

CHAD

EXECUTIVE SUMMARY

Chad is a centralized republic in which the executive branch dominates the legislature and judiciary. Legislative and presidential elections were held during the year. In April President Idriss Deby Itno, leader of the Patriotic Salvation Movement (MPS), was elected to a fourth term with 83.6 percent of valid votes. However, major opposition figures chose to boycott the presidential election, which was marked by low voter turnout. Deby has ruled the country since taking power in a 1990 coup. In February's legislative elections, the ruling MPS won 118 of the National Assembly's 188 seats. International observers deemed these elections to be legitimate and credible. Despite logistical issues, both the legislative and presidential elections occurred without violence. There were instances in which elements of the security forces acted independently of civilian control.

The most significant human rights problems reported were abuses by security forces, including beatings; harsh and life-threatening prison conditions, which resulted in inmate deaths; and discrimination and violence against women and children, including female genital mutilation (FGM), as well as child abuse and child marriage.

Other human rights abuses included reports of rape committed by men wearing uniforms; arbitrary arrest and detention; lengthy pretrial detention; denial of fair public trial; and executive influence on the judiciary. In addition, there were some limitations on freedom of speech and press. Refugee abuse continued, and corruption was widespread. Trafficking in persons, particularly related to child herders and domestic servants, reportedly occurred, as did sexual exploitation. Ethnic-based discrimination, forced labor, including of children, and exploitive child labor were problems.

The government took steps to prosecute or punish some officials who committed abuses; however, accountability was limited due to a lack of checks and balances; inadequate institutional capacity, including in the judiciary; a culture of impunity; and widespread corruption.

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

a. Arbitrary or Unlawful Deprivation of Life

Unlike in the previous year, there were allegations, but no confirmed reports, of politically motivated killings. There were reports that the government or its agents committed arbitrary or unlawful killings.

On March 9, Djepatarlemgoto Benjamin, a close relative of the prime minister, was killed by unidentified persons at his house. Human rights groups alleged that the murder was politically motivated. No investigation was conducted, and the government treated the case as a purely criminal matter.

On September 16, in Lere in Mayo-Kebbi West, intercommunal conflict related to kidnapping of children for ransom resulted in the deaths of four persons. Security forces arrested and jailed 47 alleged perpetrators. While in security force custody, nine of the arrestees died, with one additional detainee dying while being transferred to N'Djamena. Local nongovernmental organizations (NGOs) and some National Assembly members criticized the government for not taking any action against those responsible.

The 10 alleged perpetrators of the killings of nine persons during the 2009 interethnic conflict between herders and farmers in Kana District were released without being charged in June.

b. Disappearance

There were no reports of new politically motivated disappearances or of people being held in secret detention or of disappearing after detention during the year. However, the whereabouts of persons arrested for political reasons in previous years remained unknown, and persons were held incommunicado during the year.

In May a presidential decree announced that a previously established inter-ministerial committee formed to address the pending case of disappeared opposition leader Ibni Oumar Saleh would be augmented by two international criminal prosecutors, one from the EU and another from the Organisation Internationale de la Francophonie. A total of 1,150 persons disappeared in the course of the 2008 fighting, 58 of whom (including Ibni) were believed to have been the victims of criminal acts. The remaining 1,092 reportedly were considered to be casualties of war. A number of witnesses have since been called to testify about Ibni's arrest and jailing, and according to the government, investigative efforts have increased on the cases of some of the 57 others.

Although in decline, cross-border kidnapping of children in the Mayo-Kebbi Region along the border with Cameroon continued, despite the deployment early in the year of a mixed police/army border force. Armed persons, both local and from neighboring countries, reportedly kidnapped children, especially Fulani children, due to a perception that their families were wealthier than those of other ethnic groups. At mid-year, the force ceased operation due to an interruption in funding.

According to the NGO Human Rights without Borders, there were allegations that local officials and military force members were complicit in kidnappings for ransom. In February one woman and two children were kidnapped for ransom from two villages in Lere, Mayo-Kebbi West, by a cross-border gang comprised of Cameroonian and Chadian members. The victims were taken to Cameroon and returned after payment of ransom. The NGO reported that village chiefs and local government and military officials received payoffs in connection with their release. It also alleged that, due to corruption among other government and military officials, the local head of the gendarmerie no longer arrested gang members, but instead had them summarily shot.

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

The constitution and law prohibit such practices; however, the government did not always respect these provisions in practice. For example, a local human rights group reported that on February 7, Noh Djibrine Abdelbanat was abducted and tortured by two gendarmes in Salamat Region. The alleged torture resulted in serious injuries, including an infected limb that required amputation. The case was referred to the public prosecutor's office, and the victim was awarded monetary damages.

There were reports of torture by individual members of the security forces, although these were neither politically motivated nor directed by the government.

No effective action was taken against security forces involved in the alleged torture of Berangoto, Djibrine Noh, and Madjadoumbe Ngom Halle in 2010.

There were reports during the year of cases in which men wearing uniforms, presumed but not confirmed by the authorities to be either police, gendarmes, or Chadian National Army (ANT) personnel, raped women and girls. For example, on March 4, three men wearing military uniforms attacked the house of a local worker of an international NGO based in the town of Goz Beida. After the attack,

the men abducted a 15-year-old girl, who stated that the three men raped her several times and that she was beaten. She was later found abandoned by the roadside. A doctor at a local hospital confirmed that she had been raped.

An international NGO reported that rape of refugee women was common, especially of those who ventured outside their camps. Victims were reluctant to come forward for a variety of reasons, including cultural, and a lack of confidence in the judicial system.

