

CHAD 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Chad is a centralized republic in which the executive branch dominates the legislature and judiciary. In 2011 President Idriss Deby Itno, leader of the Patriotic Salvation Movement (MPS), was elected to a fourth term with 83.6 percent of valid votes. Major opposition figures boycotted the presidential election, which was marked by low voter turnout. In legislative elections held in February 2011, the ruling MPS party won 118 of the National Assembly's 188 seats. International observers deemed both elections to be legitimate and credible. Authorities failed at times to maintain effective control over the security forces.

The most significant human rights problems were security force abuse; harsh prison conditions; and discrimination and violence against women and children.

Other human rights abuses included arbitrary killings by security forces and use of torture; arbitrary arrest and detention, incommunicado detention, and lengthy pretrial detention; denial of fair public trial; and executive influence on the judiciary. The government restricted freedom of speech, press, assembly, and movement. The MPS party dominated the political process, and government corruption remained a problem. Refugees were abused. Child abuse, including female genital mutilation/cutting (FGM/C) occurred, as did early and forced marriage and the sexual exploitation of children. Trafficking in persons, particularly children, was a problem. Interethnic discrimination occurred, as did discrimination against persons with disabilities; the lesbian, gay, bisexual, and transgender (LGBT) community; and persons with HIV/AIDS. Forced labor, particularly forced child labor, occurred.

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.

On March 29, Chadian troops operating under the African-led International Support Mission to the Central African Republic (MISCA) in the Central African Republic (CAR) fired into a civilian crowd at a Bangui market, killing at least 28 persons. By year's end the government had not conducted an investigation.

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

a. Arbitrary or Unlawful Deprivation of Life

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

On March 29, Chadian troops operating under MISCA in the CAR fired into a civilian crowd at a Bangui market, killing at least 28 persons and injuring numerous others. The government claimed Chadian troops were acting in self-defense in reaction to a grenade thrown at them by anti-Balaka militia using the crowd as cover. The August 1 UN Security Council Report of the Secretary-General on the situation in the CAR attributed the attack to Chadian MISCA forces under the command of a senior Chadian army officer. On April 3, the government announced the withdrawal of its forces from MISCA. President Deby Itno subsequently promised an investigation into alleged abuses committed by Chadian MISCA forces, but no investigation was conducted by year's end.

No action was taken to investigate security forces accused of indiscriminately firing on civilians in May 2013 in the Ndjamen neighborhood of Bout Albagara, resulting in the deaths of between four and eight persons. The government claimed the individuals were armed and planning a coup.

Interethnic violence resulted in deaths (see section 6).

b. Disappearance

There were no reports of politically motivated disappearances, abductions, or kidnappings; however, the government held persons incommunicado.

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 its *Annual Report 2013*, Amnesty International (AI) noted that “cruel, inhuman, or degrading punishments, including beatings, continued to be widely practiced by security forces and prison guards with almost total impunity.”

According to local nongovernmental organization (NGO) Human Rights without Borders (DHSF), on January 19, District Chief Tomba Dadina subjected Roubane

Matchoke, a fuel seller in the village of Torrock, Mayo Kebbi East, to “cruel, inhuman, and degrading treatment” while in custody. Matchoke, who was accused of smuggling fuel, filed a complaint after his release.

According to DHSF, on January 22, N’Djamena’s lower court sentenced Hisseine Hassane Younous, a student at King Faisal University, to 10 months in prison for “rebellion against the state.” In July 2013 authorities arrested Younous for allegedly entering a “no access zone,” after which he was detained at Machaga’s District 10 Police Station in N’Djamena. According to a June memorandum signed by several local human rights NGOs, Younous was “the victim of cruel, degrading, and inhuman treatment” during detention by gendarmes led by Colonel Mahamat Hamit. Younous filed an abuse complaint against the colonel, which resulted in Hamit’s January conviction and sentencing. No further information was available.

Prison and Detention Center Conditions

Conditions in the country’s 45 prisons remained harsh and life threatening.

