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6 September 2018

TCD106164.FE

Chad: Treatment of people who oppose the government, including activists or suspected activists from opposition parties (2016-August 2018)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. 2016: Elections and Post-Election Period

According to sources, Chad was affected by protest movements in 2016 (ACLEDApr. 2016, 2; DW 8 Aug. 2016). International Crisis Group reports that the political and social climate was very tense as the presidential elections of April 2016 neared, and that mobilizing issues included the cost of living, budgetary austerity, corruption, impunity and denunciation of Idriss Déby's candidacy for a fifth term (International Crisis Group 30 Mar. 2016, ii). According to Agence France-Presse (AFP), in February 2016, the authorities banned all unauthorized demonstrations (AFP 22 Feb. 2016). Then, in March 2016, as the presidential elections neared, the

government banned all demonstrations other than [translation] “demonstrations of candidates' for the presidential election” (AFP 23 Mar. 2016) or any gatherings that were not [translation] “presidential candidate meetings” (Bénin Monde Infos 25 Mar. 2016). Sources consulted in 2016 report that demonstrations continued, that law enforcement used violence against protesters, at times resulting in the death of some, and that there were arrests, imprisonments, disappearances and torture of opponents (see Response to Information Request TCD105664 of October 2016).

Sources report that, according to the National Electoral Commission of Chad (Commission électorale nationale du Tchad), Idriss Déby was reelected president in the 10 April 2016 elections (DW 22 Apr. 2016; Jane's 22 Apr. 2016). According to an article published by the online magazine *Jane's Country Risk Daily Report* (*Jane's*), the opposition challenged the results, which it deemed fraudulent, and refused to accept them (*Jane's* 22 Apr. 2016).

2. Treatment of Political Opponents in 2017

According to sources, in January 2017, the National Movement of Citizen Awakening (Mouvement d'éveil citoyen, MECI) [1] was banned by the Chadian Minister of Territorial Administration (RFI 15 Jan. 2017; Amnesty International June 2018, 11). Amnesty International adds that, on 27 May 2017, the police interrupted and prevented MECI's General Assembly from continuing (Amnesty International June 2018, 11). Radio France internationale (RFI) indicates that the government accused MECI of having [translation] “plans to disrupt public order” (RFI 15 Jan. 2017).

According to sources, on 6 April 2017, Nadjo Kaina, spokesperson for the Iyina youth movement, was arrested after calling on his fellow citizens to wear red on 10 April 2017 as an act of denunciation against corruption, bad governance and impunity (*Libération* 11 Apr. 2017; FIDH 12 Apr. 2017). The news website Tchadinfos.com indicates that on 15 April 2017, another Iyina member, Bertrand Solloh, was arrested and Bertrand Solloh and Nadjo Kaina were charged with [translation] “attempted conspiracy and inciting a mob” (Tchadinfos.com 26 Apr. 2017). The Francophone service of Voice of America (VOA), VOA Afrique, also reports that Nadjo Kaina and Bertrand Solloh were arrested on 6 and 15 April 2017, detained without charge and then charged on 26 April with “disturbing

public order and inciting revolt” (VOA Afrique 27 Apr. 2017). Sources indicate that the two activists claimed they had been subjected to [translation] “torture” (VOA Afrique 27 Apr. 2017; Amnesty International June 2018, 11; *Le Pays* 4 May 2017).

Sources report that an April 2016 presidential election candidate and former mayor of the city of Moundou, Loakein [Laoukein] Médard, was imprisoned on 13 July 2017 and prosecuted for financial misconduct (DW 14 Sept. 2017; AFP 23 Nov. 2017). An article published by AFP in November 2017 states that he was cleared of all charges against him and that a judge had ordered his release, calling his detention [translation] “abusive” (AFP 23 Nov. 2017). The same source indicates that Moundou’s prosecutor refused to sign the authorization for Mr. Médard’s release, and that new charges [translation] “of abuse of authority” were brought against him (AFP 23 Nov. 2017). According to the German public broadcaster Deutsche Welle (DW), the Chadian opposition leader and one of Mr. Médard’s lawyers believe that he was arrested for political reasons (DW 14 Sept. 2017).

Sources indicate that the manager a community radio station (Nada FM in Mondou (RSF 11 July 2017)) was sentenced to two years in prison and a fine of 100,000 CFA francs (approximately C\$231) (RSF 11 July 2017; VOA Afrique 20 June 2017). According to Reporters Without Borders (Reporters sans frontières, RSF), which describes the sentence as contrary to Chadian law regarding freedom of the press, the manager was charged on 9 June

[RSF English version]

for broadcasting a municipal councillor’s irate reaction outside the courthouse after receiving a suspended six-month jail sentence in a legal dispute between him and the head of the Moundou city hall administration. (RSF 11 July 2017)

The BBC reports that, according to a police source, the publications editor of the Chadian newspaper *Le Visionnaire* was arrested after the prosecutor’s office complained about the publication of an article about the [translation] “alleged misappropriation of aircraft registration”; Chadian press employers denounced the [translation] “repressive” manner of the editor’s detention (BBC 17 Oct. 2017). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the website of the Presidency of the Republic of Chad, on 10 August 2017, President Idriss Déby engaged in a series of consultations with opposition parties in response to its promise to reform state institutions (Chad 10 Aug. 2017).

