

# CHAD 2017 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Chad is a centralized republic in which the executive branch dominates the legislature and judiciary. In April 2016 President Idriss Deby Itno, leader of the Patriotic Salvation Movement (MPS), was elected to a fifth term with 59.92 percent of the vote. While the election was orderly and had a high voter turnout, it was neither free nor fair, and there were numerous irregularities. Runner-up Saleh Kebzabo, who received 12.8 percent of the vote, refused to accept the outcome of the election, stating it was an “electoral stickup.” In the 2011 legislative elections, the ruling MPS won 118 of the National Assembly’s 188 seats. International observers deemed that election legitimate and credible. Since 2011, legislative elections have been repeatedly postponed for various reasons and, at year’s end, had not been rescheduled.

Civilian authorities did not always maintain effective control of the security forces.

The most significant human rights issues included arbitrary killings by security forces and use of torture; security force abuse; harsh and potentially life-threatening prison conditions; arbitrary arrest and detention, incommunicado detention; denial of fair public trial; restrictions on freedoms of speech, press, assembly, and movement; limited ability of citizens to choose their government; government corruption; violence against women and children, including rape and female genital mutilation/cutting (FGM/C); early and forced marriage and the sexual exploitation of children with inadequate government action to enforce accountability; trafficking in persons, particularly children; and criminalization of same sex sexual conduct.

The government seldom took steps to prosecute or punish officials who committed abuses, whether in the security services or elsewhere in the government, and impunity was a problem.

Members of Boko Haram, the Nigerian militant terrorist group, killed numerous persons in the country, often using suicide bombers.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were reports the government or its agents committed arbitrary and unlawful killings, including by torture. Human rights groups credibly accused security forces of killing and torturing with impunity, according to Freedom House.

Interethnic violence resulted in deaths (see section 6).

There were no trials of any of the 340 Boko Haram detainees, neither the male prisoners kept in the remote Koro-Toro prison, nor in the Amsinene prison in N'Djamena, where authorities held approximately 16 women and children. The children were kept in custody not because of their involvement in any criminal offense, but because no other childcare was available.

### **b. Disappearance**

Unlike in the previous year, there were no reports of disappearances by or on behalf of government authorities.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, but there were reports government officials employed them. In early October, Member of Parliament Dionadji, who led a mission to assess prison conditions, reported that officials refused some sick prisoners health-care treatment as punishment. During a November 27 round table in N'Djamena, he reported that some of those prisoners had chickenpox.

Nadjo Kaina and Bertrand Solloh, two leaders of the citizen movement Iyina (“We are tired” in local Arabic), were arrested on April 6 and April 15, respectively, by purported agents of the National Security Agency (ANS). They had called on citizens to wear red on April 10 to show their solidarity with the movement on the anniversary of the 2016 presidential election. ANS detained them without access to their families or lawyers for 16 and eight days, respectively, before handing them over to the judicial police and charging them with attempted conspiracy and organizing an unauthorized gathering. They were eventually convicted and released with six-month suspended sentences. They alleged that they had been tortured while in detention.

Security forces used excessive force against demonstrators.

As of November 6, the United Nations had received one allegation of sexual exploitation and abuse against a Chadian peacekeeper. In August an allegation of transactional sex was made against a Chadian military officer serving with the UN Multidimensional Integrated Stabilization Mission in Mali. The incident allegedly took place in July. As of November 6, the investigation was pending. In the interim the United Nations suspended payments to the individual.

### **Prison and Detention Center Conditions**

Conditions in the country's 45 prisons remained harsh and potentially life-threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care.

Physical Conditions: Prison overcrowding was a serious problem. Despite the near doubling of the prison population since 2012, no new facilities had been constructed. Authorities did not separate juveniles from adult male prisoners and sometimes held children with their inmate mothers. Authorities did not always separate male and female prisoners, and held pretrial detainees with convicted prisoners.

Local nongovernmental organizations (NGOs) reported food, potable water, sanitation, and health services were inadequate. Prison guards, who were not regularly paid, sometimes released prisoners if bribed. Provisions for heating, ventilation, and lighting were inadequate or nonexistent. The law stipulates a doctor must visit each prison three times a week, but authorities did not respect this provision. The few prisons that had doctors lacked medical supplies. Family members of detainees frequently provided them with food, soap, medicine, and other supplies. Forced labor in prisons occurred.

No estimate of deaths in prisons or detention centers was available.

On April 17, six prisoners escaped from Massakory prison. The prison guards captured three of them, but at year's end, three others remained at large. On March 26, at least 95 detainees escaped from Abeche prison after a violent mutiny.

