

CHAD 2018 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Chad is a centralized republic in which the executive branch dominates the legislature and judiciary. In 2016 President Idriss Deby Itno, leader of the Patriotic Salvation Movement (MPS), was elected to a fifth term in an election that was neither free nor fair. During the 2011 legislative elections, the ruling MPS won 118 of the National Assembly's 188 seats. International observers deemed that election legitimate and credible. Since 2011 legislative elections have been repeatedly postponed for lack of financing or planning.

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

Human rights issues included arbitrary killings by the government or its agents; torture by security forces; arbitrary and incommunicado detention by the government; harsh and potentially life-threatening prison conditions; denial of fair public trial; political prisoners; censorship of the press and restrictions on access to social network sites by the government; arrest and detention of persons for defamation by the government; substantial interference with the rights of peaceful assembly and freedom of association; significant restrictions on freedom of movement; restrictions on political participation; corruption; violence against women, including rape and female genital mutilation/cutting (FGM/C), with government negligence a factor; criminalization of same-sex sexual conduct; and child labor including forced and other worst forms; and trafficking in persons, particularly children.

There was only one occasion on which the government took steps to prosecute or punish officials who committed abuses, whether in the security services or elsewhere in the government, and impunity remained a problem.

Members of Boko Haram, the Nigerian militant terrorist group, killed numerous persons in the country, often using suicide bombers. Officials and local newspapers reported four attacks by Boko Haram between April and September. Those attacks resulted in the deaths of 34 persons, including civilians and military troops.

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

Interethnic violence resulted in deaths (see section 6).

In April, following recommendations of judges investigating the cases, a court authorized the release of 118 Boko Haram suspects whom the government had insufficient evidence to detain. The remaining detainees with alleged terrorist charges were in Koro-Toro prison awaiting trial. The approximately 16 children and women the government held in 2017 in the Amsinene prison were released in June. The children had been kept in custody not because of their involvement in any criminal offense, but because no other child care was available.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

Although the constitution prohibits such practices, there was anecdotal evidence that the government continued to employ them.

General Mahamat Abdoukader Oumar, aka Baba Ladehe, a former Chadian rebel arrested in 2014 by UN forces in the Central African Republic (CAR) and turned over to Chadian authorities, remained imprisoned in Koro-Toro pending hearings. According to his lawyers, he was denied access to medical treatment while his health deteriorated. In August, Radio France Internationale (RFI) reported the representative of the International Federation of Human Rights (FIDH) was concerned about Baba Ladehe's health and questioned Ladehe's continued detention after an order of President Deby amnestied all rebels on the proclamation of the Fourth Republic. Baba Ladehe was accused of armed robbery, illegal possession of weapons, assassination, rebellion, and criminal conspiracy. He had spent more than four years in prison without trial.

In April Amnesty International decried authorities' use of torture, describing a case in which ruling party authorities beat journalist and activist "Mahadine" and subjected him to electric shocks while he was in detention.

On October 3, the Chadian Convention for the Defense of Human Rights (CTDDH) denounced the acts of General Mahamat Saleh Brahim, commander of the Chadian National Nomadic Guard operating in Ngouri, Lake Chad region. According to the secretary general of the CTDDH, General Saleh Brahim arrested 15 village chiefs because they refused to sign a document to renounce their right of land ownership. General Brahim had previously put the village chiefs in the sun for more than four hours before sending them to prison, subjecting them to humiliating and degrading treatment.

Security forces used excessive force against demonstrators.

On September 17, former government employees demonstrated in front of the public treasury in N'Djamena, claiming salary arrears. National police dispersed them with tear gas. Witnesses and local newspapers reported that police arrested and wounded several protesters.

According to the United Nations, two allegations of sexual exploitation and abuse against peacekeepers from Chad reported prior to 2018 were pending. The cases alleged sexual exploitation (exploitative relation) and sexual assault (against a child) involving peacekeepers deployed in the UN Stabilization Mission in Haiti (MINUSTAH). Investigations by both the United Nations and Chad were pending.

