the Department for Judicial Follow-up of the Ministry of Justice deal with this question. Unfortunately, information is not extensively available to the public. The report submitted by Chad to the Committee on the Rights of the Child (CRC/C/TCD/2) casts greater light on these issues, and can be read in parallel with this section of the report.

ARTICLE 11: THE RIGHT TO AN ADEQUATE STANDARD OF LIVING

153. According to the Human Development Reports 2005 and 2006 of the United Nations Development Programme (UNDP), Chad is among the countries with the lowest human development ratings, respectively 173rd and 171st out of 177. The Chadian people are extremely poor. There is also a considerable disparity between the standards of living of the rural and urban populations in the south.

154. Generally, the effect of poverty is more severe for women than for men. This problem is also encountered in student life. Since the establishment of the University of Chad, in 1973, Chadian students have received a grant of 25,000 CFA francs. The amount has not changed since that time, and it does not correspond to the current cost of living in the country. This detracts from the standard of living of students.

155. However, the overall amount spent on these grants remains a burden for the State, which has started considering ways of improving the social situation of students. This process is still under way.

156. According to the report by the Ministry of Social Action under the Convention on the Rights of the Child (CRC/C/TCD/2), a large part of the population suffers from chronic food insecurity (52 per cent of the population lives below the poverty line).

157. The advent of petroleum exploitation has led to a slight increase in the standard of living of some young people, but it has not lived up to the population's expectations. The new General Civil Service Regulations provided for a small overall rise in salaries for State employees, along with various wage increases of at least 30 per cent (varying from one government ministry to another), thus slightly raising the standard of living.

158. The minimum wage (SMIG), which was initially 15,000 CFA francs, was also raised slightly, to 25,480 CFA francs, and now stands at 28,000 CFA francs. While the impact of this increase varies owing to the extreme poverty afflicting people in rural areas, living conditions have thus improved throughout the country.

159. According to the report under the Convention on the Rights of the Child, in 2004, 52 per cent of the population lived below the poverty line, which had been set at between US\$ 1 and US\$ 2 per day.

A. The right to adequate food

160. The National Food Security Office, the national food security project and the Ministries of Planning and Social Action have launched various initiatives to offset the shortage of foodstuffs, and a national poverty reduction strategy has been adopted. A committee has been put in charge of overseeing it.

161. The initiatives being carried out include the "poverty reduction and action plan for women" project of the Ministry of Social Action. It should be noted, of course, that all these initiatives remain limited in scope in the light of the State's budgetary constraints.

162. However, the Government remains concerned about and very mindful of the development of new strategies to enable citizens to fully enjoy their right to adequate food. No government policy or law has had an adverse effect on access to food. However, the predominance of cash crops over subsistence crops in national practice has produced famine in the south, in the very cotton-growing areas that are supposed to be the country's granary.

163. Expropriation in the petroleum production area, for which there has been little or no compensation, has adversely affected access to food. It should also be pointed out that the departure of many young people to work on the petroleum project has considerably reduced the agricultural workforce.

164. Economic insecurity has also had a negative impact on access to food, reflected in the steady increase in food prices, which is often beyond the Government's control.

165. Other factors, too, have adversely affected food production: severe weather, population pressures, invasions of pests and droughts and intercommunity conflicts.

166. However, it must be noted that agriculture has always been one of the State's priorities, as is shown by the establishment of mechanisms to ensure adequate food such as the national food security project and the National Food Security Office, the Société de Développement du Lac (SODELAC), the Casiers (development areas) A and B rehabilitation projects, the agricultural services and growers' organizations support project and the agricultural and pastoral services project. In addition, the State encourages associations and non-governmental organizations to disseminate information on access to food.

167. The issue of access to land is a matter of increasing concern and contributes to restricting access to food. Agrarian reforms have not taken place in Chad. The Land Ownership Act is still in force. In Chad, two land ownership regimes exist side by side for the acquisition of land. There is the land ownership regime under Acts Nos. 23 and 24 of 1967 and their implementing decrees, and the customary regime. The land ownership regime gives natural and legal persons, under private law, the means of asserting, upholding and transmitting their rights. This is done either through registration, for the law, or through use, for custom.

168. In this respect, several disputes have pitted individuals against each other or individuals against the administration. Judges apply either regime in proceedings before them, depending on the case. For example, the Court of Appeal of N'Djamena upheld the claim of Mr. H. A. against the town of Abéché, ruling on the case as follows: "Whereas it ensues from the provisions of Act No. 24 of 22 July 1967 on the land ownership regime that, when there exist customary rights to the land involving its development, the State may, after establishing their existence, either revoke them while compensating the owners or propose other equivalent rights; whereas H. A. has been legally occupying the disputed land for 25 years; whereas by fining the mayor's office 600,000 francs, the first judge has applied the law correctly."

169. Access to water also poses considerable difficulties. The following table outlines access to drinking water for a population of more than 7 million inhabitants.

Table 4

Access to drinking water

Chad	Unit	1993 census
Number of households with access to drinking water	Household	209 011
Number of persons with access to drinking water	Individual	1 450 057

Source: Department of Statistics for Economic and Demographic Studies.

170. In recent years the Chadian State has made noteworthy efforts in the area of water supply, with the support of some of its development partners. These joint efforts have enabled water services to be extended to isolated areas of the country, inter alia through the construction of water towers.

171. According to the 2004 demographic and health survey of Chad, 50.4 per cent of the population use a traditional protected well; 31.3 per cent have access to drinking water, with 11.1 per cent using tap water and 20.1 per cent public fountain water; and 11.1 per cent use surface water.

172. Efforts have been made in the area of industrial production, but they remain limited given the State's financial difficulties.

Table 5**Industrial production**

Chad	Units	1990	1991	1992	1993	1994	1995	1996	1997
Industrial production index (base 100: 1977)	Index	N/A	110.6	107.0	95.1	90.8	103.0	109.8	125.7
Major products (in quantities)									
Electricity	Millions of kWh	78.5	76.1	73.1	74.9	71.9	81.9	84.3	81.0
Water	Millions of m ³	11.0	10.8	10.7	10.2	10.3	9.6	10.5	11.0
Cotton fibre	Thousands of tonnes	58.1	60.2	67.7	47.2	37.1	67.2	69.1	87.7
Sugar	Thousands of tonnes	30.4	29.5	28.3	27.9	32.2	28.9	24.4	26.7
Cigarettes	Millions of packets	12.4	23.8	20.7	24.9	25.4	28.5	35.7	39.3
Beer	Thousands of hl	114.2	142.8	127.2	115.7	107.5	101.6	133.6	123.2
Major products (in value)									
Electricity	Billions of CFA francs	9.3	8.8	8.9	7.6	10.3	13.4	13.9	N/A
Water	Billions of CFA francs	1.0	1.0	1.0	0.9	0.9	1.0	1.0	N/A
Cotton fibre	Billions of CFA francs	28.0	26.9	24.0	14.2	26.3	56.6	53.7	N/A
Sugar	Billions of CFA francs	10.8	10.5	10.1	11.3	14.6	15.3	15.2	N/A
Cigarettes	Billions of CFA francs	1.9	3.7	3.1	3.7	5.5	6.4	8.1	N/A
Beer	Billions of CFA francs	4.2	5.3	4.7	4.3	4.8	5.3	7.2	N/A

Source: Department of Statistics for Economic and Demographic Studies.