On November 18, President Deby, as a follow-up to the 2016 Government Commission for Prison Reform, visited Amsinene prison and observed alarming prison conditions. In a press conference, he stated that the Amsinene prison, designed to accommodate 300 inmates, held 2,000 persons and lacked appropriate

sanitation and other facilities. The commission discovered detainee cases that had been pending for years and cases in which persons were incarcerated without commitment orders. The commission recommended the adoption of a number of measures, including holding special hearings to reduce time in detention, releasing prisoners whose remand time exceeded the penalty, and constructing a separate facility for juvenile detainees, to include a social reintegration center.

Regional prisons were crumbling, overcrowded, and without adequate protection for women and youths. They reportedly received insufficient funding to feed inmates.

Administration: There was no prison ombudsman, and there were no functioning mechanisms by which prisoners could submit complaints about prison conditions to judicial authorities.

Independent Monitoring: The government permitted the International Committee of the Red Cross (ICRC) to visit prisons, and the ICRC conducted such visits during the year. At the maximum-security Koro-Toro prison, where few families visited due to its distance from N'Djamena, the ICRC visited every four to six weeks.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention, but the government did not always observe these prohibitions. The law does not provide for the right of persons to challenge the lawfulness of their arrest or detention in court, or to obtain prompt release and compensation if found to have been unlawfully detained. In its *Freedom in the World 2016* report, Freedom House stated security forces “routinely ignore” constitutional protections regarding detention. Police and gendarmes also detained individuals for civil matters, contrary to law. There were reports that officials held detainees in police cells or in secret detention facilities.

On several occasions authorities arrested journalists solely for covering a demonstration. For example, on May 29, journalist Boulga David from Dja FM was arrested by ANS agents while covering a demonstration organized by staff of the fourth community district who were requesting payment of their past months' salary. He was taken to an ANS facility and detained for several hours before being released.

## **Role of the Police and Security Apparatus**

The military (ANT), gendarmerie, national police, the Chadian National Nomadic Guard (GNNT), and ANS are responsible for internal security. A specialized gendarmerie unit, the Detachment for the Protection of Humanitarian Workers and Refugees (DPHR), is responsible for security in refugee camps. The ANT reports to the Ministry of Defense. The national police, GNNT, and DPHR are part of the Ministry of Public Security and Immigration. The ANS reports directly to the president. The ANS's powers were increased in January, and it was given authority to "arrest and detain suspects for purposes of investigation, where they represent a real or potential threat, in accordance with the laws of the Republic."

Security forces were corrupt and involved in extortion. According to media reports, police also were involved in violence and arms trafficking. Impunity was a problem. Members of the Judicial Police, an office within the national police with arrest authority, did not always enforce domestic court orders against military personnel or members of their own ethnic groups. There were isolated reports of former soldiers posing as active-duty soldiers and committing crimes with government-issued weapons.

Two gendarmerie entities, the National Judiciary Investigations Section and the Special Intervention Squad of the Gendarmerie, investigate all gendarmerie, GNNT, and army killings to determine whether they occurred in the line of duty or were otherwise justifiable. The Judicial Police investigate police killings.

The government continued efforts to reform police forces and, in partnership with UNICEF, trained police and gendarmes on child rights.

## **Arrest Procedures and Treatment of Detainees**

Although the law requires a judge to sign and issue arrest warrants before arrests may take place, this did not always occur. By law detainees must be charged within 48 hours or released, unless the district attorney authorizes an extension of detention for investigative purposes. Nevertheless, authorities often did not make judicial determinations promptly. The law provides for bail and access to counsel, but there were cases in which authorities provided neither. In some cases authorities denied detainees visits from doctors. While the law provides for legal counsel for indigent defendants and prompt access to family members, this often did not occur. Authorities occasionally held detainees incommunicado.

Arbitrary Arrest: Security forces arbitrarily arrested journalists, demonstrators, critics of the government, and other individuals.

The ANS' practice of holding government critics in secret detention was not limited to the Iyina (an opposition civil society organization) leaders. On May 5, Maoundoe Decladore, spokesperson of the platform "It Must Change," was arrested by four armed men in plain clothes. Detained for 25 days without any access to his family or lawyer, he was held at an ANS facility in Moundou before eventually being passed to the judicial police and charged with public disorder. He was then released on bail for health reasons, and at year's end he was awaiting trial.

On February 26, journalist Daniel Ngadjadoum was arrested by men in military uniform and held at ANS headquarters for three days, allegedly for having written an article in *Tribune Infos* newspaper critical of President Deby. Two days later, the NGO Reporters Without Borders issues a statement condemning alleged harassment of the publishers of two opposition newspapers, *Tribune Infos* and *Mutation*, by the ANS or persons purporting to represent the ANS.