Physical Conditions: The government had incomplete statistics on the number of prisoners and detainees; no information from other sources was available. Authorities did not separate male juveniles from adult male prisoners, and children were sometimes held with their inmate mothers. Authorities did not always separate male and female prisoners, and pretrial detainees were held with convicted prisoners.

In August 2013 the Chadian Association for the Promotion of Liberty and Fundamental Rights (APLFT) reported prisons were seriously overcrowded and food, potable water, sanitation, and health services were inadequate.

In 2012 AI released the report *We Are All Dying Here*, which characterized prison conditions as “so deplorable that they amount to cruel, inhuman, and degrading treatment or punishment.” AI found that food, water, medicine, health care, hygiene, sanitation, and ventilation were inadequate or nonexistent. Most prisoners AI visited were emaciated and weak; some were chained 24 hours a day, and many suffered skin diseases, sexually transmitted diseases, malaria, or tuberculosis. According to the report, resources allocated to the prisons were limited and undermined by bribery and corruption.

No estimates of deaths in prisons were available.

Regional prisons were crumbling, overcrowded, and without adequate protection for women and youths. They reportedly had no budget for food and provided no meals for inmates. Prison guards were not regularly paid and sometimes released prisoners if bribed. Provisions for ventilation and temperature control, lighting, and access to potable water were inadequate or nonexistent. The law stipulates that a doctor must visit each prison three times a week, but this provision was not respected. Forced labor in prisons occurred.

Authorities also held detainees in police cells and secret detention facilities, according to AI's *Annual Report 2013*; no information regarding conditions was available. The government denied the existence of secret detention facilities.

Administration: Due to inadequate recordkeeping and management, many individuals remained in prison after completing their sentences or after courts had ordered their release. Authorities did not use alternatives to sentencing for nonviolent offenders. There was no prison ombudsman, and there were no mechanisms by which prisoners could submit complaints to judicial authorities about prison conditions. Prisoners generally had access to visitors and were permitted religious observances according to their preferences.

Following its May inspection mission to prisons, the Ministry of Justice reported prison administrative staff did not adequately monitor prison conditions. For example, at the time of inspection, the Amsenene prison registry listed 1,027 prisoners, although only 897 were present during the audit. The inspection also revealed understaffing in most prisons. The prison in Sarh, for example, had 12 guards for 400 prisoners.

Independent Monitoring: The government permitted the International Committee of the Red Cross (ICRC) to visit prisons under the control of the Ministry of Justice, and the ICRC conducted such visits during the year. Unlike in the previous year, the government did not grant the ICRC access to military prisons. It also refused to grant prison access to any local human rights organization, including the Chadian Association for the Promotion and Defense of Human Rights, which previously was allowed to visit any prison without advance notice.

Improvements: In May the Ministry of Justice began unannounced prison inspections to conduct a physical census of inmates and review prison conditions. The ministry inspected all 45 prisons, after which the justice minister ordered the release of 200 detainees whose pretrial detention period exceeded the legally

prescribed 48 hours. The minister criticized recordkeeping in prisons, suggested prison records needed to be automated, and noted inadequate staffing.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but security forces arbitrarily arrested persons, although fewer than in the preceding year. In its *Annual Report 2013*, AI stated, “People continued to be arrested and detained without charge. Detainees were routinely held in police cells as well as in secret detention facilities run by the National Security Agency (ANS).” Police and gendarmes detained individuals for civil matters, contrary to law.

Role of the Police and Security Apparatus

The military (ANT), gendarmerie, national police, the Chadian National Nomadic Guard (GNNT), and the 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 Territorial Administration and Public Security. The ANS reports to the national security advisor. The National Anti-Poaching and Environmental Protection Mobile Brigade is part of the Ministry of Agriculture and Environment, and the Customs Mobile Brigade is part of the Ministry of Finance.

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 Judiciary 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 investigates police killings.

The government continued efforts to reform police forces, and in partnership with the UN Children’s Fund (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 for investigative purposes; however, judicial determinations often were not made promptly. The law provides for bail and access to counsel, but there were cases in which neither was provided. 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: The government arbitrarily arrested a journalist and other individuals (see sections 1.a. and 4).