Prison and Detention Center Conditions

Conditions in the country's 41 prisons remained harsh and potentially life threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care.

Physical Conditions: According to a Justice Ministry official, there were approximately 8,700 inmates. They were vulnerable to diseases such as HIV, tuberculosis, and malaria. Prison overcrowding remained a serious problem. Despite the near doubling of the prison population since 2012, no new facilities had been constructed. Authorities did not separate juveniles from adult male prisoners, and sometimes held children with their inmate mothers. Authorities did not always separate male and female prisoners, and held pretrial detainees with convicted prisoners. Regional prisons were crumbling, overcrowded, and without

adequate protection for women and youth. They reportedly received insufficient funding to feed inmates.

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 lacked resources to comply. The few prisons that had doctors lacked medical supplies. Family members of detainees frequently provided them with food, soap, medicine, and other supplies. NGOs reported that government officials forced prisoners to work on their private enterprises as a source of free labor.

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

After a 2017 visit, President Deby stated that he had observed alarming conditions at Amsinene prison. In a press conference, he stated the prison was seriously overcrowded and the situation had deteriorated. The director of the penitentiary reported the prison held 2,027 inmates, including 92 underage detainees and 49 women. He said poor conditions contributed to the physical and mental deterioration of most detainees, which was compounded by socioeconomic and cultural factors that impacted an inmate's chance to receive food or medicine from a family or tribal network.

Administration: There was no functioning mechanism by which prisoners could submit complaints about prison conditions to judicial authorities. Although NGOs denounced prison conditions, they did not file a case against the government, and there is no formal complaint process outside of the courts. There was no data available on prisoner access to the requirements of religious observance or practice.

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

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but the government did not always observe these prohibitions. The law does not provide for the right of persons to challenge the lawfulness of their arrest or detention in court, or to obtain prompt release and compensation if found to have been unlawfully detained. In its *Freedom in the World 2018* report, Freedom House stated security forces “routinely ignore” constitutional protections regarding detention. Police and gendarmes also detained individuals for civil matters, contrary to law. There were reports that officials held detainees in police cells or in secret detention facilities.

The director of Air Inter One, a private airline company, Mathias Tsarsi, had been detained since September 2017. He was charged with financing terrorism, money laundering, forgery, and the use of forgery. Tsarsi was also accused of using an A-340 Airbus aircraft registered in Chad for arms trafficking between Syria, Kazakhstan, and the United States. According to his lawyers, the alleged Airbus A-340 did not belong to Air Inter One.

Role of the Police and Security Apparatus

The military (ANT), gendarmerie, national police, the Chadian National Nomadic Guard (GNNT), and National Security Agency (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 for both refugees and humanitarian workers. The ANT reports to the Ministry of Defense. The national police, GNNT, and DPHR are part of the Ministry of Public Security and Immigration. The ANS reports directly to the president.

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. Local media and civil society organizations reported that 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.

On May 22, following an ordinance for release of three detainees against whom no charges were made, a commander of gendarmes carried out an assassination attempt on a lawyer and his clients, allegedly under the instruction of the governor of Doba, who believed the court mismanaged the case, RFI reported. After

Governor of Doba Adam Nouky Charfadine was sentenced to five years' imprisonment in July, the Appeals Court delivered its verdict. Adam Nouky Charfadine was convicted of infringement of freedom, encroaching on justice and discrediting a court decision. He was sentenced to two years' suspended prison time and a fine of 500,000 CFA francs (\$850). His codefendants were sentenced to the same suspended prison time penalty and fined 250,000 CFA francs (\$425) each.

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.

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, according to local media. By law detainees must be charged within 48 hours or released, unless the procurer (investigating magistrate) authorizes an extension of detention for investigative purposes. Nevertheless, authorities often did not make judicial determinations promptly. According to justice representatives, at least 20 to 25 percent of inmates were in long-term pretrial detention. The law allows 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 rarely occurred, according to justice representatives. Authorities occasionally held detainees incommunicado.

