

CHAD 2016 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Chad is a centralized republic in which the executive branch dominates the legislature and judiciary. In April, 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 12.80 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.

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

The most significant human rights problems were security force abuse, harsh prison conditions, and restrictions on freedoms of speech and assembly, particularly before and after the April election.

Other human rights abuses included arbitrary killings by security forces and use of torture; politically motivated disappearances; arbitrary arrest and detention, incommunicado detention, and lengthy pretrial detention; denial of fair public trial; and executive influence on the judiciary. The government restricted freedoms of press and movement. The government limited the ability of citizens to choose their government, the MPS party dominated the political process, and government corruption remained a problem. Societal abuse of refugees and discrimination and violence against women and children were problems. 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; lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals; and persons with HIV/AIDS. Forced labor, particularly by children, 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.

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

There were allegations of sexual exploitation and abuse committed by personnel from the country who were deployed to UN peacekeeping missions.

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.

Security forces used excessive force to disperse demonstrators, which resulted in deaths.

For example, on February 15, hundreds of youths marched towards the N'Djamena courthouse to demand justice for a young woman named Zouhouira, whose kidnapping and rape by male classmates earlier in the month had been posted on social media. Police Mobile Intervention Group personnel dispersed the crowd with tear gas before the crowd reached the courthouse. Meanwhile another protest broke out in front of Zouhouira's home. As an officer of the National and Nomadic Guard of Chad (GNNT) passed by, protesters reportedly threw rocks at and barred passage of his vehicle. To disperse the crowd, the officer fired his gun into the air, but the bullet ricocheted and killed Ousmane Abachou Hassan, a demonstrator. On February 22, in the northern town of Faya Largeau, one person died and five were injured after soldiers used lethal force to disperse demonstrations in support of Zouhouira.

The government released no information on its investigation into the August 2015 killings of two detainees at Radina substation in the fifth district of N'Djamena. According to their parents, the two were arrested after they had refused to flee when a military vehicle approached, stating they had done nothing wrong. The hospital medical certificates attributed one death to "chest trauma caused by beating causing thoracic hemorrhage" and the other to "injuries caused by torture." The two gendarmes responsible for the beatings were arrested shortly after the incident.

Interethnic violence resulted in deaths (see section 6).

Boko Haram members attacked and killed civilians in the Lake Chad Region.

For example, on January 31, in the Lake Chad area, simultaneous Boko Haram suicide attacks in the towns of Guie and Miterine resulted in three deaths and injuries to 56 persons, according to local media.

In 2015 Boko Haram suicide bombings in N'Djamena resulted in 67 civilian deaths and numerous injuries. Ten Boko Haram members were executed by firing squad, and 350 Boko Haram members reportedly remained in pretrial detention at Koro-Toro Prison.

b. Disappearance

There were reports of politically motivated disappearances, abductions, or kidnappings, and allegations the government held detainees incommunicado. Following the April 10 presidential election, there were reports of missing soldiers allegedly arrested for voting against President Deby.

Laoukein Kourayo Medard, president of the opposition Chadian Convention for Peace and Development (TCDC), reported the disappearance and arrest of several members of his party.

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 (see section 1.a.). In its *Annual Report 2013*, Amnesty International noted that “cruel, inhuman, or degrading punishments, including beatings, continued to be widely practiced by security forces and prison guards with almost total impunity.”

More than two dozen military members reportedly were jailed and beaten in April for refusing to vote for the president.

In an interview with the press, TCDC member Dionadji Dionheur said National Security Agency (ANS) agents arrested him on April 20 and subsequently beat and tortured him. After he was detained several days, ANS agents handed him over to the Ministry of Justice and Human Rights without charge. Dionheur said he was

released after his lawyers filed a request based on health grounds. At the time of the interview, he was being treated at the regional hospital at Moundou, reportedly for injuries incurred during torture.

Security forces used excessive force against demonstrators.

The United Nations reported that between January and December, it received one allegation of sexual exploitation and abuse against a Chadian peacekeeper for an alleged incident occurring during the year. The allegation involved military personnel deployed to the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). According to the United Nations, the allegation was pending a UN investigation at year's end.

