

# Chad 2023 Human Rights Report

## Executive Summary

There were two positive human rights developments in Chad during the year. In June, the transitional parliament adopted a preliminary draft constitution that voters approved in a December 17 referendum. Although the process was widely criticized as not fully inclusive, approximately 86 percent of voters reportedly supported the referendum, with participation rates of nearly 63 percent. Interim president Mahamat Idriss Deby issued numerous pardons during the year, including significant numbers of political prisoners. He pardoned hundreds of those detained following the October 2022 demonstrations in three waves of releases in March, May, and July.

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; enforced disappearance; torture or cruel, inhuman, or degrading treatment or punishment by the government or on behalf of the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; arbitrary or unlawful interference with privacy; unlawful recruitment or use of child soldiers by nonstate armed groups including Boko Haram and the Islamic State West Africa Province; serious restrictions on freedom of expression and media freedom, including unjustified arrests or prosecutions of journalists, and censorship; serious restrictions on

internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, child, early, and forced marriage, and female genital mutilation/cutting; crimes involving violence or threats of violence targeting members of some ethnic groups in the south, including violent conflict between herding and farming communities; trafficking in persons, including forced labor; laws criminalizing consensual same-sex sexual conduct between adults that authorities enforced; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and the existence of the worst forms of child labor.

The government did not take credible steps to identify or punish officials who may have committed human rights abuses.

Boko Haram and ISIS-West Africa were reported to have killed numerous civilians and military personnel. Authorities investigated some incidents but initiated no prosecutions as of year's end.

## **Section 1. Respect for the Integrity of the Person**

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

There were reports the government or its agents committed arbitrary and unlawful killings, including extrajudicial killings, during the year. Human rights groups credibly accused security forces of killing with impunity. The Ministry of Justice and the National Commission on Human Rights (CNDH) inconsistently investigated allegations of security force killings.

A local nongovernmental organization (NGO), the Chadian League for Human Rights, reported that in January, members of the Chadian National Army (ANT) operating in the Lake Province tortured and lynched 11 citizens, including four members of the self-defense committee of the village of Barkorom, in the Ngouboua sub-prefecture, in Kaya Department. A two-year ceasefire between a Libya-based rebel group, Front for Change and Concord in Chad (FACT), and the government collapsed in August after the military bombed a FACT position in northern Tibesti, following reports that FACT was facilitating the movement of armed elements from Libya into Chad. The United Nations also confirmed 53 civilian fatalities in Boko Haram-related security incidents between June 1 and November 15. Other armed groups in the region recruited from former soldiers of the ANT and came into conflict with pastoralists who had been armed by serving army

officers who also owned the herds, following disputes concerning grazing rights and livestock corridors.

## **b. Disappearance**

There were reports of disappearances by government authorities. Authorities, including those reportedly from the National Security Agency (ANS), arrested at least 72 persons, all reportedly members of the Transformateurs, an opposition political party headed by Succes Masra, in October 2023 and held them incommunicado, without charge, at the General Directorate of Security and Intelligence until their release on November 5.

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

The constitution and subsequent transitional charter prohibited torture and other cruel, inhuman, or degrading treatment or punishments, but human rights groups, civil society activists, opposition political parties, and prominent lawyers credibly accused security forces of engaging in these practices.

Impunity was a significant problem in the security forces, including the ANT and police, due to corruption, poor discipline, and general impunity for wrongdoers able to leverage political connections. According to numerous

human rights reports, the forces implicated in impunity included the ANT, ANS, police, and gendarmerie.

Impunity in cases of intercommunal violence was widespread, predominantly in the country's central and southern regions.

## **Prison and Detention Center Conditions**

Conditions in the country's 41 prisons were harsh and potentially life threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care. In addition to official prisons, there were reports that the ANS held prisoners in unofficial detention centers.

**Abusive Physical Conditions:** Regional prisons were in states of disrepair, overcrowded, and without adequate protection for women and juveniles. These conditions disproportionately impacted persons with disabilities. While the government constructed some new facilities in the past decade, major increases in the prison population meant that overcrowding continued to be a problem. Reporters Without Borders alleged that television journalist Service Ngardjelai was arrested, beaten, and held from October 2022 to May 12 after charges against him had been dropped. He recounted receiving food with razor blades and battery chemicals while in detention.

Local NGOs and the International Committee of the Red Cross (ICRC)

reported potable water, food, sanitation, and health care were inadequate. Provisions for heating/cooling, ventilation, and lighting were inadequate or nonexistent. Inmates were vulnerable to diseases such as tuberculosis, COVID-19, and malaria. The law stipulated a doctor had to visit each prison three times a week, but authorities did not always permit this level of access. In some cases, authorities denied detainees visits from doctors. The few prisons that had doctors lacked adequate medical supplies. Detainees frequently relied upon family members for food, soap, medicine, and other supplies.

The government engaged in forced prison labor and could legally compel political prisoners to engage in forced labor. Prison officials subjected prisoners to forced labor on private projects, separate from the penalties provided for by the legal sentence imposed on the prisoners. Human rights NGOs reported that the use of forced prison labor was common.