Prison and Detention Center Conditions

Prison conditions remained harsh and life-threatening. Prisons were seriously overcrowded, had poor sanitation, and provided inadequate food, shelter, and medical facilities. Regional detention centers, which were crumbling, overcrowded, and without adequate protection for women and youth, had no budget for and did not provide meals for inmates. Prison guards were not regularly paid and sometimes “released” prisoners who offered compensation in return. Provisions for ventilation, temperature, lighting, and access to potable water were inadequate or nonexistent. The law provides that a doctor must visit each prison three times a week, but this provision was not respected. Forced labor in prisons occurred.

As a result of inadequate recordkeeping and management, many individuals remained in prison after completing their sentences or after courts had ordered their release.

No follow-up action was taken on the 2010 survey ordered by Justice Minister Mbailao Naimbaye Lossimian to assess prison conditions, prisoner rights awareness, and the timely disposition of cases. The survey revealed that there were prisoners without case files who had been detained more than three years with no follow-up by judges or lawyers.

As in prior years, local human rights organizations stated that they were denied access to military prisons, but the International Committee of the Red Cross (ICRC) was given access during the year. Local human rights organizations reported on the existence of secret prisons run by the National Security Agency and the General Directorate of Security Services for National Institutions (DGSSIE) in 2010. Human rights organizations also alleged that both military members and civilians were detained at military bases and held incommunicado.

Estimates of deaths due to poor prison conditions varied. A local human rights group reported nine prisoner deaths during the first half of the year in three districts of N'Djamena alone. No countrywide estimates were available.

The government did not keep statistics on the number of prisoners and detainees, and no information from other sources was available. Male juveniles were not always separated from adult male prisoners, and children sometimes were held with their inmate mothers. Male and female prisoners were separated, and conditions for women were no different than those for men. A July 2010 Justice Ministry visit to five eastern towns revealed that children as young as eight years old were incarcerated for petty thievery. Pretrial detainees were held with convicted prisoners. Prisoners generally had access to visitors and were permitted religious observance according to their preference. There was no regular mechanism by which prisoners could submit complaints about prison conditions, limiting judicial authorities' ability to receive such complaints. Authorities did not use alternatives to sentencing for nonviolent offenders.

The government honored a permanent authorization provided to the Chadian Association for the Promotion and Defense of Human Rights, allowing the organization to visit civilian prisons at any time without advance notice. Other local NGOs, including human rights groups, were required to obtain authorization from a court or from the director of prisons, which depended largely on the personal inclinations of those with authority to grant permission. Local NGOs were not allowed access to military prisons.

The government permitted the ICRC to visit civilian prisons under the control of the Ministry of Justice, and during the year the ICRC conducted such visits.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention; however, security forces violated these provisions.

For example, on January 2, intelligence agents arrested General Oumar Bourkou, who was then arbitrarily jailed at a police camp for 15 days. No charges were filed against him.

On March 18, intelligence agents arbitrarily arrested General Ahmat Yahya and placed him in custody at the National Intelligence Prison. He was transferred 15

days later to the Narcotics Police Camp of N'Djamena. At year's end, he remained in detention and his case was pending.

Role of the Police and Security Apparatus

The ANT, gendarmerie, national police, nomadic guard (GNNT), DGSSIE, and counterintelligence service (ANS) are responsible for internal security. The Integrated Security Detachment (DIS), which reports to the National Coordination of Support to Humanitarian Activities and to the Integrated Security Detachment (CONSAHDIS), is responsible for reducing insecurity in refugee camps and for protecting refugees, internally displaced persons (IDPs), and humanitarian workers. The ANT, gendarmerie, and GNNT report to the Ministry of Defense; the National Police report to the Ministry of Public Security and Immigration; and the DGSSIE and ANS report to the president.

Police were corrupt and involved in banditry, arms proliferation, and extortion. Security force impunity was widespread (see section 4). The government continued to make some progress in modernization and professionalization of the military, including a significant reduction in the size of the armed forces which was initiated during the year. The reform process continued at year's end. The minister of defense's effort to achieve a full accounting of those in the military was impeded by discharged soldiers who continued to collect salaries and to wear military uniforms. The failure to enforce the cessation of pay to and the wearing of uniforms by discharged soldiers largely was explained by the refusal of military officers responsible for enforcement because of ethnic and clan links to the discharged soldiers. There were isolated reports of former soldiers who posed as active duty military, committing crimes with government-issued weapons.

Arrest Procedures and Treatment While in Detention

Although the constitution and law require a judicial official to sign arrest warrants, detainees were not always promptly informed of charges, and judicial determinations were not made promptly. The law requires access to bail and counsel, but there were cases when neither was regularly provided.

Incommunicado detention was a problem. The constitution and law state provide for legal counsel for indigent defendants and prompt access to family members; however, in practice, this usually did not occur. Family members often were required to provide food and water for prisoners.

Arbitrary Arrest: The absence of rebel activity during the year resulted in a reduced number of cases of arbitrary arrest, but the problem continued.

In March 2010 intelligence agents arrested without charge fellow agent Mahamat Abrass Moussa, who remained in detention at year's end.

Two university students arrested on May 8, who reportedly prepared antigovernment tracts intended to incite insurrection among southern Chadians, were held incommunicado until June 8, when they appeared in court to face charges. The NGO Human Rights Without Borders stated that because the arresting officers did not appear in court, no charges were filed. The students, who claimed they were victims of a sting operation in which they were paid by government agents to prepare the tracts, were released over the summer.

Pretrial Detention: Lengthy pretrial detention remained a problem. Persons accused of crimes could be imprisoned for several years before being charged or tried, particularly those who were arrested in the provinces for felonies and transferred to prison in N'Djamena. Lengthy pretrial detention resulted from a weak judiciary, which functioned poorly in urban areas and generally was ignored outside of the capital.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, the judiciary was ineffective, underfunded, overburdened, and subject to executive interference. Intimidation and violence against judicial branch members were also problems, and members of the judiciary sometimes received death threats or were demoted or removed from their positions for not acquiescing to pressure from officials. Courts generally were weak and in some areas nonexistent or nonfunctional. There were only 150 judges in the country, for example, and most had to hand write court documents.