Pretrial Detention: Lengthy pretrial detention remained a problem, despite government efforts to address it. Authorities sometimes held pretrial detainees without charge for years, particularly for felonies allegedly committed in the provinces. The length of detention sometimes equaled or exceeded the sentence for conviction of the alleged crime. Lengthy pretrial detention resulted from a weak judiciary.

#### **e. Denial of Fair Public Trial**

Although the constitution and law provide for an independent judiciary, the judiciary was underfunded, overburdened, and subject to executive interference and corruption. Members of the judiciary sometimes received death threats or were demoted for not acquiescing to pressure from officials. Government officials, particularly members of the military, often were able to avoid prosecution. Courts generally were weak and in some areas nonexistent. Judicial authorities did not always respect court orders.

A judicial oversight commission has the power to investigate judicial decisions and address suspected injustices. The president appointed its members, increasing executive control of the judiciary.

The legal system is based on French civil law, but the constitution recognizes customary law in locales where it is long established, provided it does not interfere with public order or constitutional provisions for equality of citizens. Courts tended to blend the formal French-derived legal code with traditional practices. Local customs often superseded Napoleonic law. Residents of rural areas and refugee/internally displaced persons (IDPs) camps often lacked access to formal judicial institutions, and legal reference texts were not available outside the capital or in Arabic. In minor civil cases, the population often relied on traditional courts presided over by village chiefs, canton chiefs, or sultans. Penalties in traditional courts sometimes depended on the clan affiliations of the victim and perpetrator. Decisions of traditional courts may be appealed to a formal court.

A 2011 law provides that crimes committed by military members be tried by a military court, although as of year's end the government had not established a military court. In the absence of a permanent military court, members of the military were tried in civilian courts.

### **Trial Procedures**

The law provides for a presumption of innocence. Defendants have the right to be informed promptly and in detail of the charges against them and to be provided free interpretation; these rights, however, were seldom respected. Trials are public. Only criminal trials used juries, but not in politically sensitive cases. While defendants have the right to consult an attorney in a timely manner, this did not always occur. By law indigent persons have the right to legal counsel at public expense in all cases, although this seldom occurred. Human rights groups sometimes provided free counsel to indigent clients. Defendants have the right to adequate time and facilities to prepare a defense. Defendants and their attorneys have the right to question witnesses and present witnesses and evidence. Defendants have the right not to be compelled to testify or confess guilt, but the government did not always respect this right. Defendants have the right to appeal court decisions.

Local leaders may apply the Islamic concept of "dia," which involves a payment to the family of a crime victim. The practice was common in Muslim areas. Non-Muslim groups challenged the practice, asserting it was unconstitutional.

### **Political Prisoners and Detainees**

In detention since mid-July for embezzlement, Meedard Laoukein was released in early December, after awaiting a hearing before judges for five months. He was the head of the political party, the Chadian Convention for Peace and Development and the mayor of the city of Moundou, and ran for president in 2016 against President Deby.

### **Civil Judicial Procedures and Remedies**

Lawsuits for human rights violations may be brought before a criminal court, but compensation is addressed by a civil court. Administrative and judicial remedies, such as mediation, are available. The judiciary was not always independent or impartial in civil matters.

### **Property Restitution**

Unlike in the previous year, there were no reports of the government demolishing homes without due process.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

Although the constitution provides for the right to privacy and inviolability of the home, the government did not always respect these rights. Authorities entered homes without judicial authorization and seized private property without due process. Security forces routinely stopped citizens to extort money or confiscate goods.

A government decree prohibits possession and use of satellite telephones.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The constitution provides for freedom of opinion, expression, and press, but the government severely restricted these rights, according to Freedom House. Authorities used threats and legal prosecutions to curb critical reporting.

Freedom of Expression: The law prohibits “inciting racial, ethnic, or religious hatred,” which is punishable by up to two years in prison and a fine of one to three million Central African (CFA) francs (\$1,766 to \$5,300).

Press and Media Freedom: The government subsidized the only daily newspaper and owned a biweekly newspaper. Government and opposition newspapers had limited readership outside the capital due to low literacy rates and lack of distribution in rural areas.

According to *Freedom in the World 2016*, “broadcast media were controlled by the state, and the High Council of Communication exerted control over most content on the radio,” which remained the most important medium of mass communication. The government-owned Radio Diffusion Nationale Tchadienne had several stations. There were approximately a dozen private stations, which faced high licensing fees and threat of closure for coverage critical of the government, according to Freedom House. The number of community radio stations that operated outside of government control continued to grow, and radio call-in programs broadcast views of callers that included criticism of the government.