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

Le Visionnaire newspaper reported that on August 4, police arrested the director of Radio FM Nada, Beinde Bessande Sylver; the CEO of the English Learning Center, Bendiguim Eric; and the director of the Poly Handicraft Institute of Chad, Mbaihoremem Joachim. They reportedly trained 1,000 young persons in digital technology, reproductive health, and entrepreneurship, which led to their arrest. The prefect of Moundou accused the men of usurping the title of journalist, saying, "They are not allowed to train young people, it is illegal." All three were released on September 7, following the decision of the public prosecutor of the court of Moundou.

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, because the court system only had the capacity to try criminal cases in the capital, according to a Ministry of Justice official. The length of detention sometimes equaled or exceeded the sentence for conviction of the alleged crime. Lengthy pretrial detention was exacerbated by an overworked and underresourced judiciary susceptible to corruption.

e. Denial of Fair Public Trial

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

In July the prosecutor of the republic at the court of Iriba, in the eastern region, was threatened with death after the assassination of two defendants in that court. Minister of Justice Djimet Arabi told the French Press Agency that “while the prosecutor was speaking to an alleged criminal in his office during a hearing, men came to shoot the defendant. Then they went out to shoot another one who also came for a hearing,” according to the minister. Threatened by the relatives of the two victims, “The prosecutor took refuge with the prefect, whom we asked to protect him,” said Djimet Arabi.

“We deplore and condemn the threats hanging over the Chadian magistrates,” said Djonga Araf, secretary general of the Trade Union of Magistrates of Chad.

On May 22, following an ordinance for release of three detainees against whom no basis for arrest was found, a commander of gendarmes carried out an assassination attempt on a lawyer and his clients allegedly under the instructions of the governor of Doba, who believed the court mismanaged the case, according to RFI. After the governor of Doba, Adam Nouky Charfadine, was sentenced to five years’ imprisonment in July, the Appeals Court delivered its verdict. Adam Nouky Charfadine was convicted of infringement of freedom, encroaching on justice, and discrediting a court decision. He was sentenced to two years’ suspended

imprisonment and a fine of 500,000 CFA francs (\$850). His codefendants were sentenced to the same suspended confinement penalty and 250,000 CFA francs each (\$425). According to a representative of the bar association, the sentences were very lenient compared to previous sentences.

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 the French civil code, but the constitution recognizes local customary law in places 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 supersede 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 unavailable 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.

The constitution enacted in April states that there is a military court system. It comprises two courts: the Military Court, similar to the First Instance Court, and the High Military Court, acting as an appellate court.

Trial Procedures

The law provides for a presumption of innocence. Defendants have the right to be informed promptly and in detail of the charges against them and to be provided free interpretation; these rights, however, were seldom respected, according to local media. 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, according to legal experts. Human rights groups sometimes provided free counsel to indigent clients. Defendants have the right to adequate time and facilities to prepare a defense. Defendants and their attorneys have the right to question witnesses and present witnesses and evidence. Defendants have the right not to be compelled to testify or confess guilt, but the government did not always respect

this right, according to lawyers. Defendants have the right to appeal court decisions.

In some areas growing Islamic legal tradition influenced local practice and sometimes impacted legal interpretation. For example, 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

According to the NGO Movement Citizen Action for the Integral Application of Amnesty in Chad (ACAIAT) November report, there were at least 72 political detainees. The list released by ACAIAT showed some detainees had spent seven years and seven months in prison, while the shortest time in prison was one year. All were awaiting trial. According to criminal law, the detainees should have been released because of their lengthy pretrial detention. The representative of ACAIAT said was a politically motivated detention.

Media reported the secret detention of two high-ranking intelligence officers by the government, but further verification was not possible.

Unlike in the previous year, there were no confirmed reports of new political prisoners or detainees.

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, and some legal professionals were coerced in order to manipulate legal decisions, according to representatives of the bar association.

Property Restitution

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

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

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

A government decree prohibits possession and use of satellite telephones.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution provides for freedom of opinion, expression, and press, but the government severely restricted these rights, according to Freedom House. Authorities used threats and prosecutions to curb critical reporting, after ruling party powers were expanded under the constitution of the fourth republic.