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 pretrial detainees were held 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.

Unlike in the previous year, there were no reports of inmate escapes or revolts due to harsh prison conditions.

From January to February 2015, a commission organized by the Ministry of Justice and Human Rights conducted an inspection of judicial and prison administration as well as prison facilities. At Amsinene Prison, the central prison in N’Djamena, the inspection team found approximately 1,300 inmates in facilities designed to hold 300. The commission discovered detainee cases that had been pending for years and cases in which persons were incarcerated without commitment orders. In its final report, 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. It was unknown whether any of these recommendations had been implemented by year’s end.

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

Administration: Due to inadequate recordkeeping and management, some individuals remained in prison after completing their sentences or after courts ordered their release. There was no prison ombudsman, and there were no functioning mechanisms by which prisoners could submit complaints about prison conditions to judicial authorities.

Prisons were severely understaffed. According to the Directorate of Prison Management and Social Reintegration, the guard force at Sarh Prison was one-third its mandated strength. In Amsinene Prison, only 30 of the 70 guard positions were filled.

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. In its *Freedom in the World 2016* report, Freedom House stated security forces “routinely ignore” constitutional protections regarding detention. In its *Annual Report 2013*, Amnesty International stated, “People continued to be arrested and detained

without charge.” Police and gendarmes also detained individuals for civil matters, contrary to law. Unlike in previous years, however, there were no reports that detainees were held in police cells or in secret detention facilities.

Role of the Police and Security Apparatus

The military (ANT), gendarmerie, national police, 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 to the national security advisor. The National Antipoaching and Environmental Protection Mobile Brigade is part of the Ministry of Environment and Fisheries, and the Customs Mobile Brigade is part of the Ministry of Finance and Budget.

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 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 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.

On March 21, security force members arrested Mahamat Nour Ahmed Ibedou, spokesperson for the coalition “Ca Suffit” (Enough), for attempting to disturb public order, opposing legitimate authority, and organizing an unauthorized, unarmed gathering; Ca Suffit had organized demonstrations during the year calling for the president to cancel his candidacy for a fifth term (see section 3). On March 22, police arrested three other prominent civil society activists aligned with Ca Suffit--Celine Narmadji, Kaina Nadjo, and Younous Mahadjir--on the same charges. On April 7, the court of N’Djamena issued six-month suspended prison sentences for the four, later reducing the sentences to four-month suspended sentences. A fifth Ca Suffit organizer, Albissaty Allazam Saleh, was summoned on April 4 and sentenced to a four-month suspended sentence on April 18.

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.

Detainee’s Ability to Challenge Lawfulness of Detention before a Court: The law does not provide for persons arrested or detained to challenge in court the legal basis or arbitrary nature of their detention or to obtain prompt release and compensation if found to have been unlawfully detained.

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 as necessary from the moment charged through all appeals; 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 and their attorneys may obtain government-held evidence if their 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.

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

There were no reports of political prisoners.

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

In May and June, the government began demolishing without due process homes in several neighborhoods in eastern N’Djamena. Homes in the seventh district were demolished to widen roads, but other homes were demolished following a determination the previous mayor had sold land without authorization. The previous mayor was fired, and homeowners took steps to pursue legal action, but no law suits had been filed by year’s end. Reimbursement through legal recourse takes approximately two years.

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 Speech and 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 Speech and 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 CFA francs (\$1,700 to \$5,110). Despite a 2010 media law that abolished prison sentences for defamation or insult, authorities arrested and detained persons for defamation.

In August authorities banned two singers from performing on government-owned television and radio after they performed songs calling for the payment of back salaries for public-sector employees and denouncing the high cost of living.

Press and Media Freedoms: 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 Radiodiffusion Nationale Tchadienne had several stations. There were approximately a dozen private stations, which faced high licensing fees and threat of closure for critical coverage, 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.