Industrial production is very limited and much remains to be done. However, a project backed by the World Bank is beginning to make headway, namely the Critical Electricity and Water Services Rehabilitation Project.

Table 6**GDP growth - Annual changes in GDP and per capita income (in USD)**

Indicators	Years					
	2000	2001	2002	2003	2004	2005
GDP per capita		162.40	175.00	138.10	250.80	636.54
Annual income per capita		228.90	226.20	299.50	359.00	389.80

Source: National Institute of Statistics for Economic and Demographic Studies, April 2005.

173. According to the National Institute of Statistics for Economic and Demographic Studies (INSEED), annual per capita income was \$389.90 in 2005. According to the results of the survey on consumption and the informal sector (ECOSIT 1), more than 52 per cent of the population live below the poverty level (less than \$1 per person per day). Gross domestic income (GDI) was estimated at \$3,108 billion CFA francs in 2005.

Table 7

Main aggregates

Chad	1990	1991	1992	1993	1994	1995	1996	1997	1998
GDP	439.0	451.0	441.0	412.0	655.0	717.6	830.0	889.0	993.0
Uses of GDP									
Household final consumption	371.8	371.8	390.7	378.0	524.5	631.7	685.0	758.0	842.0
Final consumption of the public administration and non-profit private institutions serving households	89.2	97.2	86.3	89.0	121.5	116.3	137.0	130.0	137.0
Total gross fixed capital formation	56.3	54.7	56.8	51.6	77.0	81.9	98.0	108.0	113.0
Public gross fixed capital formation	27.3	26.3	33.0	28.7	48.3	44.0	50.0	46.0	48.0
Private gross fixed capital formation	29.0	28.4	23.8	22.9	28.7	37.9	48.0	62.0	65.0
Inventory changes	5.0	13.0	-6.0	-10.0	48.0	-7.4	45.0	19.0	31.0
Balance of goods and services	-84.2	-85.0	-85.6	-96.7	-115.8	-104.8	-136.0	-127.0	-130.0
External trade									
Exports of goods and services	78.5	74.9	73.5	67.5	127.2	163.5	163.0	195.0	211.0
Imports of goods and services	162.7	159.9	159.1	164.2	243.0	268.3	299.0	322.0	341.0
Breakdown of value added by major branch									
Value added of the primary sector	149.5	163.0	156.9	136.7	243.7	252.2	308.0	332.0	384.0
Value added of the secondary sector	61.6	61.0	55.3	46.4	76.9	102.9	113.0	132.0	145.0
Value added of the tertiary sector	214.7	215.8	217.6	219.0	323.9	347.0	389.0	401.0	438.0
Import duties and taxes	13.0	11.8	11.5	9.5	10.7	15.7	19.8	23.3	25.9

Source: Department of Statistics for Economic and Demographic Studies.

174. Chadians are finding it difficult to keep up with the rising prices of consumer goods. This increase is often caused by Chad's state of dependence arising from its land-locked position. However, the profiteering by certain traders should also be noted. The Government has made efforts in recent years to control prices on the markets.

Table 8
Consumer price indices^a

General monthly indices of consumer prices in N'Djamena												
Year	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
1990	97.3	95.3	96.9	97.1	97.2	97.5	99.9	99.5	102.9	107.1	106.0	96.6
1991	98.9	101.7	99.5	104.3	106.4	105.5	107.0	106.5	104.6	103.3	102.4	102.0
1992	101.2	103.0	101.4	99.5	98.7	101.6	101.6	104.2	100.5	98.3	97.3	95.5
1993	94.1	89.9	89.6	86.2	89.6	91.9	92.9	94.4	94.9	92.7	92.1	95.5
1994	96.6	109.6	120.8	132.1	136.7	138.7	138.5	143.0	144.1	141.3	135.5	136.9
1995	138.9	140.2	137.5	136.1	136.6	143.9	144.8	146.6	146.4	147.1	148.9	148.6
1996	145.4	147.5	144.8	151.8	158.7	166.1	170.1	168.5	168.7	168.3	165.5	163.8
1997	162.7	164.1	160.3	166.0	172.0	176.9	177.1	174.5	174.9	169.6	169.7	164.7
1998	165.6	167.6	164.1	170.9	177.8	177.7	182.5	194.1	197.3	181.8	171.9	170.7
1999	163.8	155.7	154.1	156.1	159.4	164.9	165.8	170.9	163.8	161.6	163.0	162.0
2000	160.8	158.7	156.9	159.0	159.8	163.8	165.2	169.8	176.8	177.1	178.9	182.5

Source: Department of Statistics for Economic and Demographic Studies.

^a Index: Base 100, February 1988.

Year 1990	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	91.9	89.8	92.1	93.0	92.9	95.2	95.9	94.1	99.7	108.7	109.0	94.0
Non-food items	103.5	101.1	102.0	100.7	101.3	97.8	103.9	105.1	105.6	103.0	99.8	98.9
Services	109.6	109.1	109.1	109.1	109.1	109.1	111.3	113.4	113.4	109.9	106.7	105.0
Overall index	97.3	95.3	96.9	97.1	97.2	97.5	99.9	99.5	102.9	107.1	106.0	96.6

Year 1991	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	95.7	103.7	100.9	108.8	110.4	109.1	110.8	109.8	106.8	104.6	103.2	102.6
Non-food items	102.4	96.0	95.5	95.6	97.3	96.1	96.7	96.7	97.1	97.5	98.0	98.5
Services	106.7	106.4	103.3	104.4	109.5	112.2	115.5	116.4	114.0	111.9	110.1	108.5
Overall index	98.9	101.7	99.5	104.3	106.4	105.5	107.0	106.5	104.6	103.3	102.4	102.0

Year 1992	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	100.9	104.6	103.0	100.2	99.8	103.2	103.6	107.1	100.6	96.8	94.8	93.0
Non-food items	99.4	98.7	96.5	95.7	93.8	95.7	94.9	96.5	97.3	97.6	99.1	95.8
Services	107.3	106.4	106.1	106.5	106.0	109.2	110.2	109.7	109.3	108.6	106.2	108.1
Overall index	101.2	103.0	101.4	99.5	98.7	101.6	101.6	104.2	100.5	98.3	97.3	95.5