All but one of the detainees arrested in May 2013 following an alleged coup plot had been released with charges dropped by year's end. In 2013 security forces arbitrarily arrested members of parliament (MPs), army officers, a university professor, and others (see section 3). Charges included conspiracy and endangering constitutional order. Many of the arrests were made at night and without regard to the legislative immunity enjoyed by MPs.

Pretrial Detention: Lengthy pretrial detention remained a problem, despite government efforts to address the problem. 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 the alleged crime. Lengthy pretrial detention resulted from a weak judiciary.

Since May the justice minister ordered the release of approximately 200 pretrial detainees due to arbitrary and lengthy pretrial detentions (see section 1.c.).

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. Unlike in the previous year,

there were no reports the outcome of trials appeared predetermined. Judicial authorities did not always respect court orders.

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

The legal system is based on French civil law, but the constitution recognizes traditional law in locales where it is long established--if local law 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. Customary law 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 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 by year's end the government had not established military courts. In the absence of permanent military courts, military trials occurred on an ad hoc basis. Military members generally were tried in civilian courts.

Trial Procedures

The law provides for a presumption of innocence, and unlike in the previous year, there were no reports that judges sometimes assumed a suspect's guilt as a means to extort money. Defendants have the right to be informed promptly and in detail of the charges and are provided free interpretation if needed. 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 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 and their attorneys may access government-held evidence if cases are not politically sensitive, but administrative delays were common, in part because documents often were handwritten. 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. The law extends these rights to all citizens.

The justice minister continued his program to reform the judiciary, stressing the need for judges to remain impartial in trials, providing ethics training for judges, and establishing a board of inquiry to investigate complaints of corruption among judges.

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 continued to challenge the use of the dia concept, asserting that it was unconstitutional.

Political Prisoners and Detainees

Unlike in the previous year, there were no reports of political prisoners. All political prisoners arrested in 2013 were released with charges dropped by year’s end.

Civil Judicial Procedures and Remedies

Lawsuits for human rights violations may be brought before a penal court, but compensation is addressed in the civil court. Administrative and judicial remedies, such as mediation, are available. Defendants may not appeal decisions on human rights cases to an international regional court. The judiciary was not always independent or impartial in civil matters.

Property Restitution

Unlike in the previous year, there were no reports the government appropriated private property and demolished homes as part of urban renewal efforts. In 2013 hundreds of families were left homeless after authorities conducted mass forced evictions in Ngueli. While the government has the authority to appropriate private property under eminent domain, critics alleged the government failed to give proper notification, adequately compensate, or otherwise follow legal requirements for proper compensation.

f. Arbitrary 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 respect these rights. Government authorities entered homes without judicial authorization and seized private property without due process. Security forces stopped citizens to extort money or confiscate goods.

A government decree prohibits the possession and use of satellite telephones.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of opinion, expression, and press, but the government did not always respect these rights. Authorities harassed and threatened journalists, one of whom they arbitrarily arrested.

Freedom of Speech: 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 (\$1,894 to \$5,682). Despite a 2010 media law that abolished prison sentences for defamation or insult, authorities arrested and detained at least one journalist for defamation during the year.

Press Freedoms: The government subsidized the only daily newspaper and owned a biweekly newspaper. Opposition newspapers had limited influence outside the capital due to low literacy rates and lack of distribution in rural areas.

Radio remained the most important medium of mass communication. The government-owned Radiodiffusion Nationale Tchadienne had several stations. There were numerous private radio stations that broadcast throughout the country, many of them owned by religious and community organizations. Radio call-in programs broadcast the views of callers that included open criticism of the government. During the year two new Arabic-language community radio stations were established in Bousso and in Guerra.

The country had three television stations: TeleTchad, which the government owned and operated, al-Nassour, a private station launched in 2011, and Electron TV, established by an evangelical church in November 2013.

Violence and Harassment: Although journalists were generally permitted to criticize government policies and activities without reprisal, authorities sometimes

threatened media outlets and harassed journalists for publishing articles that involved security matters.