For example, on June 24, police arrested Madjissembaye Ngardinon, a reporter for the *Abba Garde* newspaper, during an operation to evict persons in N’Djamena

who had lost a legal battle with the owner of the land. According to Reporters Without Borders (RSF), Ngardinon was detained after photographing police officers subduing a woman who was resisting their efforts to evict her. In a June 20 article, Ngardinon also had criticized irregularities in the judicial handling of property disputes. Authorities initially charged Ngardinon with contempt of court, punishable by one to six months in prison, but subsequently changed the charge to “rebellion,” punishable by three months to two years in prison and a fine of up to 500,000 CFA francs (\$850). RSF called the charges “trumped up” and accused the government of manipulating the criminal code to serve private interests. Ngardinon remained in prison at year’s end.

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.

Internet Freedom

On April 10, the day of the presidential election, the government shut down all access to the internet and SMS/text messaging; they had been used to criticize how military voting was conducted and to organize antigovernment protests. Although internet access was restored two days later, social media--such as Facebook and SMS/text messaging--remained blocked. On April 21, the day provisional election results were announced, authorities restored SMS/text messaging, but access to social networks was not fully restored until December 3.

At the same time, 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 multiple sources, between 2.7 and 10.2 percent of citizens had access to the internet through a computer; as much as 99 percent of the population had access to limited internet via mobile phones.

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 respect this right. The government regularly interfered with opposition protests and civil society gatherings, particularly before and after the April 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 election campaign, the government allowed ruling party supporters to gather and rally but banned such activities for opposition groups (see section 3).

For example, on May 24, police denied permission for an opposition press conference and barricaded the site. The minister of public security and immigration also banned opposition rallies scheduled for August 6 and 7 in advance of the August 8 inauguration of the president.

There were violent student protests, and security forces used lethal force to disperse demonstrators (see section 1.a.).

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.

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.

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 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. Armed criminals carjacked a UN vehicle in May, in Ati, and an NGO vehicle in June, near Mongo.

Emigration and Repatriation: Beginning in 2013 approximately 100,000 persons with claims to Chadian nationality fled violence in the CAR and (returned) to Chad. Most had not resided in the country and had no clear ties to their families' areas of origin. Approximately 45,000 returnees remained in camps at year's end and were assisted by humanitarian organizations and the government. The government, with UNHCR support, issued nearly 8,000 birth certificates to returnee children during the calendar year.

Internally Displaced Persons

Throughout 2015 and during the year, Chadians residing near the convergent borders of Lake Chad fled occasional Boko Haram attacks and counterattacks by the government. By October the United Nations estimated 76,225 citizens had been displaced in the Lake Chad area since May 2015. 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 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). The government routinely issued birth certificates to refugee children during the year.

Approximately 307,000 Sudanese refugees from Darfur remained in the country, including a small number of refugees fleeing fighting during the year; most were located in 13 camps along the eastern border with Sudan. An estimated 73,000 refugees from the CAR lived primarily in five camps in the south.

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 presidential election held from April 8 to 10, President Deby was reelected to a fifth term with 59.92 percent of the vote; Saleh Kebzabo placed second with 12.80 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 were 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.

As originally planned, members of the military were scheduled to vote on April 8, nomads on April 9, and both nomads and “sedentary” civilians on April 10. The plan was modified, and a significant portion of the military voted on April 9. Some military personnel were required to vote in the open, in front of colleagues and superiors. According to 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 (see sections 1.b. and 1.c.).

For example, on November 17, security forces arrested 11 opposition members in N’Djamena during a march called by the National Opposition Front for Alternation and Change. The government charged the 11 with “participating in an unauthorized gathering.” On December 7, the N’Djamena Court of First Instance released all 11 for “unestablished offense.”

On April 8, the first day of voting, the government shut down all access to the internet and SMS/text messaging (see section 2.a.). Many foreign television operators could not cover the post-election 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.

International observers of the 2011 legislative elections, including the EU, African Union, Organization Internationale de la Francophonie, and government and opposition-affiliated civil society actors, deemed the 2011 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.