Year 1993	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	90.5	83.7	84.4	79.9	82.5	86.2	87.6	90.0	88.2	87.0	87.3	93.1
Non-food items	96.7	95.8	93.7	92.4	96.5	96.2	96.6	96.7	102.0	97.3	95.4	96.4
Services	106.9	107.0	107.0	103.5	109.5	111.4	111.7	111.7	111.7	111.5	109.5	105.9
Overall index	94.1	89.9	89.6	86.2	89.6	91.9	92.9	94.4	94.9	92.7	92.1	95.5

Year 1994	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	94.0	107.7	121.7	135.2	137.2	141.1	140.8	145.8	147.2	141.7	131.4	133.3
Non-food items	98.0	113.4	122.3	129.2	138.2	136.7	136.3	140.4	141.6	141.7	143.7	144.1
Services	107.0	109.3	111.0	123.4	129.9	130.9	132.3	135.0	134.7	138.5	134.6	136.7
Overall index	96.6	109.6	120.8	132.1	136.7	138.7	138.5	143.0	144.1	141.3	135.5	136.9

Year 1995	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	135.0	136.5	132.0	129.6	130.4	141.2	142.5	143.4	141.5	140.0	144.0	144.5
Non-food items	147.4	150.3	150.9	151.1	151.0	153.6	153.3	156.5	158.9	163.9	164.3	163.0
Services	136.8	132.3	130.1	129.9	130.2	131.5	133.5	135.8	137.8	138.8	132.3	130.0
Overall index	138.9	140.2	137.5	136.1	136.6	143.9	144.8	146.6	146.4	147.1	148.9	148.6

Year 1996	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	140.4	142.1	138	149.6	158.6	168.4	168.3	168.9	169	168.4	165.1	162.8
Non-food items	161	164.6	163.3	163.7	169	173.1	177.6	169	168.4	167.7	167	166.9
Services	129	129.2	129.6	129.9	130.7	133.3	158.8	164.7	167.9	169.9	163.8	130.0
Overall index	145.4	147.5	144.8	151.8	158.7	166.1	170.1	168.5	168.7	168.3	165.5	163.8

Year 1997	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	161.2	164.0	158.4	168.0	177.3	182.9	181.7	176.4	176.9	169.5	170.9	164.2
Non-food items	166.5	166.2	165.1	165.1	166.5	170.8	173.0	173.9	176.0	174.4	172.9	173.2
Services	160.1	158.5	157.8	157.6	158.5	160.5	163.5	166.1	160.0	156.8	153.9	143.7
Overall index	162.7	164.1	160.3	166.0	172.0	176.9	177.1	174.5	174.9	169.6	169.7	164.7

Year 1998	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	163.5	164.5	158.2	170.8	179.5	182.3	187.9	205.2	210.7	184.0	166.6	168.2
Non-food items	175.5	178.7	179.0	176.9	183.0	176.8	181.0	185.1	185.4	186.0	187.4	182.0
Services	149.5	153.4	153.8	154.4	153.4	155.2	156.3	158.5	157.5	157.3	157.2	152.5
Overall index	165.6	167.6	164.1	170.9	177.8	177.7	182.5	194.1	197.3	181.8	171.9	170.7

Year 1999	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	156.0	145.3	143.3	146.6	151.8	161.9	163.7	167.6	156.9	154.6	157.4	157.7
Non-food items	182.6	176.9	175.5	175.6	176.2	174.3	172.1	178.4	177.0	176.1	177.0	174.1
Services	154.0	153.1	153.5	153.7	153.9	154.4	159.0	167.7	164.0	159.4	154.5	151.3
Overall index	163.8	155.7	154.1	156.1	159.4	164.9	165.8	170.9	163.8	161.6	163.0	162.0

Year 2000	January	February	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
Foodstuffs	155.6	155.3	153.7	154.7	158.5	163.6	163.1	169.1	178.3	175.9	187.0	190.8
Non-food items	174.3	173.3	171.1	176.0	171.6	173.7	176.8	181.4	181.7	186.2	178.6	182.7
Services	151.3	136.3	134.2	133.9	134.2	136.9	143.7	140.7	154.3	157.6	135.7	136.4
Overall index	160.8	158.7	156.9	159.0	159.8	163.8	165.2	169.8	176.8	177.1	178.9	182.5

Source: Department of Statistics for Economic and Demographic Studies.

Note: Base 100: February 1988.

175. Transport is also an issue, because it does not facilitate the distribution and sale of goods throughout the territory.

Table 9
Road transport

Chad	Unit	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Road network											
Total network	Km	40 000	40 000	40 000	40 000	40 000	40 000	40 000	40 000	40 000	40 000
Tarmacked roads	Km	N/A	N/A	263	263	263	263	283	283	283	412
Listed dirt roads (improved)	Km	N/A	N/A	2 035	2 035	2 035	N/A	N/A	3 100	3 100	3 100
Non-listed dirt roads and tracks (basic)	Km	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1 400	1 400	1 400
Total number of vehicles in Chad											
Chad	Unit	1990	1991	1992	1993	1994	1995	1996			
Vehicles on the road	Vehicle	2 034	3 301	2 772	2 230	2 465	2 635	2 355			
Privately owned cars	Vehicle	688	1 172	878	960	922	758	694			

Source: Ministries of Civil Engineering, Transport, Housing and Town Planning.

It should be noted, however, that considerable efforts have been made in recent years, with several roads being tarmacked.

B. The right to decent housing

176. In Chad, nearly 90 per cent of vulnerable persons are exposed to severe weather owing to a lack of decent housing. The right to housing is guaranteed by article 43 of the Constitution: "All Chadians have the right to establish freely their domicile or residence anywhere in the national territory." It is true that some families are poorly housed, owing to a shortage of accommodation, but there are no statistics in this area.

177. The Chadian Government, with the help of UNDP and the United Nations Human Settlements Programme (UN-Habitat), has launched a housing programme aimed at improving housing and living conditions in disadvantaged urban areas. The entire population, except for a very few people living in town centres, lack basic amenities such as running water, air conditioning, waste removal, sanitary facilities and electricity. These basic amenities are inaccessible.

178. Holders of property deeds have the irrevocable right, in the event of expropriation, to compensation amounting to the value of the property in question. Act No. 67-25 of 22 July 1967 on the limitation of land rights governs land issues in Chad. Article 1 of the Act provides that nobody shall be deprived of ownership of property or use of the land unless this is required by the public interest, compensation is provided and the legal provisions are applied.

