

QUICK GUIDE TO ADDRESSING OTHER SEXUAL RIGHTS ISSUES DURING THE UNIVERSAL PERIODIC REVIEW ON CHAD

These Guides include:

- A list of issues mentioned in the National Report, the Compilation of official UN Documents and the Summary of Other Stakeholders Submissions, with references to the particular paragraphs in which they can be found.
- The full text of those paragraphs
- In those cases in which the Sexual Rights Initiative has submitted reports, we have included an Annex with our recommendations.

References in the two working languages of the Council (English and French) have been kept in their original language.

Issues are highlighted, while **recommendations** are in bold and underlined. References in the National Report are *in Italics*.

All sexual rights issues that do not relate specifically to women are referred to in this Guide. Sexual rights' issues referring specifically to women -as well as other women's issues- are referred to in the Guide on Women's Issues

OP-CRC-SC (Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography) ratified. Initial report overdue as of August 2004

ISSUE	N Report	Compilation	Summary
Cooperation with international treaties		OP-CRC Reports overdue	
Harmful traditional practices/			Abuse, trafficking and sexual exploitation against children

<p>traditional mindsets leading to SR abuses</p>			<p>(20)</p>
<p>Harmonization of laws with international treaties</p>		<p>Reproductive Health law, Labour Code (2)</p> <p>Need to implement Child Protection Code and Code on the Person and the Family (2)</p>	<p>CRC-OP Protocols, Conventions 138 and 182 (2)</p>
<p>HIV/AIDS</p>	<p>Current legislation (25, 66)</p>	<p>Strategy recommendations (42,50)</p>	
<p>Trafficking/sexual exploitation /violence against children</p>	<p>Regional Plan of Action (45)</p>	<p>Need for measures to protect children. Need for legislation to eliminate sexual abuse and sexual exploitation. Punishment for perpetrators (29,55) Information on measures taken to criminalize clients who sexually use children (30). Need to eliminate rape and gender-based violence, esp. against children (58). Adoption of Child Protection Code (2)</p>	<p>Ratification of ILO Conventions related to Child Labour (2), children viewed as parents as sources of riches, family ties as aggravating factor in cases of child exploitation (20)</p>

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HIV/AIDS

Pour protéger les personnes vivant avec le VIH/SIDA et les membres de leur famille, la loi 019/PR/2007 portant lutte contre le VIH/SIDA /IST et protection des droits des personnes vivant avec le VIH/ SID/IST a été adopté. Des mesures ont été prises portant notamment sur la gratuité des ARV ; des consultations d'urgences et prénatale (Para 66, NR). () La Loi 0019/PR/2007 () affirme que « les droits à la non discrimination, à une protection égale et à l'égalité devant la loi sont garantis aux personnes vivant avec le VIH, ainsi qu'aux enfants et orphelins rendus vulnérables du fait du SIDA au même titre que les autres personnes » (article 19) (Para 25, NR).

The Committee on the Rights of the Child (CRC) urged the State to take measures to reduce HIV/AIDS infection, particularly with regard to the young people. The UNICEF report indicated that HIV/AIDS prevalence amongst the local population rates is about **7.5 per cent in urban and 3.5 per cent in rural areas** (Para 42, Compilation). The 2006-2010 United Nations Development Assistance Framework (UNDAF) indicates five domains of action; inter alia, create conditions for democratic and economic governance, and combat HIV/AIDS (Para 50, Compilation)

Trafficking/ sexual exploitation of children

Dans le souci de protéger () les enfants, victimes de la traite des personnes, le Tchad vient de signer l'accord multilatéral de coopération régionale et d'adopter le plan d'action régional de lutte contre la traite des personnes, en particulier () des enfants le 7 juillet 2006 à Abuja au Nigeria. Cet accord vise la prévention de la traite, la poursuite des auteurs, l'assistance et la protection des victimes, leur réhabilitation et leur réinsertion sociale et la coordination des investigations, de l'arrestation et de la condamnation des trafiquants et leurs complices (Para 45, NR)

A 2008 UNICEF report listed major concerns in terms of children protection in the context of armed conflict in Eastern Chad: the use of children in armed forces and groups, child trafficking, economic exploitation and worst forms of child labour, sexual and gender-based violence including rape, non-registration of newborn refugee and displaced children (Para 55, Compilation). CRC urged Chad to take all measures to ensure the protection of children from trafficking, and that perpetrators of

child trafficking are brought to justice without delay. The Committee recommended developing appropriate **legislative measures** to address the issues of **sexual abuse** and **sexual exploitation**; taking appropriate measures to ensure the prosecution of perpetrators of sexual offences against children; ensuring that child victims of sexual exploitation or abuse are not criminalized or penalized (Para 29, Compilation). The ILO Committee of Experts reminded the Government that the sale and trafficking of young persons under 18 years of age for economic or sexual exploitation are considered to be among the worst forms of child labour. The Committee requested the Government to provide information on the measures adopted or envisaged to criminalize clients who use children under 18 years of age for prostitution, and to establish sanctions for this purpose (Para 30, Compilation). The Security Council Working Group on Children and Armed Conflict urged, inter alia, all parties to comply with international humanitarian law by protecting the civilian population, especially children; () and to put an end to and prevent the perpetration of rape and other sexual and gender-based violence (Para 58, Compilation). CRC urged the State to expedite the adoption and entry into force of the draft Child Protection Code and the draft Code on the Person and the Family (Para 2, Compilation)

Association AZUR Développement/Sexual Rights Initiative (AAD/SRI) ont ajouté que le Tchad a ratifié les deux protocoles à la Convention relative aux droits de l'enfant, la Convention 138 concernant l'âge d'Admission à l'Emploi et la Convention 182 portant interdiction des pires formes de travail des enfants (Para 2, Summary). La Contribution Conjointe a souligné que la situation des enfants tchadiens est caractérisée par des abus tels que () **l'exploitation sexuelle à des fins commerciales**, les enlèvements, **la traite**, le mariage précoce, la sous scolarisation des filles, la torture et la maltraitance. Les enfants sont considérés par des parents **comme une source de richesse qu'il faut exploiter pour résoudre leurs problèmes**, ce qui donne lieu aux pires formes de travail des enfants. AAD/SRI ont fait remarquer que toutes les dispositions réprimant les violences contre les enfants prévoient des peines d'emprisonnement et d'amende contre les auteurs de tels actes et que le fait que **ces auteurs aient un lien de parenté ou une autorité sur le mineur**, constitue une circonstance aggravante (Para 20, Summary).

Suggested Recommendations

While congratulating Chad on its legal and policy efforts to combat HIV/AIDS, ask if there are programs addressed specifically to women and also to young people/ Recommend that, among its other remarkable efforts to fight the HIV/AIDS pandemic, Chad implements programs addressed specifically to women and to young

people.

Recommend that Chad implements CRC recommendation on taking appropriate measures to ensure the prosecution of perpetrators of sexual offences against children, including clients who sexually use children; ensuring that child victims of sexual exploitation or abuse are not criminalized or penalized

Recommend that Chad ratifies and implements ILO Conventions 138 (legal age for employment) and 182 (prohibition of the worst forms of child labour)