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

February 29 was the deadline for candidates to deposit their credentials for the April 10 election with the Constitutional Council, which was charged with validating each candidate's eligibility to run. Of the 23 candidates who deposited their credentials before the deadline, only 14 were allowed to continue with their campaigns. Nine candidates were disqualified for incomplete files, failure to show proof of payment of the required deposit of 10 million CFA francs (\$17,036) to the treasury, or the use of state emblems and colors in their printed materials. Two women registered as candidates, one as an independent, but both reportedly were disqualified.

On February 24, opposition parties led a nationwide shutdown to protest the president's decision to run for a fifth term. The campaign was run under the slogan *Ca Suffit* (see section 1.d.). The nationwide strike brought many of the country's towns and the capital to a halt with markets, schools, transport, district centers, and various operations shut down. It was the sixth major protest against the president since the beginning of the year.

Opposition leaders accused the government of denying them funds and equal broadcast time on state-run media. Despite the ban on opposition rallies imposed by the minister of public security and immigration (see section 2.b.), opposition leaders conducted rallies and marches to protest the results of the election and the inauguration.

Participation of Women and Minorities: No laws limit the participation of women and members of minority groups in the political process, and women and minorities did so. 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. The World Bank's most recent Worldwide Governance Indicators reflected that corruption remained a severe problem.

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.

In public addresses to the nation, the president pledged to continue the campaign to eliminate corruption and promised to prosecute those who accepted kickbacks or demanded bribes. In October 2015, for example, the president removed the director of customs--his younger brother--allegedly for corruption. Nevertheless, low salaries for most civil servants, judicial employees, and law enforcement officials--coupled with a weak state system and a culture of impunity--contributed to corruption. Charges against those indicted were often dropped for "lack of evidence." In 2014, for example, the government launched investigations of several high-ranking officials, including cabinet ministers. All charges were eventually dropped, and the ministers were reappointed to other positions within the government.

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.

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 provided sufficient access to government information.

The government budget was publicly available in printed form upon request from the Ministry of Finance and Budget, but it did not include all revenues and expenditures. The government published quarterly budget execution reports but not end-of-year reports. During the year the government launched the “Citizen’s Budget,” an exercise in fiscal transparency required by international financial partners, including the World Bank and the International Monetary Fund. It provides a simplified outline of government receipts and expenditures, as well as assumptions and goals.

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, there were no reports authorities harassed or expelled staff members of the United Nations or other international bodies.

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.). 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 was widespread. Police rarely intervened, and women had limited legal recourse, although they could report cases of violence and abuse to local human rights organizations. The government did not provide psychosocial services for victims; family or traditional authorities often did.

According to the 2014-15 Demographic and Health Survey conducted by the Chadian National Statistical Institute, 15 percent of women suffered physical violence in the last 12 months. Women in the Hadjer-Lamis Region reported the fewest incidents (3 percent), while women in the Tandjile Region reported the highest (31 percent). Six percent of women had been victimized by sexual violence during the past 12 months.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C for girls and women, but the practice remained widespread, particularly in rural areas. According to 2015 UNICEF statistics, 44 percent of girls and women had undergone excision, with rates as high as 90 to 100 percent in some regions. According to the 2014-15 Demographic and Health Survey, 38 percent of women in the country had been cut. FGM/C varied by region, with 1 percent of women excised in the regions of Kanem and Lac and 96 percent in the region of Salamat. Forty-seven percent of women had undergone the procedure between ages five and nine and 37 percent between ages 10 and 14. 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 bordering Sudan.

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 (UNFPA), conducted public awareness campaigns to discourage FGM/C and highlight its dangers. The campaign

encouraged the public to speak out against FGM/C and other abuses of women and girls.

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, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so, free from discrimination, coercion, or violence. Many persons, however, lacked access to reproductive information or care, particularly in rural areas. The UNFPA estimated only 3 percent of women used any form of contraception; according to 2014 statistics from the National Institute of Statistics, 5 percent of married women used modern contraceptive methods.

According to the 2014-15 Demographic and Health Survey, skilled and trained personnel attended 24 percent of births nationwide; 73 percent of births in N'Djamena were attended. The maternal mortality rate was 860 deaths per 100,000 live births. Factors contributing to maternal mortality included adolescent pregnancies, multiple closely spaced births, and lack of access to medical care. 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 remained limited, particularly in rural areas. Low immunization rates and poor postnatal education were problems.