179. Prior to any expropriation, an inquiry must be conducted over a one- to four-month period, and must be sufficiently publicized in order to enable all concerned to express their views, in particular those likely to be expropriated. On the basis of the results of the inquiry, a decree adopted by the Council of Ministers declares the planned operation to be in the public interest, determines the plots of land to be expropriated and proclaims their expropriation. Article 17 of

the Act establishes the right to compensation for eviction. The amount of compensation is calculated by a committee, the membership of which is established by decree and represents the interested parties.

180. Chad has provided social housing units for a number of its officials, but the officials do not live there, and occupation of these units is uncontrolled. It is difficult, for internal reasons, to eject the squatters.

181. Relations between landlords and tenants are often difficult. There are no specific laws in this area, apart from the 1958 Civil Code in force in Chad, which governs the rights of tenants and others. However, tenants are subject to arbitrary expulsion at any time, unless they apply for arbitration by the municipal, administrative or judicial authority.

182. Building standards and regulations are governed by Ordinance No. 17/PR/70 of 9 July 1970 on planning permission in Chad. All forms of expulsion are prohibited by articles 41, 42 and 43 of the Constitution of 1996, as revised in July 2005. Additional provisions are contained in the 1958 Civil Code.

183. Owing to the lack of statistics, the Ministry of Finance, through finance legislation, has fixed the price of land for the different urban zones, in order to promote the right to housing and combat speculation. Nevertheless, there is a great deal of land speculation in N'Djamena and the surrounding area.

184. Land law is governed in Chad by several legislative and regulatory texts, namely: Act No. 023 on the status of State assets; Act No. 024 on land ownership and customary rights; and Act No. 025 on the limitation of land rights. Decrees Nos. 186, 187 and 188 implementing these acts were passed. Ordinance No. 17 governs planning permission.

185. In Chad, a distinction is made between public State property and private State property. Natural public State property is defined under article 2 of Act No. 023 as “any permanent or temporary watercourse, lake, pond or spring, up to the highest water point before overflow, and a band of 25 metres beyond that point; islands, islets, sandbanks and alluvial deposits forming in rivers; groundwater; mineral and mining deposits; listed forests”.

186. Man-made public State property consists of “navigation and irrigation channels; all water mains; wastewater drainage and sanitation systems; all roads; airfields; all broadcasting and transmission systems, including tangible and non-tangible elements; energy production and transportation works, provided that such works were built or acquired to serve as a public utility; systems for the protection and operation of these works; geodetic and topographic signs and markers”. Man-made public State property also includes “all national defence works and their protection zones, if any; public monuments; collections or objects of cultural interest belonging to the State or to State-controlled public-law corporations; and any property that cannot be considered as private property under the codes and legislation in force. Public State property is inalienable and indefeasible”.

187. Private State property consists of assets belonging to the State or to State-controlled public-law corporations, and assets that are no longer public property.

188. Property that is unoccupied and ownerless is considered to be private State property, unless otherwise specified. “With regard to land, private State property may be subject to easements or customary temporary occupation rights, which shall be acknowledged in accordance with the legal or regulatory procedures. The public authority reserves the right, in cases where there is no final, physical expropriation, to cancel the rights associated with its property, in exchange for compensation” (Act No. 023, arts 7, 8 and 9).

189. On the basis of the results of the expropriation inquiry, a decision is taken at a meeting of the Council of Ministers, in accordance with article 4 of Act No. 025. Compensation for expropriation may be fixed by amicable agreement or, failing this, by a competent court. The procedure to be followed is governed by articles 7 to 11. The procedure for the expropriation of rural land covered by a property deed (art. 12) is the same as for expropriation under ordinary law (arts. 13 and 14). Eviction gives rise to compensation (art. 17). The Administration may take possession (art. 18).

190. The Act also governs the issue of withdrawal of customary rights when required by the public interest; the procedure followed is the same as for registration, but limited to the act of withdrawal. In recent years the Government of Chad has been planning two major projects, which are currently being built (Cité Tournai and Patte d’Oie). The Government is taking care to ensure that enforced expulsion takes place only in altogether exceptional circumstances, after consideration of all possible solutions, and fully respecting the rights of all involved.

191. The Government is to extend as long as possible the moratorium on enforced, summary and unlawful expulsions and demolitions, and to ensure that all persons under threat of such acts enjoy all the guarantees provided for by law.

192. Chad has also drawn up legislation in the area of town planning - for example, Decree No. 236/PR/MATUH of 31 May 2004 on the establishment, responsibilities and work of the local town planning commission.

ARTICLE 12: THE RIGHT TO HEALTH AND SOCIAL PROTECTION

193. The national health policy was adopted in 1998. Its overall objective is to provide the population with access to basic health services of good quality. The health system in Chad has three tiers. The first tier comprises a central system, consisting of a national health council, a central administration, Government-controlled organizations and a general referral hospital. The second tier comprises an intermediary level, consisting of regional health councils, regional health offices, regional public hospitals, training schools and regional supply pharmacies. The third tier consists of district health councils, district public hospitals, a management team, health councils with particular areas of responsibility and health centres.

194. The sanitation departments of hospitals and municipalities carry out their work, but have inadequate facilities.

195. Some time ago, the Government introduced broad dissemination of generic products. Act No. 18/PR/99 on the establishment of public hospitals in prefectures and district health offices in Chad was adopted on 10 December 1999.

Table 10
Some data on the health system in Chad
(health coverage by health office)

No.	Regional health offices	Population	Doctors	Qualified nurses	Midwives	Hospitals	Beds (places)	Areas of operational responsibility
1	Batha	425 935	7	68	3	2	117	21
2	Borkou-Ennedi-Tibesti	108 064	5	35	1	2	49	9
3	Chari-Baguirmi	676 789	3	36	0	3	110	29
4	Hadjer-Lamis	387 747	4	26	0	3	92	30
5	Guera	452 211	10	66	5	4	188	32
6	Kanem	413 338	6	74	5	3	94	68
7	Lac	373 478	4	62	3	2	53	37
8	Logone occidentale	672 572	17	119	14	3	601	38
9	Logone orientale	651 272	7	79	3	4	193	58
10	Mandoul	593 083	5	38	2	3	166	38
11	Mayo-Kebbi Est	738 729	11	128	10	3	246	49
12	Mayo-Kebbi Ouest	479 693	3	35	4	2	226	22
13	Moyen-Chari	504 057	13	114	14	3	333	32
14	N'Djamena	784 019	208	275	150	3	920	46
15	Ouaddaï	803 119	13	84	6	4	270	46
16	Salamat	272 288	5	65	5	3	110	16
17	Tandjile	670 157	5	51	5	4	142	49
18	Wadi-Fira	272 885	7	52	3	3	97	19
	Total	9 272 900	333	1 437	233	50	3 952	639

Source: Ministry of Public Health: Health Statistics Yearbook, 2005.