Freedom of Expression: The law prohibits “inciting racial, ethnic, or religious hatred,” which is punishable by up to two years in prison and a fine of one million to three million CFA francs (\$1,700 to \$5,100).

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

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

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

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

According to NGOs, human rights defenders and journalists were threatened, harassed, and intimidated by either anonymous individuals or those identifying themselves as members of the security services.

Censorship or Content Restrictions: The government penalized those who published items counter to government guidelines, sometimes by closing media outlets, such as a local radio station in the southern town of Bongor, which reopened in July. Some journalists and publishers practiced self-censorship.

Libel/Slander Laws: Despite a 2010 media law that abolished prison sentences for defamation or insult, authorities arrested and detained persons for defamation.

Internet Freedom

The government restricted and disrupted access to the internet and directly censored online content, such as Facebook. There was widespread speculation that the government monitored private online communications, as when activists were arrested for postings on social media.

Beginning in March the internet connection was heavily restricted so that users could no longer connect to the most-used social networks. According to lawyers for internet service providers, the decision to restrict access to the internet followed instructions given by authorities. RFI reported the Telecommunication Regulatory Authority stated it had received an order from the Ministry of the Interior to implement this censorship on social networks.

On April 6, a court in N'Djamena ordered the release of journalist Tadjadine Mahamat Babouri, known as Mahadine, who had been detained since 2016 after having posted several videos on Facebook criticizing the government's mismanagement of public funds. In March the government dropped the original charges of undermining the constitutional order, threatening territorial integrity and national security, and collaborating with an insurrection movement for the much lesser charge of defamation, and the court recognized that he had long passed the limit for preventive detention and ordered his release.

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

According to the International Telecommunication Union, approximately 6.5 percent of the population used the internet in 2017.

Academic Freedom and Cultural Events

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

b. Freedoms of Peaceful Assembly and Association

The government limited freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

Although the constitution provides for freedom of peaceful assembly in limited circumstances, the government did not respect this right. The government regularly interfered with opposition protests and civil society gatherings. 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. The law also requires opposition political parties to meet complicated registration requirements for party gatherings. Following the 2015 Boko Haram attacks, the ministry often denied permission for large gatherings, including social events such as weddings and funerals.

The Ministry of Administration, Public Security, and Local Governance banned the peaceful march planned by lawyers and notaries for June 16, and it did not happen. The march was intended to demand the government turn former governor of Logone Oriental and his accomplices over to the justice system. Former governor Adam Nouky Charfaddine and some military personnel were accused of the assassination attempt on a lawyer, as well as kidnapping and illegally detaining three individuals released by courts.

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

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

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

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

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

concurrent government military operations constrained the ability of humanitarian organizations to provide assistance to IDPs.

Internally Displaced Persons (IDPs)

During the year the Lake Chad region experienced additional displacement of more than 4,400 persons. As of November the total number of displaced since 2015 increased to 123,205. The security situation remained fragile but stable and allowed for the return of approximately 51,000 individuals between February and October. Humanitarian access to IDPs improved significantly during the year, and the government actively supported humanitarian operations by international agencies, including legal protection and efforts promoting local integration.

Protection of Refugees

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

In cooperation with UNHCR, the government launched a project to strengthen the civil registration system for the issuance of civil status certificates (birth, marriage, and death certificates) to 50,000 refugees, IDPs, Chadian returnees from the CAR, and persons living around camps and settlements under UNHCR's mandate. As of mid-August, 28,500 birth certificates were issued.

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 2016 presidential election, President Deby won a fifth term with 59.92 percent of the vote; Saleh Kebzabo placed second with 12.8 percent. While the election was orderly and had a high voter turnout, it was neither free nor fair, and there were numerous irregularities. According to the African Union, staff at polling stations was not adequately trained, 81 percent of ballot boxes observed had not been checked to see if they were empty at the start of polling, and 10 percent of polling stations did not provide secrecy in voting. Runner-up Kebzabo refused to accept the outcome of the vote, stating that it was an “electoral stickup.” Other opposition politicians cited alleged ballot stuffing and the disappearance of ballot boxes.