The Superior Council of Magistrates recommends judicial nominees and sanctions judges who commit improprieties; however, the government prevented any sanctions from being considered or carried out. A judicial oversight commission has the power to conduct investigations of judicial decisions and address suspected miscarriages of justice; however, the president appointed commission members, which increased executive control over the judiciary and diminished the council's authority. Some members of the Supreme Court, Constitutional Court, and Court

of Appeals were appointed by the government rather than popularly elected as required by law, which further weakened judicial independence.

Government officials, particularly members of the military, often were able to avoid prosecution.

Chad's legal system is based on French civil law. However, the constitution recognizes customary and traditional law in locales where it is long-established if it does not interfere with public order or constitutional guarantees of equality for all citizens. Applicable law was sometimes confusing, as courts tended to blend the formal French-derived legal code with traditional practices, and customary law often superseded Napoleonic law in practice. Residents of rural areas often lacked access to formal judicial institutions, and legal reference texts were not available outside the capital or in Arabic. In many minor civil cases, the population relied on traditional courts presided over by village chiefs, canton chiefs, or sultans. Penalties in traditional courts varied and sometimes depended on the clan affiliations of the victim and perpetrator. Decisions of traditional courts can be appealed to a formal court.

The law provides that crimes committed by military members be tried by a military court; however, no such courts have been established.

Trial Procedures

The law provides for a presumption of innocence; however, many judges assumed a suspect's guilt, sometimes as a means to extort money from the defendant. For example, in some rape cases that reached the courts, defendants were fined rather than tried. Trials are public and use juries, except in politically sensitive cases. Defendants have the right to be present in court. They also have the right to consult an attorney in a timely manner; however, detained persons were not always given access to counsel. The law states that indigents should be provided promptly with legal counsel in all cases, but this seldom occurred, although human rights groups sometimes provided free counsel to indigent clients. Defendants, their lawyers, and judges have the right to question witnesses and to present witnesses and evidence on their own behalf. Defendants and their attorneys have access to government-held evidence relevant to their cases, except in politically sensitive cases. Defendants have the right to appeal decisions. The law extends these rights to all citizens.

In some cases, local leaders may decide whether to apply the Muslim concept of *dia*, which involves a payment to the family of a crime victim. The practice was common in Muslim areas. Non-Muslim groups, which supported implementation of a civil code, continued to challenge the use of the *dia* concept, arguing that it was unconstitutional.

Political Prisoners and Detainees

In 2010 an opposition Web site released a list of 750 prisoners, not all of whom were alleged to be political prisoners, detained at Koro Toro prison, which was closed to new prisoners in February. According to the ICRC, its caseload of political prisoners decreased markedly during the year following several waves of prisoner releases from Koro Toro and other detention facilities. Most of those released were suspected of supporting armed opposition leaders responsible for attacks on N'Djamena in 2008. Among those released were seven alleged United Front for Democratic Change rebels held incommunicado since 2007. Some political detainees were transferred to the Central Prison in N'Djamena.

According to local human rights organizations, not all prisoners were transferred or released from Koro Toro and some remained incarcerated; the absence of statistics and records made it difficult to ascertain how many remained incarcerated in Koro Toro.

Civil Judicial Procedures and Remedies

The judiciary was not always independent or impartial in civil matters. There are administrative and judicial remedies available such as mediation for alleged wrongs. Suits for human rights violations may be brought before the penal tribunal or the penal court; compensation is addressed in the civil court.

Property Restitution

Using its power of eminent domain, the government continued to confiscate private property and demolish homes, businesses, and NGO headquarters during the year as part of ongoing urban renewal efforts in N'Djamena. Numerous persons were deprived of shelter and their means of livelihood. Citizens and NGOs alike alleged that the government failed to give proper advance notification or to otherwise follow the legal requirements for proper compensation. The government claimed that it provided compensation to those with deeds; however, critics charged that the compensation was inadequate and not available to all. N'Djamena residents established neighborhood associations to counter arbitrary

seizures with the support of Amnesty International and local human rights organizations.

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

The constitution provides for the right to privacy and inviolability of the home; however, the government conducted illegal searches and continued home demolitions in N'Djamena. Unlike in the previous year, there were no reports that the government conducted wiretaps or monitored private mail and e-mail. Security forces regularly stopped citizens and extorted money or confiscated belongings.

The Ministry of Public Security and Immigration did not lift a ban on both the possession and use of satellite telephones. Military and police personnel searched for and confiscated satellite telephones.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

The constitution provides for freedom of opinion, expression, and press, with restrictions if public order, good morals, or the rights of others are affected; the government generally respected this right in practice.

Freedom of Speech: Unlike in the previous year, newspapers were free to criticize the government and did so regularly, although some self-monitored in terms of the limits of such criticism.

Freedom of Press: There were no reports of press restrictions during the year. However, a requirement agreed to by the ruling and opposition parties providing for equal coverage by radio stations during the legislative and presidential campaigns had the effect of limiting coverage to the larger state-owned public stations because private and community stations lacked, in all cases, the capacity and, in some cases, the desire, to cover all candidates equally.

Newspapers openly criticized government policies and activities. Opposition newspapers published cartoon caricatures of government ministers and of the president. No action was taken against newspapers that published articles negatively portraying MPS activities or party members, including senior officials.

Radio remained the most important medium of mass communication. Government-owned Radiodiffusion Nationale Tchadienne had several branches. There were numerous private radio stations that broadcast throughout the country, many of them owned by religious organizations.