Table 11 (a)
Development of the health budget
(thousands of CFA francs)

Year	National budget	Health budget	Proportion of staff costs (%)	Proportion of operating costs (%)
1990	40 107 000	1 534 761	74.2	25.8
1991	40 925 878	2 180 211	71.4	28.6
1992	43 692 000	1 829 069	72.3	27.7
1993	41 214 301	2 415 117	74.8	25.2
1994	70 864 889	2 148 735	60.0	40.0
1995	61 652 000	2 678 394	65.0	35.0
1996	56 423 000	4 152 954	52.4	47.6
1997	75 288 000	3 957 783	51.9	48.1
1998	61 845 682	4 386 739	47.6	52.4
1999	69 499 255	3 495 996	64.1	35.9
2000	75 820 076	6 581 057	39.0	61.0

Source: Ministry of Public Health: Health Statistics Yearbook, 2000.

Table 11 (b)
Budget of the Ministry of Public Health

Budget line	National budget	HIPC	Petroleum	Total
Costs - staff			000	7 001 237 000
Costs - goods and materials	2 428 215 000	1 533 440 000	1 420 000 000	5 381 655 000
Costs - services	1 170 381 000	0	1 040 000 000	2 210 381 000
State intervention	0	0	1 000 000 000	1 000 000 000
Investments	2 750 000 000	1 198 974 000	5 144 673 000	9 093 647 000
Equipment	1 998 000 000	598 974 000	699 692 000	3 256 666 000
Construction	752 000 000	600 000 000	3 594 981 000	4 946 981 000
AIDS subsidies	0	0	100 000 000	100 000 000
Project compensation	0	0	790 000 000	790 000 000
External funding	17 997 108 000	0	0	17 997 108 000
Donations	12 424 433 000	0	0	12 424 433 000
Loans	5 572 675 000	0	0	5 572 675 000
Total	28 973 126 000	2 806 229 000	10 904 673 000	42 684 028 000

Source: DAFM/MSF Yearbook, 2005.

N.B. Ordinary budget: 44.5 per cent (976,018,000 CFA francs).

HIPC budget: 11.4 per cent (2,806,229,000 CFA francs).

Petroleum budget: 44.2 per cent (10,964,673,000 CFA francs).

The total State budget, in accordance with the revised Finance Act, is 527,199,830,000 CFA francs, of which 36,623,856,846 CFA francs (6.95 per cent of the overall budget) goes to the Ministry of Public Health. The budget of the Ministry of Public Health is broken down as follows:

Staff: 5.78 per cent (5,482,600,000 CFA francs);

Goods and services: 13.39 per cent (5,717,095,846 CFA francs).

Table 12
Number of students in training at the Faculty of Health Sciences

Year	1st year	2nd year	3rd year	4th year	5th year	6th year	7th year	Total
2000/01	66	16	57	8	33	14	27	221
2004/05	88	85	80	54	15	46	12	380

Source: Ministry of Public Health: Health Statistics Yearbook, 2000.

Table 13 (a)

Number of students enrolled at the National School for Social and Health Workers (ENASS) in 2004-2005 by specialization

Section	Number of students in training			
	1st year	2nd year	3rd year	Total
State-registered nurse practitioners	65	-	56	121
State-registered midwives	39	-	26	65
State-registered laboratory technicians	30	-	19	49
State-registered social workers	46	-	39	85
Kindergarten teachers	42	-	0	42
Health technicians	109	-	0	109
Health technicians (birth attendants)	0	0	0	0
Specialized nurses (ophthalmology)	12	-	-	12
Specialized nurses (anaesthesia, intensive care)	12	0	0	12
Total	355	0	140	495

Source: Ministry of Public Health: Health Statistics Yearbook, 2000.

Table 13 (b)

Initial decentralized training in 2005

Pool	Health technicians			Midwives		
	1st year	2nd year	Total	1st year	2nd year	Total
N'Djamena	0	52	52	0	16	16
Abéché	0	40	40	0	9	9
Moundou	0	33	33	0	9	9
Sarh	0	14	14	0	7	7
Total	0	139	139	0	41	41

196. The importance attached by the Government to the population's health led it to adopt Act No. 19/PR/99 of 10 December 1999 instituting community participation in health costs, implemented by Decree No. 364/PR/MSP/01 of 18 July 2001 on the organization of community participation in health costs, article 1 of which lays out rules for participation. The principle of community participation is to involve the community in cost recovery and in the planning, management and evaluation of health services. In accordance with article 3 of the Decree, cost recovery is aimed at furthering the objectives of existing legislation, including: enhancing the "minimum package of activities" (PMA) and the "supplementary package of activities" (PCA); containing the costs to the population of health access; and improving health service resource management.

197. The decree provides for the establishment of a locally elected health committee at health centre level for each zone of responsibility. The health committee enjoys the status of a non-profit organization officially recognized by the competent authority, and is managed by an executive board. In partnership with the director of the health centre, the health committee's executive board helps ensure that financial and material resources and pharmaceuticals are managed sustainably. The Committee may also conclude partnership agreements with the health

centres, stipulating modalities for collaboration on the management and monitoring of the use of community participation funds. The health committees may also benefit from external funding of capital costs under agreements concluded by the State with its partners in development. The committees may thus benefit directly from donations and bequests for developing health activities in their areas of responsibility.

198. As part of ongoing implementation of State health policy, Act No. 024/PR/2000 of 24 November 2000 on pharmacy was adopted, to organize human and veterinary pharmacy. Article 2 of the Act provides for the establishment of a National Medicines Commission responsible for issuing preliminary recommendations on all matters relating to medicines and other pharmaceutical products.

199. This Act defines medicine categories and provides for their registration. Under articles 15 and 16 of the Act, no proprietary medicinal product or generic drug may be produced, whether for payment or free of charge, unless it is granted a marketing authorization by the Minister of Health. Such authorization shall be issued for a renewable period of five years. An application for a marketing authorization shall be submitted to the Minister of Health, together with the payment of a fixed fee whose amount shall be determined by joint order of the Minister of Health and the Minister of Finance.

200. The price of a medicine is freely established on the basis of competition within a price structure determined by ministerial order. Where market conditions so dictate, however, specific measures may be taken by joint order of the Minister of Health and the Minister of Trade, on the recommendation of the National Medicines Commission, to increase the accessibility of essential medicines and social medicines (art. 24). A copy of any report of violation of medicine pricing rules must be submitted to the Minister of Health. The law also organizes the promotion of medicines and medical prescription.