In its *Freedom in the World 2022* report, Freedom House stated, “Opposition activists risk arrest and severe mistreatment while in detention,” which remained the case during most of the year, although relations with the opposition improved following the November Kinshasa Accords, which facilitated the return of *Tranformateurs* leader Succes Masra to the country.

**Administration:** Authorities did not investigate credible allegations of mistreatment. There was no mechanism for prisoners to submit complaints.

**Independent Monitoring:** The government permitted the ICRC to visit prisons, and the ICRC conducted such visits. The ICRC in 2020 reported that at least four detention facilities lacked budgetary and human resources and experienced “systemic issues” in prison administration. The CNDH also conducted visits to detention facilities.

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

The constitution, subsequent transitional charter, and law prohibited arbitrary arrest and detention, but the government did not always observe these prohibitions. The law did not provide for the right of persons to challenge the lawfulness of their arrest or detention in court.

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

Although the law required a judge to sign and issue arrest warrants before arrests, this did not always occur. By law, detainees were required to be charged within 48 hours or released, unless the *procureur* (investigating magistrate) authorized an extension of detention for investigative purposes. Nevertheless, authorities often did not make judicial determinations promptly. The law allowed for bail and access to counsel, but there were cases in which authorities provided neither. While the law provided for legal counsel for indigent defendants and prompt access to family members, this rarely occurred, according to legal observers. Authorities occasionally held detainees incommunicado.

**Arbitrary Arrest:** According to local media, security forces, including the ANT, ANS, police, and gendarme, arbitrarily arrested journalists, demonstrators, critics of the government, and other individuals. Freedom House reported, “Security forces routinely ignore constitutional protections regarding search, seizure, and detention. Detained persons may be denied access to lawyers, notably those detained in connection with their involvement in antigovernment protests or activities. Many persons suspected of committing crimes were held for lengthy periods without charge.” Human Rights Watch (HRW) investigations conducted during the year concluded some individuals detained following the October 2022 demonstrations were targeted merely based on where they resided.

**Pretrial Detention:** Lengthy pretrial detention remained a problem. According to a Ministry of Justice official, judicial authorities sometimes held 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. The length of detention sometimes equaled or exceeded the possible sentence for the alleged crime. Lengthy pretrial detention was exacerbated by an overworked judiciary susceptible to corruption. There were reports officials held detainees in police cells or in secret detention facilities. After five months in detention, 10 military officers and a prominent human rights defender, Baradine Berdei Targuio, were charged with undermining the constitutional order and sentenced to 20 years in prison. Several weeks later, they were pardoned and released.



Targuio had been previously held for more than seven months before being charged with breach of national security, illegal possession of weapons, assault, and battery. Two days before his arrest, Targuio had written an open letter to the president, expressing concern for the human rights situation in Tibesti.

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

The transitional charter and law provided for an independent judiciary. The judiciary, however, was overburdened and subject to corruption and executive interference. According to representatives of the bar association, members of the judiciary were not always impartial in civil matters, sometimes received death threats, or were demoted for not acquiescing to pressure from officials or otherwise coerced into manipulating decisions. Government personnel, particularly members of the military, often were able to avoid prosecution. Authorities did not always respect court orders. According to local media and civil society organizations, members of the Judicial Police, an office within the Ministry of Justice with arrest authority, did not always enforce domestic court orders against military personnel or members of their own ethnic groups.

### **Trial Procedures**

The constitution and law provided for the right to a fair and public trial, but the judiciary did not always enforce this right.

The law provided for a presumption of innocence, and for fair, timely, and public trials. The law provided defendants the right to be informed promptly and in detail of the charges against them and to be provided free interpretation. According to local media, however, these rights were seldom respected. The law provided defendants the right to consult an attorney in a timely manner, but this did not always occur. By law, indigent persons had the right to legal counsel at public expense in all cases, although according to legal experts, this seldom occurred. Human rights groups sometimes provided free counsel to indigent clients. Defendants sometimes had the right to adequate time and facilities to prepare a defense and to be present at their trial, but there were exceptions. In February, more than 400 rebel group members were tried in Klessoum prison in a closed-door trial. According to defense lawyers, the trial was announced only days before it started. The law provided defendants and their attorneys the right to question witnesses and present witnesses and evidence and the right not to be compelled to testify or confess guilt, but the government did not respect this. The law provided defendants the right to appeal court decisions, but the absence of legal counsel and frequent long delays in judicial processing undermined the right to appeal decisions. NGOs reported cases in which individuals were not allowed to leave detention to attend their trial, including the December 2022 mass trial of those detained following the October 2022 demonstrations, which were described by the Chadian Bar Association as a “parody of justice” and were

boycotted by lawyers, according to media reports.

## **Political Prisoners and Detainees**

In March, President Deby pardoned 259 prisoners arrested during the October 2022 demonstrations, followed by a second wave of 67 individuals in May, and 110 more in July. Many of these prisoners were never charged. Those charged were accused of crimes including unauthorized gathering, destroying property, and disturbing public order. Prisoners were kept in a high-security prison with terrorism suspects despite the nonviolent nature of their alleged crimes. The government permitted human rights organizations some access to prisoners. According to the HRW, authorities detained at least 72 Transformateurs political party members in October, in what the HRW alleged was an attempt by the government to limit political dissent ahead of the December constitutional referendum and 2024 elections.