3. Treatment of Political Opponents in 2018

3.1 Demonstrations Against Austerity and Suspension of Opposition Parties

Amnesty International reports that between January and March 2018, [Amnesty International English version] “dozens of anti-austerity protests” were held in N’Djamena and other cities in the country (Amnesty International 15 July 2018). According to the same source,

[Amnesty International English version]

All the protests but one were repressed by security forces who fired tear gas at demonstrators, arrested more than 150 people including students and children and tortured at least two anti-austerity activists. (Amnesty International 15 July 2018)

The same source also states that the Chadian authorities accused demonstrators of throwing stones at police officers and destroying public administration and private vehicles (Amnesty International 15 July 2018).

The information in the following paragraph is from an article published in the African weekly newspaper *Jeune Afrique*:

A peaceful march to protest against the government’s bad governance, injustice and [translation] “anti-social” measures, which was to take place on 25 January 2018, was not authorized by the Chadian authorities for “security reasons’.” The authorities closed schools and [translation] “government offices,” and shut down the Internet during the night preceding the march in anticipation of “failure to comply with instructions.” According to a human rights activist, his group was dispersed [translation] “with batons” and other protesters were “suppressed by tear gas.” The opposition parties [translation] “unanimously” denounced the government’s attitude (*Jeune Afrique* 25 Jan. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to Member of Parliament Djimet Clément Bagaou, representative of the opposition parties cited by *Le Monde* on 7 February 2018, the day after another peaceful march was dispersed by tear gas and where the authorities shot at protesters with [translation] “live ammunition”, “more than 50 were wounded by gunshots, and more than 600 demonstrators were arbitrarily arrested throughout the country” at marches in several cities in the country (*Le Monde* 7 Feb. 2018). According to *Le Monde*, the spokesperson for the N’Djamena police refuted Bagaou’s account and allegedly told AFP [translation] “that no live bullets were fired and they were not aware of anyone being injured” (*Le Monde* 7 Feb. 2018). The same source indicates that the Chadian Minister of Security stated at a press conference that all protests were prohibited for security reasons (*Le Monde* 7 Feb. 2018). The same source cites the Minister as stating that [translation] “any political party or civil society association that dares to defy state authority will see its activities simply suspended, in accordance with the law” (*Le Monde* 7 Feb. 2018).

Sources report that ten opposition parties that had supported the 6 February 2018 demonstration were suspended for two months in early February for [translation] “disturbing public order” and “inciting violence” (AA 7 Feb. 2018; VOA Afrique 7 Feb. 2018; *Le Monde* 7 Feb. 2018). According to an excerpt from Order No. 005 [translation] “signed by the Minister of Public Security” and made public on 7 February 2018, as reported by the Turkish news agency Agence Anadolu (AA), the following political parties were targeted:

[translation]

People’s Alliance for the Republic (Alliance du peuple pour la République, APR), Movement for Democratic Change (Mouvement pour le changement démocratique, MCD), People’s Party for Reconstruction and Democracy in Chad (Parti du peuple pour la reconstruction et la démocratie Tchad, PPRDT), National Union for Democracy and Socialism (Union nationale pour la démocratie et le socialisme, UNDS), African Movement for the New Independence and Democracy in Chad (Mouvement africain pour la nouvelle indépendance et la démocratie au Tchad, MANIDT), Popular Party for Unity and Democracy (Parti populaire pour l’unité et la démocratie, PPUD), National Mobilization for Complete Reform (Mobilisation nationale pour la réforme totale, MNRT), Chadian People’s Democratic Party (Parti

démocratique du peuple tchadien, PDPT), Justice and Development Party (Parti pour la justice et le développement, PJD), Rally for Free Chadians (Rassemblement des Tchadiens libres, RTL). (AA 7 Feb. 2018)

3.2 Arrests of Opponents

According to statements made by Balkissa Idé Siddo, a researcher with Amnesty International for Central Africa, as cited by VOA Afrique, [translation] “the judicial system is used to [legalize] arbitrary arrests” (VOA Afrique 26 Feb. 2018). The researcher added that those who are arrested are detained [translation] “beyond the custody periods set out in the Chadian Criminal Procedure Code” and that they are “brought into the judicial system to legalize the arrest and then released a few days later” (VOA Afrique 26 Feb. 2018). The researcher also stated that this mechanism serves to punish and deter (VOA Afrique 26 Feb. 2018).