201. Ordinance No. 10/PR/91 of 20 August 1991 provides for the establishment of a National Pharmacists' Association, membership of which is mandatory for all pharmacists authorized to practise in the Republic of Chad. A person may only practise the profession if he offers full guarantees as to his professional ethics and:

(a) Holds a State doctorate of pharmacy or a State pharmacist's diploma, or any other equivalent diploma recognized in accordance with the higher education provisions in force;

(b) Is of Chadian nationality and resident in the Republic of Chad, or is a national of a State where Chadians are authorized to practise pharmacy provided that they hold a diploma entitling nationals of that State to practise pharmacy;

(c) Is registered with the section or sections of the National Pharmacists' Association corresponding to the branch of pharmacy that he practises;

(d) Is authorized by the Minister of Health.

202. Inspections for follow-up and monitoring are carried out by pharmacy inspectors. The law also organizes establishments for the manufacture of medicinal products, wholesale distribution establishments, storage, etc. It also stipulates penalties for violations of its provisions.

203. The social services of urban health centres cater for vulnerable groups in general, not specifically only for the elderly. In some health centres, the community is involved in the management and monitoring of primary health care through a health committee elected by the inhabitants of the neighbourhood in which the health centre is located. The State is nonetheless responsible for planning and organization.

204. It should be noted, however, that the ever-expanding health needs of the population are far from being met by the strategies in place. Not only is access to drinking water a problem in Chad, but hygiene and sanitation remain precarious and are a cause of disease.

205. According to the multiple-indicator survey of Chad conducted in 2000, more than 70 per cent of the population lack toilets. Only 24 per cent of the population possess an adequate sewage system, with only 0.2 per cent possessing a modern toilet.

Table 14 (a)

Major illnesses

No.	Reason for consultation	Number of cases	Percentage
1	Simple malaria	67 907	22.4
2	Diarrhoea	37 659	12.4
3	Acute malaria	12 156	4.0
3	Dysentery	25 051	6.2
5	Vaginal discharge	25 831	2.9

Source: Ministry of Public Health.

Table 14 (b)

**Development of child immunization coverage by antigen
(0 to 11 months), 2001-2005**

Vaccine	2001	2002	2003	2004	2005
BCG	49.1	60.6	62	32.5	64.8
DTC3	27.3	40.6	41.8	41.9	47.8
Polio	27.2	36.2	41.5	38.9	46.2
Yellow fever	35.3	44.2	33.1	39.2	50.9
Measles	35.3	44.7	51.5	46.2	58.2

Source: Ministry of Public Health.

Table 15

Human resources

Year	2000	2001	2002	2003	2004	2005	2006	2007
Personnel	3 120	3 660	3 774	4 301	4 641	4 699	N/A	N/A

Source: Ministry of Public Health.

206. International organizations, such as WHO, UNICEF and the World Bank, and non-governmental organizations, such as Médecins sans frontières and Médecins du monde, provide technical and financial assistance, equipment and logistical support to make up for deficiencies. The following data are published by UNICEF.

Table 16
Health and HIV/AIDS

Health	
Percentage of population using ...	34
Percentage of population using ...	40
Percentage of population using ...	32
Percentage of total population with access to adequate sanitation	8
Percentage of urban population with access to adequate sanitation	30
Percentage of rural population with access to adequate sanitation	0
Percentage immunized	42
Immunization 2004. 1-year-old children immunized against TB (BCG)	38
Immunization 2004. 1-year-old children immunized against DPT (DPT 1+)	68
Immunization 2004. 1-year-old children immunized against DPT (DPT 3+)	50
Immunization 2004. 1-year-old children immunized against polio (polio 3)	47
Immunization 2004. 1-year-old children immunized against measles	56
Immunization 2004. 1-year-old children immunized against HepB (HepB3)	-
Immunization 2004. 1-year-old children immunized against Hib (Hib3)	-
Immunization 2004. Percentage of newborns protected against tetanus	40
Percentage of under-5s with acute respiratory infections (ARI), 1998-2004*	12
Percentage of under-5s with ARI who consulted a health professional, 1998-2004*	22
Percentage of under-5s with fever in receipt of antimalarial medication, 1996-2004*	50
Percentage of under-5s sleeping under a mosquito net, 1999-2004*	27
Percentage of under-5s sleeping under a treated mosquito net, 1999-2004*	1
Percentage of under-5s with fever in receipt of antimalarial medication, 1999-2004*	32
Prevalence of HIV/AIDS	
Estimated HIV prevalence rate among adults (ages 15-49), end 2003	4.8
Estimated number of people living with HIV/AIDS, 2003 (thousands), adults and children (0-49 years)	200
Estimated number of people living with HIV/AIDS, 2003 (thousands), low estimate	130
Estimated number of people living with HIV/AIDS, 2003 (thousands), high estimate	300
Estimated number of people living with HIV/AIDS, 2003 (thousands), children (0-14 years)	18
Estimated number of people living with HIV/AIDS, 2003 (thousands), women (15-49 years)	100
Prevalence of HIV among young pregnant women (15-24 years) in capital city in 2003, median	4.8
HIV/AIDS: Awareness and behaviour	
Percentage of male 15-24 year-olds aware that condoms can prevent HIV, 1998-2004*	-
Percentage of female 15-24 year-olds aware that condoms can prevent HIV, 1998-2004*	21
Percentage of male 15-24 year-olds aware that a person apparently in good health may be HIV-positive, 1998-2004*	-
Percentage of female 15-24 year-olds aware that a person apparently in good health may be HIV-positive, 1998-2004*	28
Percentage of male 15-24 year-olds with comprehensive knowledge of HIV, 1998-2004*	-
Percentage of female 15-24 year-olds with comprehensive knowledge of HIV, 1998-2004*	5
Percentage of 15-24 year-olds who used condom at last high-risk sex, male, 1998-2004*	-
Percentage of 15-24 year-olds who used condom at last high-risk sex, female, 1998-2004*	-
Orphans	
Children (0-17 years) orphaned by AIDS, 2003, estimate (thousands)	96
Children (0-17 years) - orphaned due to all causes, 2003, estimate (thousands)	500
Orphan school attendance ratio, 1998-2004*	96

Source: UNICEF.

Table 17
Data on child protection

Child labour (5-14 years) 1999-2004,* total	57
Child labour (5-14 years) 1999-2004,* male	60
Child labour (5-14 years) 1999-2004,* female	55
Child marriage 1986-2004,* total	71
Child marriage 1986-2004,* urban	65
Child marriage 1986-2004,* rural	74
Birth registration 1999-2004,* total	25
Birth registration 1999-2004,* urban	53
Birth registration 1999-2004,* rural	18
Female genital mutilation 1998-2004,* women ^a (15-49 years), total	45
Female genital mutilation 1998-2004,* women ^a (15-49 years), urban	43
Female genital mutilation 1998-2004,* women ^a (15-49 years), rural	46
Female genital mutilation 1998-2004,* daughters, ^b total	-

Source: UNICEF.