## **f. Transnational Repression**

Not Applicable.

## **g. Property Seizure and Restitution**

Not Applicable.

## **h. Arbitrary or Unlawful Interference with Privacy, Family,**

## **Home, or Correspondence**

Although the constitution provided 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 seize private property without due process.

### **i. Conflict-related Abuses**

**Child Soldiers:** Boko Haram and the Islamic State West Africa Province recruited or used child soldiers in the country.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provided for freedom of expression, including for members of the press and other media, but the government restricted this right by intimidating journalists.

**Freedom of Expression:** The law prohibited “inciting racial, ethnic, or religious hatred,” which was punishable by up to two years in prison and fines. Space for open and free private discussion existed but was subject to self-censorship due to fear of reprisal from the state.

**Violence and Harassment:** Local media reported that journalists reported being the victims of threats, harassment, and intimidation by anonymous individuals. Additionally, in September the HRW reported the country's High Media and Audiovisual Authority regulator (HAMA) suspended local outlet *Alwihda Info*, an online news website, for eight days in August following the publication of articles on internal reshuffling in the army and a speech given by the transitional president regarding conflict on the country's northern border. HAMA accused the outlet of publishing "insulting remarks" regarding the president and of "undermining the cohesion and discipline within the army" and warned of more severe sanctions for any repeat offenses. Immediately after the accusation, the outlet's publishing director said he was followed by two cars he suspected belonged to intelligence agents, forcing him to spend the night in another location.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** Independent media were active and attempted to express a variety of views, but authorities placed some restrictions on them. The government subsidized *Le Progres*, the only daily newspaper, and owned the biweekly newspaper *L'Info*. Government and opposition newspapers had limited readership outside the capital due to low literacy rates and lack of distribution in rural areas. Some journalists and publishers practiced self-censorship due to concerns regarding intimidation and arrest. The government also penalized those who

published reports on politically sensitive issues, sometimes by closing media outlets.

According to Freedom House, private radio stations faced threat of closure for coverage critical of the government. Radio, however, remained a critical source of information throughout the country. The government owned the Chadian National Radio station. 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.

**Libel/Slander Laws:** Libel and slander were misdemeanors punishable by fines. There were fewer reports than in previous years of authorities having arrested or detained persons on charges of defamation. During the year there were no reports of government or individual public figures using libel or slander laws to restrict public discussion or retaliate against journalists or political opponents.

## **Internet Freedom**

The government restricted and disrupted access to the internet. The government directly censored online content, such as Facebook; occasionally blocked sites and popular messaging applications, such as WhatsApp; and arrested activists for postings on social media.

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

The government limited freedoms of peaceful assembly and association.

### **Freedom of Peaceful Assembly**

Although the constitution and transitional charter provided for freedom of peaceful assembly “under conditions fixed by the law,” the government did not always respect this right.

The government regularly dictated the locations of opposition protests and civil society gatherings to limit their base of popular support. Authorities routinely banned gatherings and arrested organizers, and security forces used excessive force against demonstrators. The law required 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 required opposition political parties to meet complicated registration requirements for party gatherings. On July 12, the government prohibited a demonstration by an opposition political party, citing the nonauthorization of the party. On August 1, Transitional President Deby signed three decrees further detailing the conditions, responsibilities, and sanctions to public gatherings and demonstrations.

## Freedom of Association

The constitution and law provided for freedom of association, but the government on occasion did not respect this right. While the law required the Ministry of Public Security and Immigration to provide prior authorization before an association, including a labor union, could be formed, there were no reports of the state enforcing the law. The law also allowed for the immediate administrative dissolution of an association and permitted authorities to monitor association funds.

### c. Freedom of Religion

See the Department of State's International Religious Freedom Report at <https://www.state.gov/religiousfreedomreport/>.

### d. Freedom of Movement and the Right to Leave the Country

Although the constitution and law provided for freedom of internal movement, foreign travel, emigration, and repatriation, the government occasionally limited these rights.

**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 western Lake Chad Province,



government military operations and attacks by Boko Haram and ISIS-West Africa constrained the ability of humanitarian organizations to aid internally displaced persons (IDPs).

### **e. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

**Access to Asylum:** The law provided for the granting of asylum or refugee status. Implementation of the country's first asylum law adopted in 2020 continued, and refugees were reportedly able to access identification documents and work permits. The country remained a host to more than 470,000 refugees and asylum seekers who had fled the violence in neighboring Sudan since April 2022, adding to the more than 400,000 Sudanese refugees remaining in the country following the Darfur Crisis in 2003.

**Abuse of Refugees and Asylum Seekers:** Within refugee camps, like much of the country, authorities rarely prosecuted perpetrators of sexual violence. Survivors often chose not to report sexual crimes. The judicial system did not provide consistent and predictable recourse or legal protection; access to formal justice was limited for most populations outside of the capital.