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. 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. The law does not address polygyny; men may opt at any time to marry additional wives under Islamic law. In such cases the first wife has the right to request her marriage be dissolved but must repay her bride price.

In February 2015 the government staffed the House of the Chadian Woman, established in 2014 for women to have a venue to discuss women's rights issues and participate in the national decision-making process. In August 2015 the Ministry of Women, Social Action, and National Solidarity was renamed the

Ministry of Women, Early Childhood Protection, and National Solidarity. 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. During the year the budget for the House of the Chadian Woman reportedly was severely cut.

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 2013 National Registry Code, which requires all children, including refugees, to have a birth certificate issued in their place of birth (see section 2.d.). 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.

Education: Although primary education is tuition-free, universal, and compulsory between ages six and 16, parent-teacher associations often hired and paid community teachers, and parents also 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.

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

Early and Forced Marriage: In June 2015 the National Assembly ratified a law that 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 5,000,000 CFA francs

(\$851 to \$8,517) for persons convicted of perpetrating child marriage. According to a study conducted by the Ministry of Women, Early Childhood Protection, and National Solidarity in the regions of Mandou, Ouaddai, and Tandjile, 68 percent of girls were married before age 18; 29 percent were married before age 15.

Female Genital Mutilation/Cutting (FGM/C): Information is provided in the women's section above.

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 (\$1,700) for conviction. Police patrolled areas suspected to be centers of child prostitution, but no cases were prosecuted during the year. 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. It was unclear whether authorities enforced the law, since 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.

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 vision or mental disabilities.

In conjunction with NGOs, such as the Support Group for the Disabled in Chad, the government annually sponsored a day of activities to raise awareness of the rights of persons with disabilities. The Ministry of Women, Early Childhood Protection, 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 religious groups in the south. Internal migration resulted in the integration of these groups in some areas.

Conflict between pastoralists (herders) and farmers continued, particularly in the southern part of the country, and resulted in deaths and injuries. In January, five persons were killed during a conflict between pastoralists and farmers in Bedaya, Mandoul Region.

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 December 12, the National Assembly approved a revision to the penal code making same-sex relations a misdemeanor punishable by imprisonment of not more than 15 days and a fine of 5,000 to 20,000 CFA francs (\$8 to \$32). The president had not signed the proposed revision into law by year’s end.

Unlike in the previous year, there were no reports of violence toward the LGBTI community.

There were no LGBTI 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. Persons with HIV/AIDS reported discrimination, and government officials did not always 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 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. 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, 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 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 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, however, the Union des Syndicats du Tchad, as well as human rights groups, worked in a climate of repression and suspicion.

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. Strikes were occasionally accompanied by demonstrations, which police often dispersed with tear gas.

The government did not give priority to meeting with trade unions. For example, in September the major unions complained the government had not met with them prior to announcing a 16-point plan for reducing government expenditures by slashing payrolls, salaries, and allowances. Simultaneously, student unions staged strikes and protests concerning cutting of stipends, and the government delayed meeting with the unions to discuss a resolution to the problem.

b. Prohibition of Forced or Compulsory Labor

The law does not prohibit all forms of forced or compulsory labor, including by children. Laws do not specifically prohibit trafficking, although they prohibit forced prostitution and 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 (\$85-\$850), but not imprisonment; these penalties are 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, 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.

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. 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 child labor for children who were 14 or older.

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 of their rights, and corruption impeded effective enforcement.

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 (\$250 to \$500), or up to 882,000 CFA francs (\$1,500) for repeat offenders. The law does not incur 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/.

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 (\$250 to \$500) for an initial offense, and fines of 288,000 to 882,000 CFA francs (\$490 to \$1,500) 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 (\$102) 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 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, 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 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 (\$128 to \$511). Penalties for second offenses may include fines of more than 500,000 CFA francs (\$850) and between one and 10 days' imprisonment. These penalties were adequate to deter violations. 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. The 20 labor inspectors in the Ministry of Public Works were insufficient to enforce the law.

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.