According to RFI, many Chadian protest leaders went into hiding, fearing [translation] “kidnapping” and “intimidation” (RFI 14 Feb. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources report that Alain Didah Kemba, member of the Iyina movement, was arrested on 19 February 2018 (VOA Afrique 26 Feb. 2018; Amnesty International 28 Feb. 2018) as he [translation] “was about to burn a pile of tires with a bottle of gasoline,” according to a police spokesperson (VOA Afrique 26 Feb. 2018). The same sources indicate that he was released on 26 February 2018, without any charges having been laid against him (VOA Afrique 26 Feb. 2018; Amnesty International 28 Feb. 2018). VOA Afrique reports that one of Alain Didah Kemba’s lawyers told AFP that his client had been subjected to [translation] “torture” and had “swollen feet” (VOA Afrique 26 Feb. 2018). Amnesty International also indicates that, according to Alain Didah Kemba’s lawyer, he [Amnesty International English version] “could barely stand on his feet,” adding that he “was beaten on his leg joints and the soles of his feet by police officers during an interrogation” (Amnesty International 28 Feb. 2018).

According to sources, three opponents to the Chadian regime, including two members of the Framework of Popular Action for Solidarity and Unity of the Republic (Cadre d’action populaire pour la solidarité et l’unité de la République, CAP-SUR),

were released on 18 May 2018, having been detained [translation] “secretly” since late March 2018 (AFP 21 May 2018; *La Nouvelle Tribune* 21 May 2018). The same sources add that they were arrested while filing a complaint for having been accused of writing a pamphlet, which they denied doing (*La Nouvelle Tribune* 21 May 2018) or while they were filing a complaint after the circulation of a pamphlet, which they denied having written (AFP 21 May 2018).

The newspaper *Libération* reports that, in recent months, the [translation] “regime has begun to attack the family and clan” of Mahamat Nour Ibedou, Secretary-General of the NGO Chadian Convention for the Defence of Human Rights (Convention tchadienne pour la défense des droits de l’homme, CTDDH) (*Libération* 16 July 2018). Similarly, DW reports that Mahamat Nour Ibedou [translation] “seems to have become the number one enemy of the Idriss Deby Itno’s government, which has apparently decided to silence him by any means” (DW 19 June 2018). According to sources, the water and electricity were cut off at his home, he was threatened with the destruction of his house, his computer and telephone were stolen, and one of his relatives was removed from the position of canton chief (DW 19 June 2018; *Libération* 16 July 2018).

3.3 Joint Participation of Majority and Opposition Members in the National Framework for Political Dialogue

According to RFI, Chad's head of state met with political parties on 8 May 2018 in order to implement a [translation] “national framework for political dialogue (cadre national de dialogue politique, CNDP) in light of the upcoming election” (RFI 9 May 2018). The same source explains that the CNDP

[translation]

is a joint body created 10 years ago, within which the majority party and opposition parties discuss provisions to allow the organization of transparent elections. (RFI 9 May 2018)

VOA Afrique reports that the CNDP, the body responsible for organizing the parliamentary elections scheduled for November 2018, was established on 20 July 2018 and that it consists of [translation] “15 members of the majority and 15 opposition party members” (VOA Afrique 20 July 2018).

3.4 New Constitution

Sources report that on 30 April 2018, the Chadian parliament adopted a new constitution, in a vote [translation] “boycotted” by most members of the opposition (DW 30 Apr. 2018; AFP 30 Apr. 2018). According to the same sources, the vote was held with a strong police presence around the National Assembly (DW 30 Apr. 2018; AFP 30 Apr. 2018), while the opposition and several civil society organizations called for protest (AFP 30 Apr. 2018). According to AFP, two CTDDH party members were arrested after wanting to hold a sit-in at the National Assembly, and were released at the end of the day (AFP 30 Apr. 2018). The same source reports that the new constitution provides for the president’s term to be extended from five to six years and for making it renewable only once, whereas it was previously renewable indefinitely (AFP 30 Apr. 2018).

3.5 Amnesty for Exiled Opponents

VOA Afrique indicates that the President ordered a general amnesty and invited all Chadians who [translation] “left their country for one reason or another” to return to Chad “with dignity” (VOA Afrique 4 May 2018). The Chadian news website Alwihda Info reports that on 31 May 2018, the cabinet of ministers adopted the amnesty draft order, whose period of application was set from June 1991 to the date on which the order is enacted (Alwihda Info 1 June 2018). The same source explains that the amnesty covers

[translation]

offences of treason, espionage, jeopardizing national defence, irregular presence in certain places, collusion with the enemy, other actions harmful to national defence, breach of constitutional order, attacks on government institutions, armed gangs and insurgency movements, such as mercenary activities. This amnesty applies to all Chadians residing in Chad or abroad, whether or not they have been convicted of the offences listed. (Alwihda Info 1 June 2018)

Sources report that Colonel Ahmat Aboubakar, a founder of the Patriotic Salvation Movement (Mouvement patriotique du salut, MPS), [the ruling party], who had been in political exile in Egypt for 10 years, returned to Chad and met with President Idriss Déby on 24 July 2018 (*Le Pays* 25 July 2018; *Tchad* 24 July 2018). Additional information on the application of the amnesty after May 2018 could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Note

[1] According to Amnesty International, The Citizen Awakening Movement (Mouvement d'éveil citoyen, MECI) is a Chadian organization that brings together trade unions, political parties and other civil society organizations to campaign against the mismanagement of public funds and advocates for democracy (Amnesty International June 2018, 11).

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Internet sites, including: Afric Telegraph; eoi.net; Freedom House; Frontline Defenders; UN – Refworld.



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