Sudanese refugees often continued to face risks after crossing the border, with a June 20 UN Security Council meeting noting an increase in intercommunal tensions and attacks on refugee and host community civilians alike by armed groups in the region.

**Durable Solutions:** UNHCR supported refugee integration, and where appropriate, refugee repatriation, and worked toward securing resettlement for limited numbers of refugees to third countries.

## **f. Status and Treatment of Internally Displaced Persons (IDPs)**

According to UNHCR, approximately 380,000 persons were internally displaced in Lake Chad Province in the west. Attacks by nonstate armed groups, including Boko Haram and ISIS-West Africa, were responsible for most internal displacement in the province. As of December, in the south there were also approximately 50,000 displaced citizens who returned from the Central African Republic due to intercommunal violence by nonstate actors and the Kremlin-backed Wagner Group. In November, the International Organization of Migration estimated that at least 92,000 Chadians had returned to eastern Chad fleeing the conflict in Sudan.

For further information concerning IDPs, please see the Internal Displacement Monitoring Center: <https://internal-displacement.org>.

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

In 2021, the Transitional Military Council suspended the 2018 constitution that provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

In July, the National Commission Charged with the Organization of the Constitutional Referendum (CONOREC) announced the timetable for a referendum on an updated constitution. On September 16, CONOREC also announced the creation of an updated election registration roll, based on the 2021 presidential election rolls, and noted there were 8.24 million voters. Some opposition political parties, citing lack of inclusiveness and partiality, demanded a cancellation of the updated registration roll and the dissolution of CONOREC. Media reported concerns regarding the compressed timeframe and enrollment period, from August to November, which was expected to reduce political space for those opposing the new constitution. Local media and civil society groups expressed concerns regarding the short information campaign period prior to the referendum, from November to December. In December, the country voted to approve a new constitution, which restored these rights.

## Elections and Political Participation

**Abuses or Irregularities in Recent Elections:** Some opposition groups and media reported irregularities related to the December referendum vote for a new constitution, supported by the government. These irregularities included vote stuffing in favor of the *oui* (yes) vote, insufficient *non* (no) ballots, pressure on the military to vote yes, and lack of secrecy in the vote. Turnout in the capital was low, and the government announced the referendum passed on December 24 with final results certified on December 28.

The day after Idriss Deby was confirmed the president-elect in 2021, he died in a military operation; besides the December constitutional referendum vote, no elections have taken place since then. The Transitional Military Council originally announced an 18-month transition to general elections, which was later extended for 24 months until October 2024.

Mahamat Deby remained the transitional president with increased executive control to nominate and revoke members of the government and retained the right to nominate and revoke members of the transitional parliament under the de facto constitution.

**Political Parties and Political Participation:** There were more than 200 registered political parties, of which more than 100 were associated with the dominant *Mouvement Patriotique du Salut* (MPS) party. Changes to the law

in 2018 complicated and increased the cost of party registration, outreach, and participation procedures. Opposition leaders attributed the changes to the government's attempt to limit dissent. Most unarmed opposition members came from the south, while ruling transitional government members came from the north and east. As a result, opposition members often faced greater consequences for political activity, such as protesting, than groups from other areas of the country.

In late 2022, via separate decrees, the government suspended seven political opposition groups, including the Transformateurs, and civil society organizations united in a coalition known as *Wakit Tama* (the Time has Come). The suspension of the parties expired in January, while Wakit Tama remained suspended from operating.

In June, the government issued an "international" arrest warrant for the leader of the Transformateurs, Succes Masra, who had taken refuge abroad. In November, Succes Masra returned to the country at the invitation of the government following an agreement brokered by the Democratic Republic of the Congo. Human rights groups such as HRW and political think tanks expressed concerns regarding reduced political space in the run-up to the referendum citing arrests and continued detention of opposition members, but the government did authorize the Transformateurs to organize a series of political rallies throughout the south in December.

Numerous laws discouraged political participation by citizens holding

political views out of alignment with the dominant MPS party. For example, opposition parties were legally barred from ownership of media outlets. The government enacted age limits on leadership of political parties, which many viewed as an effort to disqualify certain key opposition leaders. The MPS controlled state-owned television and radio stations, which many saw as granting it an unfair political advantage in a country where television and radio comprised the most effective public outreach tools. Candidates affiliated with the MPS often used official vehicles for political campaigning, and there were reports that government employees were pressured to close their offices during campaign season to support MPS campaigning. Active membership in the MPS often conferred advantages for those wishing to hold high-level government positions. In addition, the MPS-led central government faced accusations of having appointed local and traditional chiefs in a way that rewarded allegiance to the MPS rather than respecting the traditional transmission of power via birth.

### **Participation of Women and Members of Marginalized or Vulnerable**

**Groups:** Political disenfranchisement in the country was typically de facto, rather than de jure.

The law mandated that leadership of all political parties be at least 30 percent women. Many factors, however, limited women's political participation, including lack of access to economic resources and cultural norms that discouraged their participation in public and professional life.

The government supported nongovernmental initiatives designed to prepare women to participate meaningfully in the National Dialogue.