The country had three television stations--one owned by the government and two that were privately owned.

Violence and Harassment: Authorities reportedly harassed, threatened, arrested, and assaulted journalists for defamation.

According to NGOs, human rights defenders and journalists were threatened, harassed, and intimidated by either anonymous individuals or those identifying themselves as members of the security services. Between February 22 and 24, Eric Kokinague, a director of the newspaper *Tribune Infos*, received more than a dozen anonymous threatening calls from different numbers after he published an article heavily critical of President Deby.

Censorship or Content Restrictions: The government penalized those who published items counter to government guidelines, sometimes by closing media outlets. Some journalists and publishers practiced self-censorship.

Libel/Slander Laws: Despite a 2010 media law that abolished prison sentences for defamation or insult, authorities arrested and detained persons for defamation. The Chadian Convention for the Defense of Human Rights reported that Betoloum Joseph, a journalist and director of Radio Kar UBA of Moundou, was arrested by police on September 13. They accused him of defaming police on a radio show.

## **Internet Freedom**

The government did not directly restrict or disrupt access to the internet or directly censor online content, and there were no credible reports that the government monitored private online communications.

Online activist Tadjadine Mahamat Babouri, known as Mahadine, was detained in September 2016 after having posted several videos on Facebook criticizing the government's mismanagement of public funds. Charged with undermining the constitutional order, threatening territorial integrity and national security, and collaborating with an insurrection movement, at year's end he was awaiting trial. At least seven unidentified armed men arrested him and took him to an unofficial detention center, where they held him without access to his family or lawyer, and with neither water nor food. According to his lawyer and a relative, he was beaten and subjected to electric shocks before being transferred to the judicial police in October 2016. Due to Mahadine's deteriorating health condition, he was eventually transferred to the Moussoro prison, and on March 15, his lawyers requested an immediate transfer to N'Djamena so he could receive appropriate medical care. By year's end the minister of justice had not responded.

The government blocked access to international data roaming, including Blackberry access, allegedly for security reasons; the government claimed criminals and terrorists from Nigeria and Cameroon were using international roaming to communicate with each other while in Chad. The government also claimed the blockages were due to technical problems, a claim met with widespread skepticism.

According to the International Telecommunication Union, approximately 5 percent of the population used the internet in 2016.

## **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

The government limited freedoms of peaceful assembly and association.

#### **Freedom of Peaceful Assembly**

Although the constitution provides for freedom of peaceful assembly, the government did not respect this right. The government regularly interfered with opposition protests and civil society gatherings, particularly before and after the April 2016 election. The law requires organizers to notify the Ministry of Public Security and Immigration five days in advance of demonstrations, although groups that provided advance notice did not always receive permission to assemble. Following the 2015 Boko Haram attacks, the ministry often denied permission for large gatherings, including social events such as weddings and funerals. During the April 2016 election campaign, the government allowed ruling party supporters to gather and rally but banned such activities for opposition groups.

On May 27, police interrupted Movement for Citizen Awareness's (MECI) general assembly, which was taking place at the Alal-Mouna Center in N'Djamena. Police surrounded the venue, and the director of police told the organizers and participants that the meeting was banned. MECI members requested an official document banning the event, but none was presented.

On February 25, 71 students at the University of N'Djamena's main campus of Toukra were arrested during a protest against the minister of higher education, research and innovation, who was visiting the school along with his Senegalese counterpart.

### **Freedom of Association**

The constitution and law provide for freedom of association, and the government generally respected this right. While an ordinance requires the Ministry of Public Security and Immigration to provide prior authorization before an association, including a labor union, may be formed, there were no reports the ordinance was enforced. The ordinance also allows for the immediate administrative dissolution of an association and permits authorities to monitor association funds.

On January 6, the minister of territorial administration prohibited all MECI activities, stating that MECI was "unnatural" and "takes place without any legal basis." He accused MECI of being "an accomplice of some adventurers abroad with subversive objectives." Five days later Dobian Assingar, the MECI spokesman and honorary president of the Chadian League of Human Rights, was summoned by the Judicial Police of N'Djamena, questioned about MECI activities, and released.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

#### **d. Freedom of Movement**

Although the constitution and law provide for freedom of movement, foreign travel, emigration, and repatriation, the government imposed limits on these rights.

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to IDPs, refugees, and other persons of concern.