A new radio station in Lere, Mayo-Kebbi West, Radio Communautaire, was inaugurated in June by a local NGO that is dedicated to addressing health, human rights, and rural development issues.

FM Radio call-in programs broadcast the views of callers that included open criticism of the government and calls for the government to be changed through the elections process.

The government owned and operated the only domestic television station but did not interfere with reception of channels originating outside the country.

Violence and Harassment: There were no cases of violence perpetrated on any journalist. On rare occasions, journalists were warned in writing by the High Council for Communication to produce more “responsible” journalism or face fines.

Censorship or Content Restrictions: The constitution prohibits propaganda of an ethnic, regionalist, or religious nature that affects national unity or the secular nature of the state. Some journalists and publishers practiced self-censorship.

Internet Freedom

There were no government restrictions on access to the Internet or, unlike the previous year, credible reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could express their views via the Internet, including by e-mail.

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

The constitution provides for freedom of assembly, with restrictions if the rights of others, public order, and morals are affected; the government respected this right in practice. The law requires organizers of demonstrations to notify the government five days in advance.

Freedom of Association

The constitution and law provide for freedom of association, with restrictions if the rights of others, public order, and morals are affected, and the government generally respected this right in practice.

An ordinance requires prior authorization from the Ministry of Territorial Administration before an association, including a labor union, may be formed; however, there were no reports that 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/j/drl/irf/rpt.

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

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

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

In-country Movement: Insecurity in the east, consisting primarily of incidents of violent criminality by armed bandits, hindered the ability of humanitarian organizations to provide services to refugees. NGO workers traveling between camps were sometimes victims of carjackings and armed robberies by bandits.

Internally Displaced Persons (IDPs)

Approximately 130,000 IDPs, most of whom were displaced in the east in 2005 as a result of interethnic fighting over scarce water and land resources during drought, resided in 38 camps in the country. Some 50,000 IDPs returned home during the year, some with direct assistance provided by UNHCR. Many IDPs were reluctant to return to their original homes because of fragile security conditions and because their property had been resettled by other groups and frequently provided less access to potable water and primary health care. In March government officials stated their commitment to help IDPs return home or resettle elsewhere in the country, but lacked a strategy to achieve this goal. Several areas of IDP return were only partially accessible to humanitarian organizations because of security constraints, according to a UN Secretary General report in April. The government continued to allow IDPs access to humanitarian organizations and permitted them to accept assistance provided by these groups. The UN and other humanitarian organizations operated in the country during the year and provided services to IDPs and refugees.

The departure of MINURCAT (the UN Mission in the Central African Republic and Chad) reduced the UN's ability to monitor the safety of IDPs and other civilians, according to the UN Secretary General's report. Sexual violence against displaced women and girls in eastern Chad was a problem. There were reports that men in uniform, who may have included members of the security forces, local indigenous groups, or unemployed male IDPs and bandits, raped female IDPs (see section 1.d.).

As in the rest of the country, perpetrators of sexual violence rarely were prosecuted, and government efforts to protect vulnerable women and girls were inadequate. However, the government conducted extensive sensitization campaigns against sexual violence and urged women to come forward without fear of reprisal. DIS personnel, for example, are trained in sexual and gender-based violence and all DIS units now have female officers.

Although there were more than 70 international humanitarian organizations in the eastern part of the country, there were gaps in their protection mechanisms as well. The mobile courts set up by the UN only made occasional visits to each area and rarely addressed sexual violence cases. The formal judicial system was unable to provide consistent and predictable recourse or legal protections. Traditional or customary legal systems were subject to ethnic or regional variations.

Tension between IDPs and local communities existed. IDPs were generally located near potable water and health services provided to them by international humanitarian agencies, which sometimes resulted in resentment among host communities that did not receive such services.

An indeterminate number of persons lost their homes and means of livelihood as a result of the government's ongoing urban renewal program in N'Djamena (see section 1.f.).

Protection of Refugees

Approximately 270,000 Sudanese refugees from Darfur remained in the country; most were located in 12 camps along the eastern border with Sudan.

Approximately 80,000 refugees from the Central African Republic (CAR) lived primarily in five camps in the south, and approximately 5,000 refugees of various nationalities lived in urban areas.

MINURCAT concluded operations and withdrew from the country at the end of 2010. MINURCAT's functions to protect refugee camps were assumed by the DIS comprised of Chadian military and police forces trained by MINURCAT. While DIS was generally effective in improving protection for refugee and IDP camps and for UN and other humanitarian operations in the eastern part of the country, many of the attacks on refugee women and girls fell outside its area of jurisdiction.

Access to Asylum: The country's laws do not provide for the granting of asylum or refugee status; however, the government has established a system for providing protection to refugees.

Refugee Abuse: According to UNHCR data, there were 37 rapes, 13 cases of attempted rape, and 540 cases of sexual or gender-based violence reported between November 2010 and May 2011. It was unclear whether these higher figures were due to improved reporting or increased violence. In the majority of cases, the perpetrators were either fellow refugees or unknown individuals just outside the camps. These figures likely underestimated the extent of rape since rape was often not reported due to cultural sensitivities.

UNHCR and its partner organizations continued to express concern regarding the potential for militarization of refugee camps by Sudanese and Chadian rebels, particularly camps located close to the border. However, the recruitment of refugees, including children, into rebel armed groups waned during the year. The

UN had no confirmed cases of child soldiers in the ANT during the year (see section 6, Child Soldiers).

Anti-refugee sentiment among citizens living in refugee-impacted areas was high. Children who were refugees or IDPs often had better access to education and health services than those in surrounding local populations due to extensive humanitarian interventions on their behalf. Resentment between citizens and refugees also occurred due to competition for local resources such as wood, water, and grazing land, and because Sudanese refugees received goods and services that were not available to the local population. Similar conflicts occurred in areas hosting refugees from CAR.