Widespread social discrimination against lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons resulted in most choosing to live closeted for personal safety and fuller social and political rights. Those choosing to live openly, at great personal risk, were often denied the opportunity to register to vote by local authorities, which observers noted appeared to contravene the constitution, which affirmed that suffrage was universal.

Persons with disabilities, while generally able to vote, faced major hurdles in achieving full political participation. Likewise, some laws prohibited persons with disabilities from serving in elected office. Observers noted these laws appeared in contravention of the constitutional right of all persons to work. In addition, the constitution mandated “good physical and mental health” for presidential candidacy, a provision many observers believed disallowed persons with disabilities from serving as president.

## **Section 4. Corruption in Government**

The law provided criminal penalties for corruption by officials, but authorities did not implement the law effectively. There were numerous reports of government corruption.

**Corruption:** According to Freedom House’s *Freedom in the World 2023* report, corruption, bribery, and nepotism were “endemic,” and journalists, labor leaders, and religious figures faced harsh reprisals for speaking out concerning corruption, including arrest, prosecution, and exile.

Freedom House reported that “charges against high-level officials that did go forward were widely viewed as selective prosecutions meant to discredit those who pose a threat to the government or its allies.” Judicial corruption hindered effective law enforcement and rule of law.

Corruption and lack of transparency were pervasive in government actions, such as procurement, the awarding of licenses or concessions, dispute settlement, regulation enforcement, customs, and taxation. Freedom House reported that “since seizing power, Mahamat Deby, has largely ruled by decree, offering no meaningful opportunity for civil society to comment on government policies or obtain basic information about government operations.” In March, the Ministry of Hydrocarbon and Energy, pursuant to a presidential decree, nationalized the assets and permits of Exxon Mobil Corporation, despite Exxon Mobil having announced the completed sale of its assets to Savannah PLC in December 2022. In October, a Presidential Decree announced the dismissal of the minister of hydrocarbons and energy.

For additional information concerning corruption in the country, please see the Department of State’s *Investment Climate Statement* for the country,



and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

## **Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights**

Several 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.

**Retribution against Human Rights Defenders:** Human rights defenders and attorneys reported instances of intimidation and obstruction in the course of their work.

**Government Human Rights Bodies:** To show solidarity with the human rights community, officials of the Ministry of Justice and Human Rights publicly attended local and international events and met with organizations associated with advancing human rights. Local NGOs reported the ministry functioned independently yet was of limited effectiveness, due partially to conflicts of interest with state security forces and influential government officials.

The CNDH provided numerous written opinions criticizing government

abuses of human rights but remained limited in its capacity beyond reporting government abuses. In February, the CNDH issued a report criticizing the government's role in the deaths of 128 citizens and injuries to 512 others during the October 2022 protests. The Ministry of Communications stated the government would respond to the CNDH's report, but the response was still pending as of December.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law provided that rape, including rape of women refugees, was punishable by up to 30 years in prison. The law did not specifically address spousal rape, corrective rape of LGBTQI+ persons, the gender of survivors, or domestic violence. Nevertheless, rape was a problem. 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 survivors to marry their attackers.

Although the law prohibited violence against women, gender-based violence was widespread. Police rarely intervened, and women had limited legal recourse.

**Female Genital Mutilation/Cutting (FGM/C):** The law prohibited FGM/C for

girls and women, but the practice remained widespread, particularly in rural areas. By law, FGM/C could be prosecuted as a form of assault, but a lack of specific penalties hindered prosecution. According to a Freedom House report during the year, approximately a third of women aged 15 to 49 experienced FGM/C.

**Other Forms of Gender-based Violence or Harassment:** Sexual harassment, both verbal and physical, was widespread at all levels of society and typically targeted women. Even though the law provided penalties for sexual harassment, the government did not effectively enforce the law.

**Discrimination:** Although many property and inheritance laws provided the same legal status and rights for women as for men, the government did not enforce the laws against gender discrimination effectively. Inheritance, property, and housing practices frequently discriminated against women due to cultural and religious norms and practices in many communities. There were legal restrictions on women's employment in occupations deemed hazardous, arduous, or "morally inappropriate" and in industries such as mining, construction, and factories. 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 was not defined.

Women often could not inherit property from their father or husband. Additionally, local leaders settled most inheritance disputes in favor of men, according to traditional practice. Women seeking to rent a house often had

to prove they were married, while men were able often to rent without a similar burden. Women requesting divorce from men often faced a process that took three times as long as men. While access to financial resources typically benefited men in child custody cases, some courts granted child custody to economically disadvantaged women who demonstrated a better ability to care for children over better-resourced men.

Women, who did not enjoy access to the same resources as men, often struggled to qualify for credit based on one's resources. Women entrepreneurs reported perceptions of slowness of administrative paperwork approval relative to male peers. Women entrepreneurs also pointed to a lack of understanding of their needs because longstanding gender norms had filled the ranks of local administrators with a male-heavy decision chain.