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

Security forces detained, tortured, and held incommunicado opposition members, according to human rights organizations and local press.

Political Parties and Political Participation: There were 138 registered political parties, of which more than 100 were associated with the dominant MPS party. Changes to the electoral law after the 2018 pronouncement of the Fourth Republic mandate complicated and increased the cost of party registration, outreach, and participation procedures, which opposition leaders attributed to the government’s attempt to limit dissent.

Participation of Women and Minorities: No laws limit the participation of women or members of minority groups in the political process. Fourth Republic ordinances decree leadership of all political parties must include at least 30 percent women. 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 president's Zaghawa ethnic group, were overrepresented in key institutions, including the military officer corps, elite military units, and the presidential staff.

Section 4. Corruption and Lack of Transparency in Government

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

Corruption: There were no reports of government officials being investigated for corruption or embezzlement during the year. On May 7, the General Inspectorate of the State suspended the former investment division head of the Ministry of Finance on suspicion of embezzlement. Days after the suspension, however, he was appointed minister of finance.

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

Judicial corruption was a problem and hindered effective law enforcement.

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

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

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

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

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

Women

Rape and Domestic Violence: Rape is prohibited and punishable by imprisonment. Nevertheless, rape--including rape of female refugees--was a problem (see section 2.d.). The law does not specifically address spousal rape. Police often detained alleged perpetrators, but rape cases were rarely tried. Authorities fined and released most rape suspects, according to local media. Communities sometimes compelled rape victims to marry their attackers.

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

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

By law, FGM/C may be prosecuted as a form of assault, and charges may be brought against the parents of victims, medical practitioners, or others involved. Nevertheless, 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. For more information, see Appendix C.

Sexual Harassment: The 2017 criminal code provides penalties for sexual harassment ranging from six months to three years in prison and fines from 100,000 to two million CFA francs (\$170 to \$3,400).

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization. For more information, see Appendix C.

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

Children

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

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

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

Early and Forced Marriage: The law sets the minimum age for marriage at 18. The law precludes invoking the consent of the minor spouse to justify child marriage and prescribes sentences of five to 10 years' imprisonment and fines of 500,000 to five million CFA francs (\$850 to \$8,500) for persons convicted of perpetrating child marriage, although the practice was widespread.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children, with punishments of two to five years' imprisonment and fines from 100,000 to two million CFA francs (\$170 to \$3,400) for conviction. The law prohibits sexual relations with children younger than age 14, even if married, but authorities rarely enforced the ban. The law criminalizes the use, procuring, or offering of a child for the production of pornography, but no cases of child pornography were reported during the year.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.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 types of disability. The government did not effectively enforce the law, according to the Chadian Disability Organization. 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, but they remained inadequate to address the need.

National/Racial/Ethnic Minorities

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

Conflict between pastoralists (herders) and farmers continued, particularly in the southern part of the country, and resulted in deaths and injuries. Herders are largely members of majority Muslim tribes, while farmers are largely minority Christian, and conflict tends to coalesce along religious lines. For example, *Abba Garde* newspaper reported on September 23 that in the subprefecture of Baktchoro, four persons were killed in a conflict between herders and farmers.

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

The law prohibits but does not define “unnatural acts.” In August the president signed a revision to the penal code making same-sex sexual relations illegal. The code punishes same-sex relations by three months’ to two years’ imprisonment and fines ranging from 50,000 to 500,000 CFA francs (\$85 to \$850).

There were no lesbian, gay, bisexual, transgender, and intersex (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, but the law was rarely complied with due to lack of resources. According to the Chadian Women Lawyers' Association, women sometimes were accused of passing HIV to their husbands and were threatened by family members with judicial action or banishment.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

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

deter violations, according to an inspector at the Ministry of Labor, although widespread reports of violations continued in media and among NGOs.

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.