Durable Solutions: The government cooperated with UNHCR in supporting local integration of refugees from CAR in southern Chad. However, the government did not support UNHCR's efforts to promote third-country resettlement for refugees from Darfur. The government allowed refugees from CAR to be referred for resettlement in third countries.

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

Although the constitution and law provide citizens with the right to change their government, the government continued to limit this right in practice. The executive branch dominated the other branches of government.

Elections and Political Participation

Recent Elections: Although fraught with operational problems, international observers including the EU, African Union, and the Organisation Internationale de la Francophonie, the pan-African civil society group Coordination des Experts Electoraux Africains, and government and opposition-affiliated Chadian civil society actors deemed the February legislative elections to be legitimate and credible. No violence was associated with the elections, and there was no evidence of a systematic effort to deny voters their right to freely choose. Opposition candidates were given equal access to and treatment by national television, and security and government officials generally maintained a neutral posture during the campaigns.

The presidential vote in April occurred without violence or incident, and the election was organized in a manner sufficiently consistent with international

standards and local laws that the electorate was in general permitted free expression of choice. However, local groups criticized the lack of participation by the three opposition candidates and low voter turnout.

Political Parties: There were approximately 120 registered political parties. The main opposition coalition was well-treated, in part to provide proof that the country had a multiparty system; however, smaller opposition parties were subjected to government interference. Northerners, particularly members of the Zaghawa ethnic group, including the Bideyat subclan to which the president belongs, were overrepresented in key institutions of state power, including the military officer corps, elite military units, and the presidential staff.

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

Participation of Women and Minorities: There were 10 women in the 188-seat National Assembly. Five of the 40 cabinet ministers were women. Both the cabinet and the National Assembly had diverse ethnic representation.

Section 4. Official Corruption and Government Transparency

The law provides criminal penalties for corruption; however, the government 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 was a severe problem.

The police, gendarmerie, and military forces addressed arms proliferation in prior years through a concerted effort to confiscate illicit arms. There were fewer incidents of military, police, and gendarmes extorting payments from motorists following a crackdown on ad hoc roadblocks ordered by the president and as a result of international law enforcement training initiatives.

Impunity for officials, particularly for the military and other influential persons, was common. For example, members of the Judiciary Police, which is an office within the National Police with arrest authority, often did not enforce domestic court orders against the military or members of their own ethnic groups. Judicial lack of independence and corruption also were problems.

The Ministry of Good Governance is responsible for fighting corruption. The ministry carried out several investigations of government malfeasance during the

first six months of the year and reportedly recovered more than 4 billion CFA (\$8 million).

The government investigated several officials connected to various corruption scandals, including a textbook scandal involving 1.5 billion CFA (\$3 million) in false contracts. All 141 government officials associated with the textbook scandal and 34 others investigated in connection with embezzlement and misappropriation were released; in most cases charges were dropped.

In 2010 the High Court formally investigated seven ministers in connection with the textbook scandal. Charges against former minister of education Abdramane Koko, former deputy minister of finance Oumar Boukar Gana, and former minister and secretary-general of the government Limane Mahamat, who had been previously jailed on corruption allegations, were dropped on the basis of insufficient evidence. Former secretary-general of the presidency Haroun Kabadi, also implicated and jailed in connection with the scandal, was released and subsequently appointed as special advisor to President Deby and secretary general of the ruling MPS party. In June he was elected head of the National Assembly. Sixteen other government officials from the ministries of finance and education arrested in connection with the case were also freed due to insufficient evidence.

N'Djamena Mayor Marie-Therese Mbailemndada was arrested in August and held in police detention pending investigation of charges of mismanagement and inability to account for 1.2 billion CFA (\$2.4 million). She was later released. Her predecessor, Mahamat Zen Bada, was also arrested on corruption charges in 2009 and removed from office, but released when charges against him were dropped in August 2010. Zen Bada ran President Deby's 2011 reelection campaign in the Guera Region.

The government took limited action regarding International Crisis Group charges that it did not award in a transparent fashion public works contracts financed by oil revenues; the lack of transparency increased corruption and cronyism.

In June the Ministry of Good Governance held an anticorruption seminar for security force officials and civil servants. This followed training sessions the previous year for local officials on ethics and good governance; governors from the 22 regions attended the seminars.

Public officials were subject to financial disclosure laws; however, the law was not enforced, and officials did not readily disclose details of their financial status.

The law does not provide for public access to government information, although the government provided such access to government-employed journalists. The government's budget is publicly available in printed form upon request from the Ministry of Finance and includes incomes and expenditures. However, some of the expenditures are allocated through extra budgetary spending measures. Independent media journalists stated that they were not given sufficient access to government information.

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

Government officials generally were accessible to human rights advocates but were sometimes unresponsive or hostile to their findings. There were no reports that the government actively obstructed the work of domestic human rights organizations. Such groups were able to investigate and publish their findings on human rights cases. Human rights groups were outspoken in publicizing abuses through reports, press releases, and the print media, but only occasionally successfully intervened with authorities.

There were no reports that the government arrested or harassed NGO employees.

UN and Other International Bodies: The government cooperated with international governmental organizations and permitted visits by UN representatives. There were no reports that the government obstructed the work of international human rights organizations.

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

Although the constitution and law prohibit discrimination based on origin, race, gender, religion, political opinion, or social status, the government did not effectively enforce these provisions.

Women

Rape and Domestic Violence: Rape is prohibited and punishable by hard labor; however, rape, including of female refugees and IDPs, was a problem (see section 2.d.). No reliable data on the extent of the problem was available. The law does not specifically address spousal rape. Although police often arrested and detained alleged perpetrators, rape cases usually were not tried, and most suspects were

released. Cultural norms sometimes forced women and girls to marry their attackers to preserve their honor.