Abuse of Migrants, Refugees, and Stateless Persons: There were reports of rape, attempted rape, and sexual and gender-based violence in refugee camps. The perpetrators were either fellow refugees or unknown individuals living near the camps. Authorities only occasionally prosecuted perpetrators of sexual violence. The judicial system did not provide consistent and predictable recourse or legal protection, and traditional legal systems were subject to ethnic variations. To fill the void, UNHCR enlisted the support of a local NGO to support the cases of refugees through the judicial process. The DPHR was unable to provide humanitarian escorts consistently due to lack of resources but was generally effective in providing protection inside refugee camps.

Due to the absence of rebel activity and implementation of education campaigns in camps, there were no reports of recruitment of refugees in refugee camps, including by Central African Republic (CAR) militias.

In-country Movement: Lack of security in the east, primarily due to armed banditry, occasionally hindered the ability of humanitarian organizations to provide services to refugees. In the Lake Chad area, attacks by Boko Haram and concurrent government military operations constrained the ability of humanitarian organizations to provide assistance to IDPs.

#### **Internally Displaced Persons (IDPs)**

During the year the Lake Chad region experienced additional displacement of more than 4,400 persons. As of November the total number of displaced since 2015 increased to 123,205. The security situation remained fragile but stable and allowed for the return of approximately 51,000 individuals between February and

October. Humanitarian access to IDPs improved significantly during the year, and the government actively supported humanitarian operations by international agencies, including legal protection and efforts promoting local integration.

### **Protection of Refugees**

Access to Asylum: The law does not provide for asylum or refugee status. The government, however, has established a system for the protection of refugees.

In cooperation with UNHCR, the government launched a project to strengthen the civil registration system for the issuance of civil status certificates (birth, marriage, and death certificates) to 50,000 refugees, IDPs, Chadian returnees from the CAR, and persons living around camps and settlements under UNHCR's mandate.

Access to Basic Services: Although local communities hosted tens of thousands of newly arrived refugees, antirefugee sentiment existed due to competition for local resources, such as wood, water, and grazing land. Refugees also received goods and services not available to the local population, and refugee children at times had better access to education and health services than those in the surrounding local populations. Many humanitarian organizations included host communities in their programming to mitigate this tension.

Durable Solutions: The government pledged to extend citizenship to tens of thousands of returnees, most of whom had resided in the CAR since birth, although only 3 percent of Chadian returnees from the CAR held Chadian nationality documents by year's end. The government allowed referral for resettlement in foreign countries of refugees from the CAR and Sudan.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens with the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage, but the government limited this right. The executive branch dominated the other branches of government.

#### **Elections and Political Participation**

Recent Elections: In the April 2016 presidential election, voters re-elected President Deby to a fifth term with 59.92 percent of the vote; Saleh Kebzabo placed second with 12.8 percent. While the election was orderly and had a high

voter turnout, it was neither free nor fair, and there were numerous irregularities. According to the African Union, staff at polling stations was not adequately trained, 81 percent of ballot boxes observed had not been checked to see if they were empty at the start of polling, and 10 percent of polling stations did not provide secrecy in voting. Runner-up Kebzabo refused to accept the outcome of the vote, stating that it was an “electoral stickup.” Other opposition politicians cited alleged ballot stuffing and the disappearance of ballot boxes.

Some military personnel were required to vote in the open, in front of colleagues and superiors. According to pan-African television channel Africa 24, more than two dozen military members were reportedly jailed and beaten for refusing to vote for the president. FM Liberte coverage included opposition calls for the Independent National Electoral Commission to discount the results of military voting pending investigation.

Security forces detained, tortured, and held incommunicado opposition members.

On April 8, 2016, the first day of voting, the government shut down all access to the internet and SMS/text messaging. Many foreign television operators could not cover the postelection events because the government had not renewed their filming licenses. Authorities confiscated the equipment of French broadcaster TV5Monde and detained its crew for several hours for filming at a polling station.

Political Parties and Political Participation: There were 139 registered political parties, of which more than 100 were associated with the dominant MPS party.

Opposition leaders accused the government of denying them funds and equal broadcast time on state-run media.

Participation of Women and Minorities: No laws limit the participation of women and/or members of minority groups in the political process, and they did participate. Cultural factors, however, limited women’s political participation. Ethnicity influenced government appointments and political alliances. Political parties and groups generally had readily identifiable regional or ethnic bases. Northerners, particularly members of the Zaghawa ethnic group, were overrepresented in key institutions, including the military officer corps, elite military units, and the presidential staff.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, but authorities did not implement the law effectively, and corruption was pervasive at all levels of government.

Corruption: There were no reports of government officials being investigated for corruption or embezzlement during the year.

Corruption was most pervasive in government procurement, the awarding of licenses or concessions, dispute settlement, regulation enforcement, customs, and taxation. Local human rights organizations reported police extorted and verbally abused motorists. Security forces arbitrarily arrested travelers on pretexts of minor traffic violations.