For example, on October 8, the High Council for Communication (HCC) warned local radio station Radio FM Liberte against rebroadcasting the contents of a letter from 12 human rights organizations calling for observance of a general strike over the government's handling of a three-week fuel shortage.

Censorship or Content Restrictions: On occasion the HCC warned journalists in writing to practice "responsible" journalism or face fines. Some journalists and publishers practiced self-censorship.

On July 1, the justice minister met with the executive committee of the Union of Chadian Journalists to improve the relationship between media professionals and the judiciary and to inform journalists of laws governing their profession, including the code of ethics and professional conduct.

Libel Laws/National Security: On April 23, officials arrested the publisher of the country's most widely read Arabic newspaper, *N'Djamena al-Djadida*, on defamation charges. The newspaper had published three articles that accused the grand imam of being a foreign government informant. Authorities released the publisher after one day, and his trial was pending at year's end.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no reports the government monitored private online communications without appropriate legal authority. Unlike in the previous year, there were no reports bloggers were arrested.

According to the International Telecommunication Union, 2.3 percent of citizens had access to the Internet in 2013.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

Although the constitution provides for freedom of assembly, the government did not always respect this right. The law requires organizers to notify the government five days in advance of demonstrations, although groups that provided advance notice did not always receive permission to demonstrate.

For example, 12 local human rights NGOs filed for authorization to hold a peaceful demonstration October 9 to protest the government's handling of a three-week fuel shortage; however, the government denied the request.

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 Territorial Administration and Public Security 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.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

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 the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, and other persons of concern.

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. NGO workers traveling between camps were

sometimes victims of carjackings and armed robberies, although there were fewer such reports than in previous years.

Emigration and Repatriation: Beginning in December 2013, approximately 80,000 persons with claims to Chadian nationality fled the violence in the CAR and returned to the country. Most had not resided in the country and had no clear ties to their families' areas of origin. Approximately 60,000 returnees remained in camps at year's end and were assisted by humanitarian organizations and the government.

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 2013 the government adopted the National Birth Registry Code, which provides for birth certificates for children born to refugees and requires the registration of all births and deaths of foreign persons in the country (see section 6). In July the government began providing birth certificates to infants of Sudanese refugees.

Approximately 350,000 Sudanese refugees from Darfur remained in the country, including a small number of new refugees fleeing fighting during the year; most were located in 13 camps along the eastern border with Sudan. An estimated 95,000 refugees from the CAR lived primarily in five camps in the south.

Refugee Abuse: There were reports of rape, attempted rape, and sexual and gender-based assault in refugee camps. In most cases the perpetrators were either fellow refugees or unknown individuals living near the camps. Perpetrators of sexual violence only occasionally were prosecuted. The judicial system was unable to provide consistent and predictable recourse or legal protection, and traditional legal systems were subject to ethnic variations. To fill the void, the UNHCR occasionally set up "mobile courts" that brought Chadian judges to the eastern part of the country.

The DPHR was generally effective in providing protection for refugee camps, the United Nations, and other humanitarian operations in the country.

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

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 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. The government allowed refugees from the CAR and Sudan to be referred for resettlement in foreign countries.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens with the ability to change their government through free and fair elections, but the government at times limited this right. The executive branch dominated the other branches of government.

Elections and Political Participation

Recent Elections: International observers, including the EU, African Union, Organisation Internationale de la Francophonie, and government and opposition-affiliated civil society actors, deemed the 2011 legislative elections legitimate and credible. There was no election-related violence or evidence of a systematic effort to deny voters their right to choose freely. Security and government officials generally maintained a neutral posture during the election campaign. The presidential vote in 2011 occurred without violence or incident. Local groups, however, criticized the lack of participation by the three opposition candidates and low voter turnout.

In May the Coalition for the Defense of the Constitution, the main opposition coalition, joined the National Framework for Political Dialogue, responsible for overseeing preparations for the 2015 parliamentary and 2016 presidential elections. The government agreed to implement a biometric voter registration system in advance of the next election cycle and provided 500 million CFA francs (\$947,000) in financing.