Although the law prohibits violence against women, domestic violence, including spousal abuse, was common. Wives traditionally were subject to the authority of their husbands, and they had limited legal recourse in cases of abuse. Family or traditional authorities could provide assistance in such cases and often did, but police rarely intervened. During the year some women began reporting cases of violence and abuse to local human rights organizations. Information on the number of abusers who were prosecuted, convicted, or punished was unavailable.

Female Genital Mutilation (FGM): The law prohibits FGM; however, the practice was widespread, particularly in rural areas. The UN Population Fund (UNFPA) reported that 44 percent of women and girls had undergone excision, with rates as high as 90 to 100 percent in some regions. The practice was prevalent especially among ethnic groups in the east and south. All three types of FGM were practiced. The least common but most dangerous and severe type, infibulation, was confined largely to the region on the eastern border with Sudan. FGM usually was performed prior to puberty as a rite of passage.

FGM could be prosecuted as a form of assault under the penal code, and charges could be brought against the parents of victims, medical practitioners, or others involved in the action. However, prosecution was hindered by the lack of specific penalty provisions in the penal code. There were no reports that any such suits were brought during the year. The Ministry of Social Action and Family was responsible for coordinating activities to combat FGM. The government, with assistance from the UN, continued to conduct public awareness campaigns to discourage the practice and highlight its dangers as part of its efforts to combat gender-based violence. The campaign encouraged persons to speak out against FGM and other forms of abuse against women and girls.

Sexual Harassment: The law does not prohibit sexual harassment, and such harassment was a problem.

Reproductive Rights: The law provides for the right of couples and individuals to decide freely and responsibly the number and spacing of their children, as well as to have access to information regarding birth control methods. However, many persons lacked access to medical care, particularly those in rural areas. Couples lacked access to contraception and, according to UNFPA, only an estimated 3 percent of women used any form of contraception. According to UNFPA, the

incidence of maternal mortality was 1,200 per 100,000 live births, and a woman's lifetime risk of maternal death was one in 14. The country had a severe shortage of healthcare providers (less than 400 physicians) and a significant shortage of nurses, midwives, hospital staff, and specialists such as pediatricians. Prenatal care was limited due to inadequate health infrastructure, particularly in rural areas. Low immunization rates and poor post-natal and child care education were other constraints.

According to UN estimates, only 14 percent of births were attended by skilled health personnel. Women were equally diagnosed and treated with men for sexual transmitted infections; treatment was free.

Discrimination: Discrimination against women and exploitation of women were widespread. Although formal property and inheritance laws do not discriminate against women, local leaders adjudicated most inheritance cases in favor of men, according to traditional practice. The Ministry of Social Action and Family is responsible for addressing gender-related issues. Women did not have equal opportunities for education and training, making it difficult for them to compete for formal sector jobs. Women were discriminated against in access to employment, credit, and pay equity for substantially similar work, and in owning or managing businesses due to cultural norms.

The law states that persons of legal age (18 according to formal law and 13 to 14 in traditional practice) have the right to decide whether to be married. The law does not address polygyny, but husbands may opt at any time to declare a marriage polygynous. If a husband takes a second wife, the first wife has the right to request that her marriage be dissolved, but she must repay her bride price and other marriage-related expenses.

A UNFPA-supported government awareness campaign to combat gender-based violence was expanded during the year to Pala in the south. The campaign included raising awareness regarding rape, sexual harassment, FGM, discrimination against women, and early marriage. In his August inaugural speech, President Deby called for an end to "traditional practices," particularly in rural areas, where child marriage, FGM, unwanted pregnancy, and the denial of educational opportunities to girls were most common.

Children

Birth Registration: Citizenship is derived by birth within the country's territory and from one's parents; however, children born to refugees from Sudan were not always considered citizens. Children born to refugees from CAR were generally granted Chadian citizenship. The government did not register all births immediately, and those without birth certificates could only be enrolled in school provisionally and were required to subsequently obtain a birth certificate. Schools could call on witnesses to verify the age of the child.

Education: By law education is universal and tuition-free, and primary education is compulsory between the ages of six and 11; however, parents were often required to pay tuition to public schools beyond the primary level. Parents also were required to pay for textbooks, except in some rural areas. Parent-teacher associations hired and paid approximately half of teachers, without government reimbursement. Schools did not exist in many locations. According to the World Bank Development Indicators Database, only six girls for every 10 boys attended primary school. Most children did not attend secondary school, where enrollment of girls was also lower than that of boys.

Several human rights organizations reported on the problem of the mouhadjirin, migrant children who attended certain Islamic schools and were forced by their teachers to beg for food and money. Children with discipline problems were often sent to these schools by their parents, who hoped the harsh conditions would ameliorate behavioral problems. There was no reliable estimate of the number of mouhadjirin.

Child Abuse: Child abuse remained a problem, but no data was available on its extent. The Ministry of Social Action and Family is responsible for the protection of children. The ministry undertook public awareness campaigns, although resources remained limited. During the year the Ministry of Education closed several Qur'anic schools where there had been violations of child protection laws.

Armed bandits kidnapped children to obtain ransom in the Mayo-Kebbi Ouest Region (see section 1.b.).

Child Marriage: Although the law prohibits sexual relations with a girl younger than 14, even if she is married, the ban was rarely enforced. In practice, families arranged marriages for girls as young as 12 or 13, with 11 being the minimum age for engagement. The law prohibits forced marriages of anyone younger than 18 and provides for imprisonment of six months to two years and a fine of 50,000 to 500,000 CFA (\$100 to \$1,000). Anyone older than 18 has the right to decide for

themselves. Nevertheless, forced marriage of girls was a serious problem, including among refugees. According to UNICEF data collected between 2000 and 2009, approximately 72 percent of women between the ages of 20 and 24 were married before the age of 18. The custom of buying and selling child brides was widespread. Girls that objected to being forcibly married often suffered physical assaults by their family members and husbands. Many young wives were forced to work long hours for their husbands in the fields or at home.