Among some ethnic groups, when a woman menstruated, she was not permitted to prepare food for men to eat because she was considered "unclean." Some religious groups prohibited a woman from praying during her menstrual period.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Many persons lacked access to reproductive information or care, particularly in rural areas. Obstacles to contraception use included the lack of

education, the limited supply of contraceptive products, and cultural paradigms. The government provided some contraception products for free to the public through NGOs. The UN Population Fund (UNFPA) estimated only 24 percent of live births were attended by skilled health personnel between 2014 and 2019. The country had a severe shortage of health-care providers, including nurses, midwives, hospital staff, and specialists, such as obstetricians. Prenatal care remained limited, particularly in rural areas. Although children enjoyed equal access to medical care before the law, stigmatization of young pregnancies often dissuaded young women from seeking prenatal and other related care. The government provided limited access to sexual and reproductive health services for survivors of sexual violence due to capacity constraints. Emergency contraception and postexposure prophylaxis was officially unavailable, including as part of the clinical management of rape.

The UNFPA estimated that in 2017, the latest data available, the maternal mortality rate was 1,140 deaths per 100,000 live births. Factors contributing to maternal mortality included adolescent pregnancies, multiple closely spaced births, and lack of access to medical care.

UNICEF reported in 2013, the latest data available, the adolescent birth rate was 179 per 1,000 adolescent women and girls ages 15 to 19. The country's high adolescent birth rate was partially attributed to conservative cultural practices, traditional gender norms in both urban and rural areas, lack of

birth control, and lack of access to family planning services.

Adolescent women reported barriers to access education due to menstruation or childbirth. Peers and community members often shamed girl students who became pregnant while studying, and some schools did not permit their attendance.

## **Systemic Racial or Ethnic Violence and Discrimination**

Both the constitution and transitional charter provided for the protection of “fundamental rights and freedoms” for all citizens and for legal equality regardless of race, origin, or religion. Members of the Zaghawa, the transitional president’s ethnic group, occupied a disproportionate share of civilian and military posts, suggesting imbalances in access to opportunity and enforcement of laws guaranteeing equal protection for all.

Government authorities often awarded political positions and formed alliances based largely on tribal and ethnic affiliations. Political parties and groups generally had readily identifiable regional or ethnic bases.

Northerners, particularly members of the Zaghawa, were overrepresented in key institutions, including the military officer corps, elite military units, and presidential staff.

Allegations of ethnically driven recruitment by the police force raised concern over discriminatory access to security service jobs. Media reports in February reported that three-quarters of new police recruits were from

small northern ethnic groups, which fueled retaliation against these groups.

## Indigenous Peoples

The Mbororo, a subgroup of the pastoral Fulani (Peul) people, who inhabited the central and southern part of the country, lacked official government recognition as an Indigenous ethnic group. They were further marginalized by a 2014 pastoral law that limited access to transhumance (seasonal livestock grazing movements) and water resources on which Mbororo pastoralists depended. Mbororo women also reported lack of access to health care, impacting child mortality and women's maternity care in Indigenous communities.

## Children

**Education:** According to a UNESCO Institute for Statistics 2019 report, approximately 65 percent of girls enrolled in primary school, compared with 82 percent of boys. Similar gender disparities persisted through secondary school, where approximately 13 percent of girls enrolled, compared with 23 percent of boys. According to the World Food Program, primary school enrollment and retention of girls in regions experiencing humanitarian crises fell at higher rates than seen in previous years, and a report released by Georgetown Institute for Women, Peace, and Security in March calculated the mean number of years in school for girls at less than two. NGOs estimated that close to 40 percent of the refugees from Sudan were school-

age children and many reported challenges in accessing education.

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

Individuals with family and kinship ties to ruling elites from the Zaghawa ethnic group enjoyed disproportionate access to educational opportunities, meanwhile language barriers deterred many children from continuing their education in rural areas.

**Child Abuse:** There were local laws against child abuse, but the government did not consistently enforce these laws. Despite inconsistent enforcement, the government coordinated with UNICEF to facilitate child friendly spaces for Sudanese refugees.

**Child, Early, and Forced Marriage:** The law established the minimum age for marriage at 18 for men and women. According to UNICEF's 2019 data, approximately 24 percent of women ages 20 to 24 were married or in a union before age 15 and nearly 61 percent were married or in a union before age 18. The law precluded invoking the consent of the minor spouse to justify child marriage and prescribed sentences of five to 10 years' imprisonment and fines for persons convicted of perpetrating child marriage. The practice, however, was widespread, especially in northern



areas where there were minimal government efforts to enforce the law and resistance from local religious leaders who condoned the practice.

According to the Chadian Women Lawyers' Association, girls sold or forced into child marriages were often forced by their husbands or their husbands' families into domestic servitude and agricultural labor.

**Sexual Exploitation of Children:** The law prohibited the commercial sexual exploitation of children. The law specifically addressed the sale, offering, or use of children for commercial sexual exploitation, including child sex trafficking. The law prohibited sexual relations with children younger than 14, even if married, but authorities rarely enforced the ban. The law criminalized the use or offering of a child to produce pornography, and authorities enforced this law. Refugee children from the Central African Republic were particularly vulnerable to commercial sexual exploitation. A UNICEF report published during the year estimated that more than 360,000 displaced children remained vulnerable to physical and sexual violence and exploitation by nonstate armed groups.