Judicial corruption was a problem and hindered effective law enforcement.

Financial Disclosure: Public officials are subject to financial disclosure laws, but the laws do not specify sanctions for noncompliance, and declarations were not made available to the public.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A number of domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases. Government officials were sometimes cooperative and responsive to their views.

Government Human Rights Bodies: The Ministry of Justice and Human Rights coordinated efforts by local and international NGOs to protect human rights. Local NGOs reported the ministry functioned independently but was underfunded and had limited effectiveness.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

### **Women**

Rape and Domestic Violence: Rape is prohibited and punishable by imprisonment. Nevertheless, rape--including rape of female refugees--was a problem (see section 2.d.). The law does not specifically address spousal rape. Police often detained alleged perpetrators, but rape cases usually were not tried. Authorities fined and

released most rape suspects. Communities sometimes compelled rape victims to marry their attackers.

Although the law prohibits violence against women, domestic violence was widespread. Police rarely intervened, and women had limited legal recourse.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C for girls and women, but the practice remained widespread, particularly in rural areas.

By law FGM/C may be prosecuted as a form of assault, and charges may be brought against the parents of victims, medical practitioners, or others involved. Nevertheless, the lack of specific penalties hindered prosecution, and authorities prosecuted no cases during the year.

The Ministry of Women, Early Childhood Protection, and National Solidarity is responsible for coordinating activities to combat FGM/C. The government, with assistance from the UN Population Fund, conducted public awareness campaigns to discourage FGM/C and highlight its dangers.

For more information, see [data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/](http://data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/).

Sexual Harassment: The law does not prohibit sexual harassment, which occurred. A new criminal code, however, enacted in August, provides penalties for sexual harassment ranging from six months to three years in prison and fines from 100,000 to 2,000,000 CFA francs (\$176 to \$3,533).

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: [www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/](http://www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/).

Discrimination: Although property and inheritance laws provide the same legal status and rights for women as for men, family law discriminates against women, and discrimination against and exploitation of women were widespread. Local leaders settled most inheritance disputes in favor of men, according to traditional practice.

## **Children**

Birth Registration: Citizenship is derived from birth within the country's territory and from one's parents. The government did not register all births immediately. For additional information, see Appendix C.

Education: Although primary education is tuition-free, universal, and compulsory between ages six and 16, parents were required to pay for textbooks, except in some rural areas. Parents often were required to pay tuition for public secondary education. According to the most recent World Bank Development Indicators database, six girls attended primary school for every 10 boys. Most children did not attend secondary school.

Human rights organizations cited the problem of the "mouhadjirin," migrant children who attended certain Islamic schools and whose teachers forced them to beg for food and money. There was no reliable estimate of the number of mouhadjirin.

Early and Forced Marriage: The law sets the minimum age for marriage at 18. The law precludes invoking the consent of the minor spouse to justify child marriage and prescribes sentences of five to 10 years' imprisonment and fines of 500,000 to five million CFA francs (\$883 to \$8,833) for persons convicted of perpetrating child marriage. For additional information, see Appendix C.

Sexual Exploitation of Children: The law prohibits the prostitution of children, with punishments of five to 10 years' imprisonment and fines up to one million CFA francs (\$1,766) for conviction. The law prohibits sexual relations with girls under age 14, even if married, but authorities rarely enforced the ban. The law criminalizes the use, procuring, or offering of a child for the production of pornography, but no cases of child pornography were reported during the year.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at [travel.state.gov/content/childabduction/en/legal/compliance.html](http://travel.state.gov/content/childabduction/en/legal/compliance.html).

## **Anti-Semitism**

There was no known Jewish community, and there were no reports of anti-Semitic acts.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities, although it does not specify the type of disability. The government did not effectively enforce the law. There are no laws that provide for access to public buildings for persons with disabilities. The government operated education, employment, and therapy programs for persons with disabilities.

Children with physical disabilities may attend primary, secondary, and higher education institutions. The government supported schools for children with vision or mental disabilities.

## **National/Racial/Ethnic Minorities**

There were approximately 200 ethnic groups speaking more than 120 languages and dialects.

Conflict between pastoralists (herders) and farmers continued, particularly in the southern part of the country, and resulted in deaths and injuries. For example, on October 6, three persons were killed in a conflict between farmers and herders in the region of Wadi-Fira.

## **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits but does not define “unnatural acts.” In August the president signed a revision to the penal code making same-sex relations illegal. The code punishes same-sex relations by three months’ to two years’ imprisonment and fines ranging from 50,000 to 500,000 CFA francs (\$88 to \$883).