Political Parties and Political Participation: There were approximately 130 registered political parties, of which more than 100 were associated with the dominant MPS party. Unlike in the previous year, authorities did not arrest or harass opposition members. In 2013 four MPs from the MPS party and opposition parties were arrested and charged with conspiracy and endangering constitutional order (see section 1.d.). The four were released in 2013, and all charges against them were dropped during the year.

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

The law prohibits the government from discriminating on the basis of ethnicity, but 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.

Participation of Women and Minorities: There were 10 women in the 188-seat National Assembly. Eight of the 28 cabinet ministers were women. Both the cabinet and the National Assembly had diverse ethnic representation.

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. Based on the World Bank's most recent Worldwide Governance Indicators, corruption was a severe problem.

Corruption: During the year the Ministry of Good Governance investigated allegations of corruption and prosecuted two high-ranking members of the cabinet, both of whom were dismissed. One of the two--former justice minister Jean Bernard Padare--was convicted of bribing the president's chief of staff, Ahmat Bashir, who was dismissed from his position but not charged.

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.

The Ministry of Good Governance investigates and prosecutes cases of malfeasance and conducted training and public awareness campaigns.

Financial Disclosure: Public officials are subject to financial disclosure laws, but the laws do not specify sanctions for noncompliance.

Public Access to Information: The law does not provide for public access to government information, although the government provided such access to government-employed journalists. Independent journalists stated they were not given sufficient access to government information. The government's budget was publicly available in printed form upon request from the Ministry of Finance and included revenue and expenditure data. During the year the government also launched a website for persons to access revenue and expenditure data.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations 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.

The United Nations or Other International Bodies: Unlike in the previous year, the government did not restrict the visits or operations of the United Nations or other international bodies.

Government Human Rights Bodies: The Ministry of Justice and Human Rights--created after a September 4 cabinet reshuffle and formerly called the Ministry of Justice--coordinates efforts by local and international NGOs to protect human rights. The new ministry resulted from a bureaucratic merger that reduced operating expenses and brought legal expertise to the oversight of 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

Although the constitution and law prohibit discrimination based on place of origin, race, gender, religion, political opinion, or social status, the government did not effectively enforce these provisions. The law does not address discrimination based on sexual orientation or gender identity.

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.). No reliable data on the extent of rape were available. 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 suspects. Communities sometimes compelled rape victims to marry their attackers.

Although the law prohibits violence against women, domestic violence, including spousal abuse, was widely reported. Wives had limited legal recourse in cases of abuse. Family or traditional authorities could provide assistance in such cases and often did so, but police rarely intervened. Women could report cases of violence and abuse to local human rights organizations.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C, but the practice remained widespread, particularly in rural areas (see section 6, Children).

Sexual Harassment: The law does not prohibit sexual harassment, which occurred.

Reproductive Rights: The law provides for the right of couples and individuals to decide freely and responsibly the number and spacing of their children, as well as to have access to information regarding birth control. Many persons, however, lacked access to reproductive information or care, particularly in rural areas. The UN Population Fund (UNFPA) estimated only 3 percent of women used any form of contraception.

The incidence of maternal mortality was 980 per 100,000 live births, and a woman's lifetime risk of maternal death was one in 15 in 2013. Factors contributing to maternal mortality included adolescent pregnancies, multiple closely spaced births, and lack of access to medical care. According to UN estimates, skilled personnel attended only 17 percent of births. The country had a severe shortage of health-care providers (fewer than 400 physicians) and a significant shortage of nurses, midwives, hospital staff, and specialists such as obstetricians. Prenatal care was limited, particularly in rural areas. Low immunization rates and poor postnatal education were problems.

In coordination with the UNFPA, the government continued efforts to manage and treat obstetric fistula. During the first quarter of the year, the Ministry of Public

Health and Social Action treated 158 women with fistula; the surgery was successful in 84 percent of the cases.