Public-sector employee unions staged a number of strikes during the year to protest late or nonpayment of salaries, allowances, bonuses, and stipends. Contrary to previous years, strikes that occurred during the year were not accompanied by demonstrations, due to the Ministry of Interior and Public Security 2016 ban on demonstrations, which was challenged by the bar association in an ongoing case.

The government did not give priority to meeting with trade unions. In October 2017 the unions' Workers Coalition released a press note stating that the government did not fulfil its pay and allowance commitments; thus, the coalition was exploring all possibilities to return to negotiations. The president of the main UST union also warned that it would call for strikes if needed.

b. Prohibition of Forced or Compulsory Labor

The revised penal code signed into law May 2017 criminalizes labor trafficking offenses, including forced labor.

Articles 327 and 331 of the penal code together criminalize "involuntary labor" or servitude through the use of force, fraud, or coercion and prescribe a penalty of two to 10 years' imprisonment, or a fine of 100,000 to 1 million CFA francs (\$170 to \$1,700), or both. Articles 328 and 331 together criminalize slavery through the use of force, fraud, or coercion and prescribe penalties of 10 to 20 years' imprisonment and 200,000 to 10 million CFA francs (\$340 to \$17,000). These penalties were considered sufficient to deter violations, according to a director at the Ministry of Justice. There are no penalties for forced prison labor, which was common, according to human rights NGOs.

Government efforts to enforce the law were not consistently effective. Resources, inspections, and remediation with regard to forced labor were inadequate. There were no reports of prosecutions during the year.

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

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The labor code stipulates the minimum age for employment is 14. The law provides exceptions for light work in agriculture and domestic service at age 12. The legal minimum age for employment, a lack of schooling opportunities in some areas, and tribal initiation practices contributed to a general acceptance of working children if they were 14 or older, some of whom may be engaged in hazardous work. The minimum age for military recruitment is 18, and the minimum age for conscription is 20. The law prohibits the use of child soldiers (see 1.g.).

The Ministry of Labor provided training to labor inspectors on children's issues. The Office of Labor Inspection is responsible for enforcement of child labor laws and policies, but the government did not effectively enforce the law. Child labor remained widespread, but authorities did not prosecute any cases during the year, according to officials at the Ministry of Labor. 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 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, which was not sufficient to deter violations. The law does not impose penalties "if the breach was the result of an error as to a child's age, if the error was not the employer's fault." Police sometimes took extrajudicial action, such as arresting and detaining persons without a court warrant, against child labor offenders. Traditional leaders also sometimes meted out traditional punishments, such as ostracism, according to local human rights organizations.

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.

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 government did not effectively enforce these laws and regulations. The penalties were not always sufficient to deter violations, according to a labor inspector from the Ministry of Labor.

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," which is not defined. Persons with disabilities frequently experienced 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. LGBTI persons and HIV-positive persons faced social and employment discrimination and generally did not reveal their sexual orientation, according to media.

e. Acceptable Conditions of Work

The minimum wage was 60,000 CFA francs (\$102) a month, greater than the World Bank poverty rate of \$1.90 per day. A total of 38.4 percent of the population lived below the poverty line. The law limits most employment to 39 hours per week, with overtime paid for additional hours. Agricultural work is limited to 2,400 hours per year, an average of 46 hours per week. All workers are entitled to uninterrupted rest periods of between 24 and 48 hours per week and paid annual holidays.

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

The Office of the General Inspectorate of the Ministry of Labor has responsibility for the enforcement of the minimum wage, work hours, and occupational health and safety standards. The government did not effectively enforce the law. The minimum wage was not effectively enforced, and many persons were paid less, especially in the informal sector. The 30 labor inspectors in the Ministry of Public Works were insufficient to enforce the law. Labor inspectors may refer cases to the Ministry of Justice and Human Rights for prosecution. Inadequate budget and staffing, lack of worker knowledge of their rights, and corruption impeded effective enforcement. 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 (\$127 to \$510). Penalties for second offenses may include fines of more than 500,000 CFA francs (\$850) and between one and 10 days' imprisonment. An inspector from the Ministry of Labor reported that these penalties were not adequate to deter violations.

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.