## **Antisemitism**

There was no known Jewish community in the country, and there were no known reports of antisemitic incidents.

## Trafficking in Persons

See the Department of State's Trafficking in Persons Report at

<https://www.state.gov/trafficking-in-persons-report/>.

## Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

**Criminalization:** The law criminalized consensual same-sex sexual conduct between adults, with punishments ranging from three months to two years' imprisonment and fines. Local civil society members reported several dozen individuals were imprisoned for being LGBTQI+ but held under the pretext of other charges.

**Violence and Harassment:** Few LGBTQI+ persons lived openly, since those who did faced verbal and physical aggression and abuse. LGBTQI+ persons reported police harassment, arbitrary detention, threats, and solicitation of bribery when engaging with authorities. Government authorities refused to investigate or prosecute crimes committed against LGBTQI+ persons, citing the legal prohibition on same-sex conduct as a pretext for not protecting persons based on perceived sexual orientation or gender identity or expression.

**Discrimination:** The law did not prohibit discrimination by state or nonstate

actors based on sexual orientation, gender identity or expression, or sex characteristics. LGBTQI+ persons faced difficulty in obtaining housing, employment, and access to government services. LGBTQI+ persons faced steep cultural, social, and legal barriers to equal treatment and public acceptance; many LGBTQI+ persons hid their identity for self-protection. The law did not recognize LGBTQI+ couples and their families and did not grant them rights equal to rights of other persons.

**Availability of Legal Gender Recognition:** Legal gender recognition was not available.

**Involuntary or Coercive Medical or Psychological Practices:** Activists described coercive social and family pressure to change the sexual orientation, or gender identity or expression, of LGBTQI+ persons.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** The law did not formally prohibit freedom of expression, association, and peaceful assembly for LGBTQI+ persons, but discrimination and marginalization created de facto restrictions on these rights. Anti-LGBTQI+ attitudes were so pervasive that many persons only spoke on LGBTQI+ matters after departing the country.

## **Persons with Disabilities**

Persons with disabilities could not access education, health services, public buildings, or transportation on an equal basis with others. Government

inaction, compounded by severe resource constraints, limited the rights of persons with disabilities to participate in civic life. There were no specific laws that provided for equal access to public buildings, education, health services, the judicial system, or other state services. Schools, transportation, and other public buildings were overwhelmingly inaccessible to persons with disabilities. The government did not provide government information and communication in accessible formats.

The law prohibited discrimination against persons with disabilities, although it did not define disability. The government did not effectively enforce the law, according to the Chadian Disability Organization. Disability rights activists reported facing discrimination in access to transportation and participation in economic activity. Specifically, the lack of public transportation accommodating persons with disabilities and predominantly informal economy created barriers for individuals with disabilities from participating in the country's economy. These challenges also hindered individuals' ability to secure jobs across sectors.

Despite legal protections against discrimination in employment for persons with disabilities, laws were not enforced, and employers discriminated against applicants. Additionally, some government schools or positions required certificates of physical aptitude, often refusing employment to anyone whose certificate noted any physical disability.

Children with physical disabilities could attend primary, secondary, and

higher education institutions, but most schools lacked accommodations for students with physical disabilities. As a result, children with disabilities often dropped out after primary school, leading to much lower attendance at secondary and higher education institutions compared with other children. The government supported schools specifically for children with vision or mental disabilities, but disability advocates reported such schools were inadequate.

## **Other Societal Violence or Discrimination**

The encroachment of government-affiliated herders into agricultural areas stoked tensions and those responsible for triggering clashes were not held to account. Conflict between herders and farmers resulted in dozens of deaths and injuries, such as the August 20 clashes in Abkhura village, in the Mangalmé Department of Guéra, which resulted in six fatalities. NGOs stated this conflict persisted due to growing human and cattle populations, competition for scarce resources, and judicial impunity for perpetrators of violence with political or economic connections to authorities. Climate change altered the routes and periods of livestock transhumance, since previously dry areas were fertile for fishing and agriculture, increasing the likelihood and incidence of conflict between communities with competing models of land use. In the southern region, the movement of large-scale livestock holdings by well-connected Zaghawa tribesmen into new areas increased the incidence of armed conflict. Media reported clashes between

Arab miners and Sudanese militias in the country's northern Tibesti gold mining region, and observers noted that the true number of casualties often far exceeded what news outlets reported. Although the government did not consistently hold politically influential herders accountable for abuses against farmers, authorities worked to promote dialogue between communities to promote reconciliation.

The law provided individuals with HIV and AIDS the same rights as other persons and required the government to provide information, education, and access to tests and treatment for HIV and AIDS, but authorities rarely complied with the law. 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. HIV-positive persons also faced social and employment discrimination. There were no reports of specific instances of HIV and AIDS-related employment discrimination during the year. Data from the Joint UN Program on HIV/AIDS, however, suggested stigma against persons with HIV and AIDS was prevalent within the population, with 47 percent of adults saying they would not buy fresh vegetables from a vendor known to have HIV and AIDS.