Discrimination: Discrimination against and exploitation of women were widespread. Although property and inheritance laws do not discriminate against women, local leaders settled most inheritance disputes in favor of men, according to traditional practice. Women did not have equal opportunities for education and training, making it difficult for them to compete for formal sector jobs. Women suffered discrimination in access to employment, housing, credit, and pay equity for substantially similar work, and in owning or managing businesses (see section 7.d.). The law does not address polygyny, but men may opt at any time to marry additional wives. In such cases the first wife has the right to request that her marriage be dissolved but must repay her bride price.

The government completed construction of the House of the Chadian Woman, at a cost of six billion CFA francs (\$11.4 million). According to Ngariera Rimadjita, the minister of public health and social action, the government created the center to emphasize the importance of women, provide a space for women to discuss topics specific to them, improve the participation of women in the national decision-making process, and enable women to advocate for their rights.

On September 4, the government created a new Ministry of Women, Social Action, and National Solidarity; the new ministry expanded the role of the former Ministry of Social Action and National Solidarity to include women's issues. The ministry established a Directorate of Gender Issues to oversee the House of the Chadian Woman; the directorate also provided public outreach on gender issues.

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, but children without birth certificates were allowed to enroll in schools.

The government began to implement the April 2013 National Registry Code, which requires all children, including refugees, to have a birth certificate issued in their place of birth. Prior to passage of the law, children born to refugees from the CAR were not considered citizens, although they were provided birth certificates. Children born to refugees from elsewhere were not considered citizens and generally were not provided birth certificates.

In February the UNHCR signed a 10-month agreement with the APLFT to monitor from March through December the issuance of birth certificates in refugee camps in the east.

Education: Primary education is free, universal, and compulsory between ages six and 11. Parents often were required to pay tuition to public schools after the primary level. Parents also were required to pay for textbooks, except in some rural areas. Parent-teacher associations often hired and paid community teachers without government reimbursement. 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.

Child Abuse: Child abuse remained a problem, but no data were available on its extent. The Ministry of Women, Social Action, and National Solidarity is responsible for the protection of children.

Early and Forced Marriage: The legal age for marriage is 18, although traditional custom allows children to marry at age 14. Families generally arranged marriages for younger girls, with 11 being the minimum age for engagement.

The law prohibits the forced marriage of anyone younger than age 18 and provides for imprisonment of six months to two years and a fine of 50,000 to 500,000 CFA francs (\$95 to \$950). Forced marriage of girls remained a serious problem, including among refugees. According to the UNFPA database, approximately 72 percent of women between the ages of 20 and 24 were married before age 18. Local NGOs reported girls who objected to being forcibly married often were physically assaulted by their family members and husbands.

According to the Chadian Women Lawyers’ Association, in January, a girl under age 13 was married to a 50-year-old man in du Lac. The association filed a complaint with the governor of the Lake Region, after which the dowry was refunded and the girl released.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C, but the practice remained widespread, particularly in rural areas. According to the most

recent UNFPA data, 44 percent of women and girls had undergone excision, with rates as high as 90 to 100 percent in some regions. Practitioners performed all three types of FGM/C--clitoridectomy, excision, and infibulation. Infibulation--the least common but most severe and dangerous type--was confined largely to the Eastern Region, which borders Sudan. FGM/C was performed prior to puberty as a rite of passage.

FGM/C may be prosecuted as a form of assault under the penal code, 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, Social Action, and National Solidarity is responsible for coordinating activities to combat FGM/C. The government, with assistance from the UNFPA, conducted public awareness campaigns to discourage FGM/C and highlight its dangers as part of its efforts. The campaign encouraged the public to speak out against FGM/C and other abuse of women and girls.

In July, in cooperation with the National Coordination Inter-African Committee, the government organized a training workshop for media professionals to increase awareness of the types and hazards of FGM/C. The workshop aimed to enlist the media in targeting religious leaders, traditional authorities, and civil society as part of the effort to increase public awareness of the dangers of the practice.

Sexual Exploitation of Children: The law prohibits the prostitution of children with punishments of five to 10 years' imprisonment and fines up to 970,000 CFA francs (\$1,837) for violators. 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 or for pornographic performances.