There were no lesbian, gay, bisexual, transgender, and intersex organizations in the country.

## **HIV and AIDS Social Stigma**

The law provides individuals with HIV/AIDS the same rights as other persons and requires the government to provide information, education, and access to tests and treatment for HIV/AIDS, but officials did not always do so. According to the Chadian Women Lawyers' Association, women sometimes were accused of passing HIV to their husbands and were threatened by family members with judicial action or banishment.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of all workers, except members of the armed forces, to form and join independent unions of their choice. All unions must be authorized by the Ministry of Public Security and Immigration, which may order the dissolution of a union. The law provides for the right of workers to organize and bargain collectively. While there are no restrictions on collective bargaining, the law authorizes the government to intervene under certain circumstances. The law recognizes the right to strike but restricts the right of civil servants and employees of state enterprises to do so. The law requires 72-hour notification before a strike. Civil servants and employees of state enterprises must complete a mediation process before initiating a strike. Employees of several public entities classified as essential services must continue to provide a certain level of services, determined at the government's discretion, during a strike. The law permits imprisonment with hard labor for participation in an illegal strike. The labor code prohibits antiunion discrimination and explicitly covers all workers, including foreign and irregular workers. The law requires reinstatement of workers fired for union activity. Union members reported these protections were not always respected.

The government effectively protected freedom of association and collective bargaining, although both were subject to delays, primarily due to administrative difficulties in convening key officials for negotiations.

There were no reports of restrictions on collective bargaining or punishment of workers for participating in illegal strikes. More than 90 percent of employees in the formal sector belonged to unions. The majority of workers were self-employed and nonunionized, working as cultivators or herders. State-owned enterprises dominated many sectors of the formal economy, and the government remained the largest employer. Unions were officially independent of both the government and political parties, although some unions were unofficially linked through members' affiliation with political parties.

The International Trade Union Confederation reported that the Chadian Workers' Union (UST), as well as human rights groups, worked in a climate of repression and suspicion. In November 2016 delegates from the General Confederation of Labor (CGT, a French trade union organization and UST's partner organization) applied for visas in France. Ultimately, the Chadian embassy in Paris denied visas to CGT delegates, and CGT officials reported that the reason given by the embassy was that "trade unionists and journalists are not welcome" in the country. In January the CGT delegates reapplied for visas, and the embassy again denied them. The UST believed the visa denials were motivated by fear that the CGT's trip aimed to support the UST in its negotiations with the government in the context of a strike that was occurring at the time.

The government protected the rights of Chadian employees of the Chinese National Petroleum Corporation, demanding the reinstatement of employees and union leaders terminated for striking. There were no NGOs specifically dedicated to labor issues, but local human rights organizations often addressed labor concerns, particularly in lobbying against child labor.

Public-sector employee unions staged a number of strikes during the year to protest late or nonpayment of salaries, allowances, bonuses, and stipends. Contrary to previous years, strikes that occurred during the year were not accompanied by demonstrations, due to the Ministry of Interior and Public Security ban on demonstrations.

The government did not give priority to meeting with trade unions. In October the Unions' Workers Coalition released a press note stating that the government did not fulfil its pay and allowance commitments; thus, the coalition was exploring all possibilities to return to negotiations. The president of the main UST union also warned that it would call for strikes if needed.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits some, but not all, forms of forced or compulsory labor, including by children. Laws do not specifically prohibit labor trafficking, although they prohibit many types of labor exploitation. The minimum age for military recruitment is 18, and the minimum age for conscription is 20. The law prohibits the use of child soldiers.

Government efforts to enforce the law were not entirely effective. Title 5 of the labor code prohibits forced and bonded labor, prescribing fines of 50,000 to 500,000 CFA francs (\$88 to \$883), but not imprisonment; these penalties were not sufficiently stringent to deter this form of trafficking and do not reflect the serious nature of the crimes. There are no penalties for forced prison labor, which was common, according to human rights NGOs. Resources, inspections, and remediation with regard to forced labor were inadequate.

Forced labor, including forced child labor, occurred in the informal sector. Children and adults in rural areas were involved in forced agricultural labor and, in urban areas, forced domestic servitude.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The labor code stipulates the minimum age for employment is 14. The law provides exceptions for light work in agriculture and domestic service at age 12. The legal minimum age for employment, a lack of schooling opportunities in some areas, and tribal initiation practices contributed to a general acceptance of working children if they were 14 or older, some of whom may be engaged in hazardous work.