## **Section 7. Worker Rights**

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

## Bargaining

The law provided for the right of all workers, except members of the armed forces, to form and join independent unions of their choice. Authorities required all unions to be authorized by the Ministry of Public Security and Immigration, which could order the dissolution of a union that did not comply with the law as determined by the ministry. The law provided for the right of workers to organize and bargain collectively. While there were no restrictions on collective bargaining, the law authorized the government to intervene under certain circumstances.

The law recognized the right to strike but restricted the right of civil servants and employees of state enterprises to do so. The law required a 72-hour notification before a strike. By law civil servants and employees of state enterprises were required to have completed a mediation process before initiating a strike, but there was no specified timeline for this process. Authorities required employees of several public entities classified as essential services, including postal workers, slaughterhouse employees, and nine other categories, to continue to provide a certain level of services during a strike, and stated that they could be “requisitioned” at the government’s discretion during a strike. The law authorized imprisonment with hard labor as punishment for participation in an illegal strike.

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. In the informal sector, which employed the vast majority of workers, most workers were self-employed and nonunionized, predominately working as farmers or herders. State-owned enterprises dominated many sectors of the formal economy, and the government remained the largest employer. Unions were officially independent of both the government and political parties, although some unions were unofficially linked through members' affiliation with political parties.

The government did not effectively enforce laws protecting freedom of association, collective bargaining, and the rights to strike for workers, primarily due to administrative difficulties in convening key officials for negotiations.

The law prohibited antiunion discrimination and explicitly covered all workers, including foreign and irregular workers. The law required reinstatement of workers fired for union activity. Union members reported these protections were not always respected. Penalties for violations of freedom of association and collective bargaining rights were commensurate with those for comparable offenses. Penalties were sometimes applied against violators.

The Chadian Teachers Union conducted three-day nationwide strikes regarding unpaid wages in April, May, October. They went on strike again in



December concerning allowances and bonuses. Magistrates and judicial administrative officials went on strike in June to protest the constitutional referendum's insufficient protection for the independence of the judiciary as well as for improved working conditions.

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

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

## **d. Discrimination (see section 6)**

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

**Wage and Hour Laws:** The law provided for a national minimum wage for all sectors of the economy, and the minimum wage was greater than the World Bank poverty rate. The law limited most employment to 39 hours per week, with overtime paid for additional hours. Agricultural work was limited to 2,400 hours per year, an average of 46 hours per week. All workers were entitled to uninterrupted rest periods of between 24 and 48 hours per week

and paid annual holidays.

Salary arrears remained a problem for some employees, most often in the education and health-care sectors that saw multiple strikes throughout the year. Workers did not always avail themselves of their rights concerning workhour limits, largely because they preferred the additional pay.

**Occupational Safety and Health:** The law mandated occupational safety and health (OSH) standards that were up to date and appropriate for main industries. Workers had the right to remove themselves from dangerous working conditions without jeopardy to their employment, but they generally did not do so. The law provided inspectors the authority to enforce the law and explicitly covered all workers, including foreign and informal workers. The government did not consistently or proactively identify unsafe conditions or respond to workers' OSH complaints.

Multinational companies generally met the government's OSH standards. The civil service and local private companies occasionally disregarded OSH standards, while artisanal mining in the north remained a sector with scant enforcement of labor protections for juveniles and other vulnerable workers drawn to the region by the prospect of financial gain. Incidents involving worker deaths and injuries occurred several times per year. Governors and relevant ministries sent delegations in the wake of such incidents to encourage compliance with OSH regulations but failed to spur meaningful institutional reform. Local private companies and public offices often had

substandard conditions, including a lack of ventilation, fire protection, and OSH protection.

**Wage, Hour, and OSH Enforcement:** The government did not effectively enforce minimum wage, overtime, and OSH laws. Penalties for wage, hour, and OSH violations were not commensurate with those for violations of similar laws. The government did not apply penalties against violators. The Directorate of Labor Inspection of the Ministry of Labor had responsibility for the enforcement of the wage, hour, and OSH regulations. Labor inspectors could refer cases to the Ministry of Justice and Human Rights for prosecution and had the authority to make unannounced inspections but lacked authority to assess penalties. The government did not provide adequate staffing or training, which, together with corruption, impeded effective enforcement. The number of labor inspectors was insufficient to enforce labor laws.

Authorities did not always respect legal protections for foreign and irregular workers. Many persons were paid less than the minimum wage, especially in the informal sector. The Ministry of Public Works employed an insufficient number of labor inspectors to enforce the law, especially in the large artisanal gold mining sector in the north. Despite penalties existing for violation of OSH laws, enforcement often depended on the personal connections and financial resources of parties involved.

The World Bank reported that almost 96 percent of workers were in the

informal sector. Informal workers who obtained work contracts from their employers were protected by the government's labor code, minimum wage law, and social security. The vast majority, however, who were self-employed and thus worked without a contract, did not benefit from wage, hour, and OSH laws and inspections. Nevertheless, the Ministry of Labor, through its Directorate of Labor Inspection, investigated claims of possible legal violations in both the formal and informal sectors. While the Ministry of Labor could not prosecute, it could refer cases for prosecution to the labor division of the Ministry of Justice.