Child Soldiers: In July the United Nations removed Chad from the Secretary-General's *Annual Report on Children and Armed Conflict*, its list of countries with children in armed conflict. The delisting--for both recruitment and use of children--followed 2013 joint government-UNICEF verification visits to all eight ANT military zones and was based on the government's progress in implementing the 2011 *Child Soldiers Action Plan* signed with the United Nations.

In 2013 the government--with the support of the UN Development Program, UNHCR, UNICEF, and UN Office for the Coordination of Humanitarian Affairs--

screened 3,800 troops in all eight military zones to identify and release any recruits under age 18. The government, with its UN partners, continued to develop and implement effective age verification methods and train all military and civilian personnel involved in military recruitment. On February 4, President Deby Itno issued a presidential decree outlawing the recruitment and use of children under age 18.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

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/.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, although it does not specify the type of disability or whether the prohibition against discrimination extends to employment, education, air travel and other transportation, access to health care, or the provision of other state services. 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 visual or mental disabilities.

The government, in conjunction with NGOs such as the Support Group for the Disabled in Chad, annually sponsors a day of activities to raise awareness of the rights of persons with disabilities. The Ministry of Women, Social Action, and National Solidarity is responsible for protecting the rights of persons with disabilities.

National/Racial/Ethnic Minorities

There were approximately 200 ethnic groups speaking more than 120 languages and dialects. Most ethnic groups were affiliated with one of two regional and cultural traditions: Arabs and Muslims in the north, center, and east; and Christian or traditional religions in the south. Internal migration resulted in the integration of these groups in some areas.

Interethnic violence occurred and often was connected to competition over scarce arable land.

On August 9, at Jaradet in the Ouaddai Region, approximately 20 persons were killed and 50 injured in a land dispute between Arab and Ouaddain communities. Most ethnic groups practiced societal discrimination, which was evident in patterns of employment.

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

The law prohibits but does not define “unnatural acts.” On September 4, the Council of Ministers approved a draft revised penal code for debate in the National Assembly’s October session. One of the proposed amendments in the revised penal code would criminalize homosexual acts with 15-20 years’ imprisonment and a fine of between 50,000 and 500,000 CFA francs (\$95-\$950). The government subsequently withdrew the draft penal code from National Assembly consideration for further review, and revisions were pending at year’s end.

There were no reports of violence toward the LGBT community, but authorities arrested LGBT individuals during the year. In September 2013 authorities in Abeche arrested two gay men celebrating their wedding in a bar and charged them with indecent exposure. The following month authorities fined the men and issued a two-year suspended sentence, which prompted religious councils, youth associations, and feminist groups to petition authorities to punish the couple for “ignoble and antireligious acts,” according to Radio France International. Authorities ordered the bar closed for two years.

There were no LGBT organizations in the country.

HIV and AIDS Social Stigma

The law provides individuals with HIV/AIDS the same rights as other persons and compels the government to provide information, education, and access to tests and treatment for HIV/AIDS. Nevertheless, persons with HIV/AIDS reported discrimination, and government officials were not always prepared to provide information on their rights and treatment options. 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. The first lady spoke openly on the issue of HIV/AIDS and criticized discrimination against persons with HIV/AIDS.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law allows all employees except members of the armed forces to form unions of their choice, if authorized by the Ministry of Territorial Administration and Public Security, which may order dissolution of a union. The law allows unions to organize and bargain collectively. 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 a 72-hour notification before a strike. Civil servants and employees of state enterprises, including civil servants and teachers, must complete a mediation process before initiating a strike. Employees of several public entities deemed essential must continue to provide a certain level of services during a strike. The law permits imprisonment with hard labor as punishment for participation in an illegal strike. While there are no restrictions on collective bargaining, the law authorizes the government to intervene under certain circumstances. The labor code prohibits antiunion discrimination and explicitly covers all workers, including foreign and illegal workers. Union members reported these protections were not always respected.

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.

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. 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.

Unions are officially independent of both the government and political parties, although some unions were unofficially linked through members' affiliation with political parties.