Table 18
Rate of progress

Under-5 mortality rank	12
Under-5 mortality rate, 1970	-
Under-5 mortality rate, 1990	203
Under-5 mortality rate, 2004	200
Average annual rate of reduction (%), 1970-1990	-
Average annual rate of reduction (%), 1990-2004	-0.1
Reduction since 1990 (%)	1
GDP per capita annual growth rate (%), 1970-1990	-0.9
GDP per capita annual growth rate (%), 1990-2004	0.9
Total fertility rate, 1970	6.6
Total fertility rate, 1990	6.7
Total fertility rate, 2004	6.7
Average annual reduction rate (%), 1970-1990	-0.1
Average annual reduction rate (%), 1990-2004	

Source: UNICEF.

ARTICLES 13 AND 14: THE RIGHT TO EDUCATION

207. Education is a priority sector in Chad. In keeping with its means, the State does its best to provide teachers' salaries and in-service training, fund building construction and purchase teaching materials, furniture and supplies. The following has been noted:

- Insufficient infrastructure (lack of classrooms)
- Poorly trained teachers (62 per cent lack vocational training)

208. It is thus important to stress that the reminder issued this year by the Ministry of National Education concerning the obligation to ensure free and compulsory education has helped speed progress in this area. Free and compulsory education is guaranteed under article 35 of the Constitution.

209. When they were first established, student parents' associations functioned as excellent partners in education with the State by participating in and providing valuable support for the management of schools. Unfortunately, in the past few years there has been a noticeable shift in the position of these associations, which are calling into question the "free" aspect of education. It was this shift that motivated the Ministry of National Education to issue its reminder.

210. Secondary education is universal and accessible to everyone throughout the national territory. Technical and vocational education, on the other hand, is not.

211. Secondary education, like primary education, is free of charge. The illiteracy rate nevertheless remains high.

Table 19

School enrolment ratio and literacy rate

Chad	1993 census
School enrolment ratio ^a	39.8
Boys	52.6
Girls	26.7
Adult literacy rate ^b	13.5
Men	23.0
Women	5.2

Source: Department of Statistics for Economic and Demographic Studies.

^a The school enrolment ratio is calculated for children aged 6-12.

^b The literacy rate is calculated for persons aged 15 and above.

Table 20
Primary school enrolment ratio

	1996/97	1997/98	1998/99	1999/2000	2000/01	2001/02
School enrolment ratio (gross)						
Boys	74.9	83	84.6	88.2	91.5	92.2
Girls	39.7	46.2	50	54.6	58.9	63.2
Both sexes	57.5	64.8	67.4	71.6	75.4	80.5
Ratio girls/boys	0.53	0.56	0.59	0.62	0.65	0.65
School enrolment ratio (net)						
Boys	58.3	65.3	66.2	68.2	71.1	76.2
Girls	33.1	38.8	42.4	44.7	48.5	52.5
Both sexes	45.8	52.1	54.5	56.6	59.9	64.5
Ratio girls/boys	0.57	0.59	0.64	0.66	0.68	0.69

Source: Ministry of National Education.

Table 21
Enrolments in education

Chad	Unit	1989/90	1990/91	1991/92	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99
Number of primary school pupils	Pupil	492 231	525 165	568 630	N/A	542 405	547 696	591 493	680 909	786 537	839 932
Number of secondary school pupils	Pupil	54 751	62 658	76 124	N/A	73 031	85 323	92 220	99 164	112 268	N/A
Number of students in higher education	Student	N/A	1 425	2 721	1 588	2 958	3 242	3 446	3 798	4 799	N/A
Average number of primary school pupils per class	Pupil	68.3	68.3	65.9	N/A	61.6	N/A	69.4	68.8	70.3	67.8
Average number of primary school pupils per teacher	Pupil	67	65.8	62.3	N/A	60.3	N/A	63	N/A	68	67.9
Percentage of girls in primary school	%	30.5	31.0	32.1	N/A	32.3	N/A	32.9	34.3	35.4	36.7
Percentage of girls in secondary school	%	15.7	15.8	N/A	N/A	17.5	N/A	19.6	N/A	20.4	N/A
Percentage of girls in higher education	%	N/A	N/A	N/A	N/A	N/A	N/A	13.1	14.6	13.8	N/A

Source: Ministry of National Education.

Table 22
Ministry of National Education - Operating budget and investment appropriations

	1996	1997	1998	1999	2000	2001	2002
Operating budget (in millions of CFA francs)							
Total appropriations for education	11 954.2	14 635.9	15 326.8	16 970.2	18 998	23 270.3	25 909.2
General budget of the State	74 620	73 126	76 524.7	92 780.3	99 649	129 894	123 601
Share of budget allocated to education (%)	16	20	20	18.3	19.1	17.9	21
Investment budget (in millions of CFA francs)							
Total appropriations for education	N/A	19 627.8	10 905.9	12 930.1	12 202.1	7 989.2	13 575
General budget of the State	N/A	134 830	142 432	150 260	146 344	129 943	230 456
Share of budget allocated to education (%)	N/A	14.6	7.7	8.6	5.3	6.1	5.9

Table 23
Education (UNICEF data)

Adult literacy rate, 2000-2004,* men	41
Adult literacy rate, 2000-2004,* women	13
Number of telephones per 100 persons, 2002-2003*	1
Number of Internet users per 100 persons, 2002-2003*	0
Primary school enrolment ratio (2000-2004*), gross, male	95
Primary school enrolment ratio (2000-2004*), gross female	61
Primary school enrolment ratio (2000-2004*), net, male	75
Primary school enrolment ratio (2000-2004*), net, female	51
Primary school attendance rate (1996-2004*), net, male	46
Primary school attendance rate (1996-2004*), net, female	33
% of primary school entrants reaching grade 5, 2000-2004,* admin. data	44
% of primary school entrants reaching grade 5, 1997-2004,* survey data	96
Secondary school enrolment ratio (2000-2004*), gross, male	22
Secondary school enrolment ratio (2000-2004*), gross, female	7
Secondary school enrolment ratio (2000-2004*), net, male	12
Secondary school enrolment ratio (2000-2004*), net, female	4
Secondary school attendance ratio (1996-2004*), net, male	9
Secondary school attendance ratio (1996-2004*), net, female	5

212. The particular situation of women remains worrying. The statistics provided below testify to the persistence of problems in this regard.

Table 24

The female literacy rate, etc. (UNICEF data)

Life expectancy: females as a % of males, 2004	105
Adult literacy rate: females as a % of males, 2000-2004*	32
School enrolment ratio, females (%)	64
School enrolment ratio, females (%)	68
School enrolment ratio, females (%)	32
School enrolment ratio, females (%)	33
Contraceptive prevalence (%), 1996-2004*	8
Antenatal care coverage (%), 1996-2004*	42
Deliveries	16
Maternal mortality ratio, 1990-2004,* reported	830
Maternal mortality ratio, 2000, adjusted	1 100
Maternal mortality ratio, 2000, lifetime risk of maternal death	1/11

213. Efforts are under way to make higher education fully accessible to all students holding a school leaving certificate. In addition to the two large universities operating in Chad (N'Djamena and Abéché), new vocational training institutes have been opened in Moundou, Mongo, Abéché and Bongor. The lack of sufficient teachers in these universities is nevertheless regrettable.