Child Soldiers: The law prohibits the use of child soldiers. According to UNICEF, there were no confirmed cases of conscription of child soldiers during the year. There remain a number of reported, but still unverified, cases that the UN continued to investigate. A 16-year-old identified as part of an ANT patrol in the Ngoungour-Kawa area in July and October 2010 was found and released in March through the intervention of the local prefect and the ANT commander following confirmation by the child's parents of his age.

The demobilization of remaining children from security forces was completed in 2010. There were no confirmed reports of armed groups, either Chadian or from Sudan, recruiting children from refugee camps along the eastern border during the year (see section 2.d.).

In 2010 Chad hosted a regional conference to end recruitment and use of children in armed conflict. The conference was organized with support from UNICEF and included delegations from Cameroon, CAR, Niger, Nigeria, and Sudan. UNICEF noted that Chad's progress in addressing child soldiers had made it a regional leader on the issue. Conference participants signed the N'Djamena Declaration, pledging to eliminate the recruitment and involvement of children in armed forces, armed groups, and in all forms of hostilities. An action plan to implement the declaration was signed by the governments and international partners on June 15, and was followed by biweekly meetings of a government action committee in August and September. On June 14, the government signed a comprehensive child soldiers' action plan with the UN. The plan included commitments on demobilization and reintegration of child soldiers; prevention, awareness raising, and capacity building; legal procedures and discipline for offenders; and access to military sites for detection and investigation on the use of child soldiers.

The government continued to transfer children associated with returning rebel groups to UNICEF for reintegration and rehabilitation. According to UNICEF, 1,031 child soldiers were returned to civilian life from February 2007 to September 2011, with more than 95 percent returned to their communities. The significant

improvement of the security environment in eastern Chad since 2010 facilitated family tracing and reunification in previously inaccessible areas. The government cooperated with international efforts to provide rehabilitation services.

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

Anti-Semitism

There was no known Jewish community, nor were there any reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, and while the government made efforts to enforce this prohibition in N'Djamena, it was unable to do so throughout the country. There were no laws or programs to ensure access to buildings for persons with disabilities; however, the government operated a few education, employment, and therapy programs for such persons.

The country had numerous persons with disabilities caused by polio, and many such persons held ranking positions in the government.

The government, in conjunction with NGOs, continued to sponsor an annual day of activities to raise awareness of the rights of persons with disabilities. The Ministry of Social Action and Family is responsible for protecting the rights of persons with disabilities.

National/Racial/Ethnic Minorities

There are approximately 200 ethnic groups, many of which were concentrated regionally. They speak 128 distinct primary languages. Although 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 animist groups in the

South--internal migrations in response to urbanization and desertification resulted in the integration of these groups in some areas.

Interethnic violence continued, particularly in the east and south. Clashes occurred between herders and sedentary populations and other interethnic violence that often concerned use of increasingly scarce arable lands due to desertification.

Societal discrimination was practiced routinely by members of virtually all ethnic groups and was evident in patterns of employment. The law prohibits government discrimination on the basis of ethnicity, although in practice ethnicity continued to influence government appointments and political alliances. Political parties and groups generally had readily identifiable regional or ethnic bases.

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

There were no known lesbian, gay, bisexual, and transgender (LGBT) organizations. There were few reports of violence or discrimination against LGBT persons, in large part because most LGBT persons were discreet about sexual orientation due to social and cultural strictures against homosexuality. The law prohibits but does not define “unnatural acts,” and there was no evidence that the law was used against LGBT persons during the year.

Other Societal Violence or Discrimination

The law provides for persons with HIV/AIDS to have the same rights as other persons and obligates the government to provide information, education, and access to tests and treatment for persons with HIV/AIDS. However, societal discrimination continued to be aimed at persons living with HIV/AIDS, and government officials were not always well informed on educating such persons on their rights and treatment options. Women were sometimes 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 allows all employees except members of the armed forces to form or join unions of their choice without excessive requirements, but the authorization of the

Ministry of Territorial Administration is required. The Ministry of Territorial Administration can also order the immediate administrative dissolution of a union. The law allows unions to organize and bargain collectively. The law recognizes the right to strike but restricts the right of civil servants and employees of state enterprises to do so. Civil servants and employees of state enterprises, including civil servants and teachers, must complete a mediation process and notify the government before striking. Employees of several public entities deemed essential must continue to provide a certain level of services. The law restricts the right to strike in the public sector, prolongs the period before a strike can occur, and the definition of essential services is overly broad. The law permits imprisonment with forced labor as punishment for participation in illegal strikes. While there are no restrictions on collective bargaining, the law authorizes the government to intervene under certain circumstances. The labor code prohibits antiunion discrimination. It explicitly covers all workers, including foreign and illegal workers. However, the protections provided were not always respected in practice.

The government effectively protected the right to freedom of association and collective bargaining. However, collective bargaining and its appeal procedures were sometimes subject to delays. Delays were often caused due to bureaucracy, lack of capacity, and other factors such as difficulties in convening key players in the negotiations. There were no reports that the authorization of the Ministry of Territorial Administration required for union formation was carried out during the year. There were also no reports of restrictions on collective bargaining or punishment for participating in illegal strikes.