The Ministry of Labor provided training to labor inspectors on children's issues. The Office of Labor Inspection is responsible for enforcement of child labor laws and policies, but authorities did not prosecute any cases during the year. Labor laws apply to work only in formal enterprises; they do not protect children working in informal activities, such as domestic service. Penalties for breaking child labor laws were not sufficient to deter violations. Penalties range from six days' to three months' imprisonment and a fine of 147,000 to 294,000 CFA francs (\$260 to \$520), or up to 882,000 CFA francs (\$1,558) for repeat offenders. The law does not impose penalties "if the breach was the result of an error as to a child's age, if the error was not the employer's fault." Police sometimes took extrajudicial action against traffickers and child labor offenders. Traditional leaders also sometimes meted out traditional punishments, such as ostracism.

While the government did not have a comprehensive plan to eliminate the worst forms of child labor, it worked with UNICEF and NGOs to increase public

awareness of child labor. In addition, efforts continued to educate parents and civil society on the dangers of child labor, particularly for child herders.

Child laborers were subjected to domestic servitude, forced begging, and forced labor in cattle herding, agriculture, fishing, and street vending. Chadian children were also found in forced cattle herding in Cameroon, the CAR, and Nigeria. Child herders often lived in substandard conditions without access to school or proper nutrition. Their parents and herders generally agreed on an informal contract for the child's labor that included a small monthly salary and a goat after six months or a cow at the end of a year. Local NGOs reported, however, compensation often was not paid. According to the Chadian Women Lawyers' Association, girls sold or forced into child marriages were forced by their husbands into domestic servitude and agricultural labor.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

#### **d. Discrimination with Respect to Employment and Occupation**

The law and labor regulations prohibit employment or wage discrimination based on race, color, religion, sex, age, national origin/citizenship, or membership in a union. There are no laws preventing employment discrimination based on disability, sexual orientation or gender identity, HIV-positive status or having other communicable diseases, or social origin.

The government did not effectively enforce these laws and regulations. Workers may file discrimination complaints with the Office of the Labor Inspector, which conducts an investigation and subsequently may mediate between the worker and employer. If mediation fails, the case is forwarded to the labor court for a public hearing. The final decision and amount of any fine depend on the gravity of the case--147,000 to 294,000 CFA francs (\$260 to \$520) for an initial offense, and fines of 288,000 to 882,000 CFA francs (\$509 to \$1,558) or six to 10 days in prison for a subsequent offense. The penalties were not always sufficient to deter violations.

Women generally were not permitted to work at night, more than 12 hours a day, or in jobs that could present moral or physical danger. Persons with disabilities frequently were victims of employment discrimination. Although the law prohibits discrimination based on nationality, foreign nationals often had difficulty obtaining work permits, earned lower wages, and had poor working conditions.

### **e. Acceptable Conditions of Work**

The minimum wage was 60,000 CFA francs (\$106) a month, significantly below the World Bank's poverty income level of \$1.90 per person per day. It was not effectively enforced. The law limits most employment to 39 hours per week, with overtime paid for additional hours. Agricultural work is limited to 2,400 hours per year, an average of 46 hours per week. All workers are entitled to uninterrupted rest periods of between 24 and 48 hours per week and paid annual holidays.

The labor code mandates occupational health and safety standards that are current and appropriate for main industries. Workers have the right to remove themselves from dangerous working conditions without jeopardy to their employment, but they generally did not do so. The labor code gives inspectors the authority to enforce the law and explicitly covers all workers, including foreign and informal workers.

The Office of the General Inspectorate of the Ministry of Labor has responsibility for the enforcement of the minimum wage, work hours, and occupational health and safety standards. The 20 labor inspectors in the Ministry of Public Works were insufficient to enforce the law. Labor inspectors may refer cases to the Ministry of Justice and Human Rights for prosecution. Inadequate budget and staffing, lack of worker knowledge of their rights, and corruption impeded effective enforcement. The government did not effectively enforce the law, and authorities did not always respect legal protections for foreign and irregular workers. Violations of safety and health standards may lead to penalties ranging from approximately 75,000 to 300,000 CFA francs (\$132 to \$530). Penalties for second offenses may include fines of more than 500,000 CFA francs (\$883) and between one and 10 days' imprisonment. These penalties were adequate to deter violations.

Nearly all private-sector and state-owned firms paid at least the minimum wage, but it was largely ignored in the informal sector. Salary arrears remained a problem for some private-sector employees. Workers did not always avail themselves of their rights concerning work hour limits, largely because they preferred the additional pay.

Multinational companies generally met the government's acceptable occupational health and safety standards. The civil service and local private companies occasionally disregarded occupational health and safety standards. Local private

companies and public offices often had substandard conditions, including a lack of ventilation, fire protection, and health and safety protection.