214. With regard to costs, the only fees required are those for processing administrative documents, which amount to 25,000 CFA francs for the first year. For the other years, the State provides students with a special registration grant, and they are reimbursed the difference. The socio-economic situation of students is currently being re-evaluated in order to find the best ways of promoting higher learning.

215. Chad is a country where the illiteracy rate is fairly high and efforts are being made to provide basic education for those who have not received or completed primary education. In order to combat illiteracy, a decree was issued by the Government in 2000 establishing a Centre for the Elimination of Illiteracy in Chad. By Decree No. 006/PR/MEN/90 of 15 January 1990 a National Committee for the Elimination of Illiteracy in Chad (CNELAT) was set up.

216. In this connection, a ministerial department responsible for literacy is being established in the Faculty of Arts and Human Sciences to train literacy advisers, who will focus on this aspect of education.

217. Just recently, the Government passed Act No. 016/PR/06 of 13 March 2006 on education system policy. The Act lays down the legal and general organizational framework and basic policies of the Chadian education system. In accordance with article 2 of the Act, the Chadian

education system consists of a group of bodies responsible for proposing initiatives and ideas, in charge of planning, production and management structures, of education districts, and of teaching, training and research facilities working for the transfer of knowledge, skills and attitudes. The system comes under the sovereignty and responsibility of the State, which defines its framework. In keeping with the principle enshrined in the Constitution, the Act states that every person has the right to education and training, without distinction as to age, sex, regional, social or ethnic origin or religious belief. Under article 4, paragraph 2, of the Act education is an absolute national priority.

218. The State guarantees basic education to young people between the ages of 6 and 16. Teaching and training are provided in the two official languages - Arabic and French. They may also be provided in the national languages. Foreign languages are taught as subjects. Public education is secular. The State is responsible for its organization, functioning and supervision.

219. The principles established by the State for the organization and functioning of the education system also apply to instruction, education, training and research by other public bodies and private individuals. Under the Act, the objectives of the education system are as follows:

- To ensure that all Chadian children have equal access to quality education
- To promote scientific and technological awareness and research
- To develop vocational education and training with a view to ensuring children's socio-professional integration into the national socio-economic and cultural environment
- To eliminate illiteracy
- To promote the enrolment of girls in schools by eliminating stereotypes and other socio-economic and cultural constraints that prevent girls and women from realizing their full potential in the learning process
- To raise awareness of the importance of practising physical education and sport
- To raise awareness of the importance of teaching arts and crafts
- To preserve and promote the national cultural, artistic and documentary heritage
- To promote environmental studies with a view to social well-being
- To train responsible men and women capable of taking civic and professional initiatives
- To provide Chad with managers who are well qualified and have undertaken high-level scientific and technological research

- To combat prejudices and shortcomings detrimental to social cohesion by promoting a culture of tolerance and respect for others
- To encourage awareness of belonging to the same country, thereby helping to strengthen national cohesion
- To help promote the rule of law by spreading a culture of respect for justice, human rights and freedoms

220. According to article 18, the formal education system comprises the following levels: preschool, basic, secondary and higher education.

221. It should, however, be noted that certain factors hamper the full realization of the right to education, including the failure to ensure the transition to free education, the shortage of teaching staff and supplies, and inadequate funding.

222. Nevertheless, having made the Ministry of Education one of its priority departments, the Government is endeavouring to ensure the best possible education for its population, in the knowledge that education will further national development.

223. In 2002, the policy for the education sector was drafted with a view to achieving the Millennium Development Goals (universal primary education by 2015 and completion of a full course of primary schooling). The strategy adopted takes account of the important role of student parents' associations in building and running schools, with State support for the relevant funding and for the training and remuneration of teachers.

224. A project to support the reform of the Chadian education system (PARSET) has been established, which translates sectoral policy into practice. It covers four areas: equal access to education; quality and effective teaching; illiteracy and non-formal education; and strengthening the planning, management and monitoring of curricula.

225. The project has already been partly funded by the World Bank, under a scheme launched in December 2003; however, it does not cover the total cost of building schools and reorganizing basic and ongoing education - areas where support from France is anticipated. The project was expected to become fully operational in mid-2005, once the State report on the national education system (RESEN) had been completed. The report contains basic statistical data that are an essential prerequisite for the credibility of the sector's medium-term strategy.

226. The Government is concerned about the education of deaf, blind and sick children. There are schools to provide for their education. One of the Government's policies is to lower the cost of education for girls and social welfare cases, poor children, etc.

227. There are several private educational establishments in Chad. Those who wish to found such establishments are free to do so and the only problems they may encounter are organizational. It should be noted that Chad's partners, including UNICEF, the World Bank, UNDP, the Islamic Development Bank, the European Union and the African Development Bank, provide considerable assistance with the implementation of policies in the field of education.

228. Education free of charge is guaranteed by article 35 of the Constitution, which states: “Every citizen shall have the right to education. Public education is secular and free of charge. Private education is recognized and shall be exercised under the conditions defined by law. Basic education is compulsory.” In this connection, the Constitution places an obligation on the State and local authorities, as follows: “The State and the decentralized local authorities shall create conditions and institutions assuring and guaranteeing education for children” (art. 36) .

ARTICLE 15: THE RIGHT TO THE BENEFITS OF CULTURE

229. The right to culture is guaranteed by articles 33 and 34 of the Constitution. Every Chadian has the right to culture. It is the duty of the State to safeguard and promote the national values of civilization. Every citizen has the right to create, to enjoy protection of and to benefit from his intellectual and artistic works. The State ensures the promotion and protection of the national cultural heritage and artistic and literary production. There is a ministry specifically responsible for culture, youth and sport which deals with all matters within its sphere of competence.

230. Public and private radio stations have increased in number in recent years and constitute the most important means of information and communication and of encouraging cultural life. These efforts are supported by the press, which pursues the same goals, and the State encourages all its activities. A Department of National Archives and Heritage has been established. Terms of reference for private radio stations were introduced by amended Decision No. 007/HCC/P/SG/99 of 10 June 1999 on the terms of reference for private radio stations. Article 15 of this Decision provides: “Private radio stations must devote at least 30 per cent of their broadcasting to national programmes and at least 30 per cent to national music.”

231. National private radio stations which have agreements with foreign radio stations cannot devote more than 30 per cent of their broadcasting to programmes by foreign radio stations.