Unions are officially independent of both government and political parties, although some unions were unofficially linked through membership affiliation with either ruling or opposition parties. The government did not influence or interfere in a series of strikes held by two of the largest unions during the year. Unions negotiated successfully with the government for salary increases for public and private sector workers, which ended the strikes. In general, there was no antiunion discrimination in practice. In the formal sector more than 90 percent of employees belonged to unions; however, the great majority of workers were self-employed, nonunionized, unpaid, subsistence cultivators or herders. The government, which owned enterprises that dominated many sectors of the formal economy, remained the largest employer.

b. Prohibition of Forced or Compulsory Labor

The constitution states that persons cannot be held as slaves or in servitude, and the law prohibits forced or compulsory labor, including by children. A 1991 law sets the minimum age at 18 for any citizen wanting to join the army. The law permits imprisonment with forced labor for participation in illegal strikes. The law also prohibits the use of child soldiers.

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

The majority of forced child laborers were subjected to domestic servitude, forced begging, forced labor in cattle herding, fishing, and street vending. Children from Chad were found in forced cattle herding in Cameroon, CAR, and Nigeria. Girls sold or forced into child marriages were forced by their husbands into domestic servitude and agricultural labor. Some young girls were forced into marriages by their families and then compelled to work in their husbands' fields or homes while they were still too young to do so safely.

There were no instances of forced labor involving migrant workers.

Forced labor in prisons occurred.

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The labor code stipulates that the minimum age for employment is 14, except that children may work as apprentices beginning at age 13.

Violations of safety and health standards may lead to penalties ranging from approximately 75,000 CFA to 300,000 CFA (\$150 to \$600). Penalties for second offenses may include fines of more than 500,000 CFA (\$1,000) and/or between one and 10 days of imprisonment. 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 Ministry of Labor has inspectors deployed throughout the country. Labor inspectors can refer cases to the Ministry of Justice for prosecution. While not specialized in the protection of children per se, the ministry has provided training to these inspectors on children's issues. In practice, however, the government did not effectively enforce

these laws due to several factors, including limited financial and human resources, inadequate knowledge by the workforce of their rights provided by the law, and corruption.

The Office of Labor Inspection is responsible for enforcement of child labor laws and policies; however, the laws were not effectively enforced. No prosecutions were conducted during the year. As in previous years, the office reportedly had no funding to carry out field work and investigations. Police reportedly sometimes took extrajudicial actions against traffickers and child labor offenders, including beating them and imposing unofficial fines. Traditional leaders also sometimes meted out traditional punishments, such as ostracism.

The government did not have a comprehensive plan to eliminate the worst forms of child labor; however, the government continued to work with UNICEF and NGOs to increase public awareness of child labor. In addition, the campaign continued to educate parents and civil society on the dangers of child labor, particularly for child herders, who often were sent to distant locations where they were abused.

In his August 2011 inaugural speech, President Deby again publicly admonished parents who forced their children to herd instead of sending them to schools.

Regarding the prohibition of the use of child soldiers, the government generally enforced the law in practice. UNICEF maintained that the ANT did not recruit children during the year and had earlier ceased using children in combat roles. In June the government agreed to a UN Action Plan to prevent future recruitment of child soldiers. In September UNICEF closed down its last rehabilitation center for child soldiers, having found no more cases (see section 6, Child Soldiers).

Child labor was a serious problem. The low legal minimum age for employment, lack of any schooling opportunities in some areas, and tribal initiation rites rendering children informally adults by the age of 14 contributed to a general perception that child labor did not constitute exploitation unless the victims were less than age 13 or 14.

An estimated 20 percent of children between the ages of six and 18 worked in exploitive labor in the urban informal sector, according to a 2005 study published by Human Rights Without Borders. Children were regularly employed as herders, domestics, crop-pickers, and in panning for gold. They also were employed in the commercial sector, particularly in the capital, as street vendors, manual laborers, and helpers in small shops. Contracts were typically entered into informally

between parents and herders and generally included compensation (including a small monthly salary and generally one animal at the end of six months). Local NGOs reported that compensation was often not paid.

The country's numerous child herders working outside of traditional herding clans often lived in substandard conditions without access to school or proper nutrition. These herders were customarily given one cow as payment for one year's work, but herd managers sometimes refused to pay this salary, or the child's parents collected the payment for themselves.

Children worked as domestic servants, mainly in the capital. According to a 2005 UNICEF-government survey of child domestics in N'Djamena (the most recent data source available), 62 percent of child domestics were boys, 24 percent were between eight and 14 years of age, 68 percent were between 15 and 17, and 86 percent were illiterate. Local human rights organizations reported an increase in the number of child domestic workers during the year.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

The labor code requires the government to set minimum wages. The monthly minimum wage was raised during the year from 28,000 CFA (\$56) to 60,000 CFA (\$120); however, the minimum wage was not effectively enforced. The law limits most employment to 39 hours per week, with overtime paid for supplementary hours. Agricultural work was limited to 2,400 hours per year, an average of 46 hours per week. All workers were entitled to unbroken rest periods of between 24 and 48 hours. The labor code mandates occupational health and safety standards and gives inspectors the authority to enforce them. Workers had the right to remove themselves from dangerous working conditions. The labor code explicitly covers all workers, including foreign and illegal workers.

Nearly all private sector and state-owned firms paid at least the minimum wage, but it was largely ignored in the vast informal sector. Salary arrears remained a problem, although less so than in previous years.

Workers did not always avail themselves of their rights concerning work hour limits, largely because they preferred the additional pay.

The occupational health and safety standards were generally ignored by local private companies and in the civil service. Multinational companies generally met acceptable occupational health safety standards. However, local private companies and public offices often applied poor standards including lack of air conditioning (in part due to highly irregular electrical supply), little or no fire device protection, and little or no health and safety protection equipment. Workers had the right to remove themselves from dangerous working conditions, however, in practice, with so few jobs in the formal sector, doing so for any reason often meant jeopardizing their employment.

Public sector employees sometimes claimed wage-related violations; however, these were generally due to arrears in payment of salaries and/or bonuses or complaints over the low level of wages. The protections legally provided for foreign and illegal workers were not always respected in practice.