There were no NGOs specifically dedicated to labor issues, but local human rights organizations often addressed labor concerns, particularly in lobbying against child labor.

b. Prohibition of Forced or Compulsory Labor

The constitution provides for protection against all forms of slavery. The law prohibits forced or compulsory labor, including by children. The minimum age for military recruitment is age 18; the minimum age for conscription is 20. The law prohibits the use of child soldiers.

Article 5 of the labor code prohibits forced labor and servitude. Penalties--ranging from six days' to three months' imprisonment and/or a fine of 147,000 to 294,000 CFA francs (\$278 to \$557), or up to 882,000 CFA francs (\$1, 670) for repeat offenders--were not sufficient to deter violations.

Forced labor, particularly 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.

Child laborers were subjected to domestic servitude, forced begging, and forced labor in cattle herding, fishing, and street vending. Chadian children were found in forced cattle herding in Cameroon, CAR, and Nigeria. 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.

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.

Also see the Department of State's *Trafficking in Persons Report* at 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, but children may work as apprentices at age 13. The law also provides exceptions for light work in agriculture and domestic service at age 12.

The legal minimum age for employment, lack of schooling opportunities in some areas, and tribal initiation practices contributed to a general acceptance of child labor, unless victims were age 13 or younger.

The Ministry of Labor deployed inspectors throughout the country. Labor inspectors may refer cases to the Ministry of Justice and Human Rights for prosecution. The ministry provided training to these inspectors on children's issues. Inadequate budget and staffing, lack of worker knowledge about their rights, and corruption impeded effective enforcement.

The Office of Labor Inspection is responsible for enforcement of child labor laws and policies, but authorities prosecuted no cases during the year. Police reportedly sometimes took extrajudicial action against traffickers and child labor offenders. Traditional leaders also sometimes meted out traditional punishments, such as ostracism.

Labor laws only apply to work 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/or a fine of 147,000 to 294,000 CFA francs (\$278 to \$557), or up to 882,000 CFA francs (\$1, 670) for repeat offenders. By law penalties are not incurred "if the breach was the result of an error as to a child's age, if the error was not the employer's fault."

The government did not have a comprehensive plan to eliminate the worst forms of child labor; however, it continued to work 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 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, that compensation often was not paid.

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

d. Discrimination with Respect to Employment or Occupation

The law and labor regulations prohibit employment or wage discrimination based on race, religion, gender, age, nationality, or membership in a union. The government did not effectively enforce these laws and regulations. There are no laws preventing employment discrimination based on disability, sexual orientation, and/or gender identity, HIV-positive status or other communicable diseases, or social status. Discrimination occurred based on the above categories with respect to employment and occupation.

Women generally are not permitted to work at night, more than 12 hours in a day, or in jobs that may 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.

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 the fine depend on the gravity of the case--147,000 to 294,000 CFA francs (\$278 to \$557) for an initial offense, and fines of 288,000 to 882,000 CFA francs (\$545 to \$1670) or six to 10 days in prison for a subsequent offense.

e. Acceptable Conditions of Work

The minimum wage was 60,000 CFA francs (\$114) a month, but 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. The labor code mandates

occupational health and safety standards and gives inspectors the authority to enforce them. The labor code explicitly covers all workers, including foreign and illegal workers.

Violations of safety and health standards may lead to penalties ranging from approximately 75,000 to 300,000 CFA francs (\$142 to \$568). Penalties for second offenses may include fines of more than 500,000 CFA francs (\$950) and between one and 10 days' imprisonment. The Office of the General Inspectorate of the Ministry of Labor has responsibility for the enforcement of the minimum wage, work hour, and occupational health and safety standards.

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 in regard to work hour limits, largely because they preferred the additional pay.

Occupational health and safety standards occasionally were disregarded by local private companies and in the civil service. Multinational companies generally met acceptable occupational health safety standards. Local private companies and public offices often had substandard conditions, including a lack of ventilation, fire protection, and health and safety protection. Workers have the right to remove themselves from dangerous working conditions, but they generally did not do so.

Public sector employees sometimes filed complaints of wage-related violations, such as arrears of salaries and bonuses or complaints of low wages. Protections provided by law for foreign and illegal workers were not always respected.