

# Immigration and Refugee Board of Canada

[Home](#)

> [Research Program](#)

> Responses to Information Requests

---

## Responses to Information Requests

---

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the [Knowledge and Information Management Unit](#).

21 September 2015

**TCD105291.FE**

Chad: Forced marriage in Chad, particularly whether an educated woman can flee a forced marriage and the protection she is offered by the authorities and NGOs; whether an educated woman may live alone in N'Djamena and Moundou

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

The information in this Response essentially comes from three sources who corresponded with the Research Directorate: a professor who teaches at the University of N'Djamena and who completed a PhD thesis in the University of Montreal's Department of Demography on the relationship between the family environment and the sexual behaviour of adolescents living in a socialization context in Burkina Faso (Professor 1 Sept. 2015); the President of the Association of Women for Development and a Culture of Peace in Chad (Association des femmes pour le développement et la culture de la paix au Tchad, AFDCPT), an organization defending the rights of women and children (Insight on Conflict Aug. 2015); and the President of the Association of Women Jurists of Chad (Association des femmes juristes du Tchad, AFJT), an organization that aims to improve "socio-legal conditions" for and defend the rights of women and children (ibid. May 2015).

### 1. Practice of Forced Marriage

The President of the AFJT stated that, in Chad, forced marriage refers to [translation] "girls who have not yet reached the age of majority, that is, 18 years old," whereas forced marriages among women of the age of majority are "rare cases" (AFJT 14 Sept. 2015). Similarly, the Professor reported that forced marriage [translation] "more often affects younger girls" (1 Sept. 2015). In the April 2015 edition of its newsletter, the UNICEF office in Chad cites the results of a survey targeting the regions of Mandoul, Ouaddai and Tandjilé, according to which two out of three girls in these regions, or the equivalent of 68 out of every 100 children, are married before the age of 18 (UN 17 Apr. 2015, 8).

The US Department of State's *Country Reports on Human Rights Practices for 2014*, indicates that "forced marriage of girls remained a serious problem" in Chad in 2014, despite the fact that the practice is prohibited by law (US 25 June 2015, 21).

### 2. Legislation

Article 9 of Act No. 006/PR/2002 on the Promotion of Reproductive Health (*Loi n°006/PR/2002 portant promotion de la santé de reproduction*) states that

[a]ll persons have the right not to be subjected to torture and to cruel, inhuman and degrading treatment of their body in general and of their reproductive organs in particular. All forms of violence such as female genital mutilation (FGM), early marriage, domestic violence and sexual abuse of a human being are prohibited. (Chad 2002)

### 3. Whether a Woman Can Flee a Forced Marriage

Sources reported that a Chadian woman can refuse or flee a forced marriage (Professor 1 Sept. 2015; AFDCPT 3 Sept. 2015). However, according to the President of the AFDCPT, whether a Chadian woman may escape a forced marriage depends on the young girl's success in informing the legal authorities and human rights organizations, as well as on her financial capacity (ibid.).

According to the Professor, educated girls are [translation] "the ones who most often oppose forced marriage" (Professor 1 Sept. 2015). In his opinion, this can be explained by the fact that they are made aware of this practice in school, where early or forced marriage is presented as a barrier to their education and a practice that is prohibited by law (ibid.). The President of the AFDCPT stated that an educated woman confronted with a forced marriage will be [translation] "able to report it," owing to her knowledge about the issue that her education has enabled her to acquire (AFDCPT 3 Sept. 2015). According to the President of the AFJT, educated girls speak out about forced marriage in order to obtain help, whereas uneducated girls [translation] "put up with it" for fear of creating problems for their families and communities (AFJT 14 Sept. 2015).

The Professor also stated that

[translation]

[t]hose who dare to oppose their parents' will risk harassment and rejection by the family. Most often, they flee their place of residence or the country to start a new life far away from their family members. ... Some choose to flee their parents' place of residence when there are no allies to be found there or when the family pressure becomes unbearable. (1 Sept. 2015)

Likewise, according to the President of the AFJT, an educated girl may [translation] "run away and take refuge somewhere in the country" to escape a forced marriage (AFJT 14 Sept. 2015). According to the same source, [translation] "in some cases," the educated woman may receive financial support from her mother when she runs away, whereas she is [translation] "generally disowned by the father" (ibid.). The president of the AFJT also notes that, in this situation, the mother risks divorce (ibid.). Further information regarding maternal support for a woman wishing to flee a forced marriage could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The Professor also reported that

[translation]

refusal of the marriage can be demonstrated in a number of ways. The girl can simply say no, openly, to her parents, or demonstrate her refusal by boycotting all ceremonies or meetings initiated by the parents for her to get to know the proposed husband. She may also leave the family home and take refuge with a family member who does not agree with the parents' initiative. It is fairly common for a girl to demonstrate her refusal by taking refuge at the home of the boy she likes. ... Cases of suicide have also been recorded. (1 Sept. 2015).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. Further information about a woman's ability to escape a forced marriage in Chad could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

### 4. Protection Provided to Women Wishing to Flee a Forced Marriage

Information on state and civil society organization protection for women wishing to flee a forced marriage was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

With regard to state protection, the Professor stated that, to his knowledge,

[translation]

the authorities do not take action ... to help a girl flee a forced marriage. The modern legislation applied in Chad is against such marriages, but because of the (discrete) primacy of customary laws in these situations, the authorities turn a blind eye to the parents' actions. However, if the girl brings the issue to the attention of the authorities, they intervene to dissuade the parents in their intentions. (1 Sept. 2015)

Similarly, the President of the AFJT stated that protection provided by the authorities [translation] "does not exist," in that [translation] "they get involved only if they are seized of the matter" (AFJT 14 Sept. 2015). According to the President of the AFDCPT, [translation] "a woman wishing to flee a forced marriage in Chad

can receive help from the authorities if human rights organizations are called upon to take action and refer the case to the competent jurisdictions" (AFDCPT 3 Sept. 2015). However, she points out that judicial authorities are [translation] "slow" to process these cases and that there is no "appropriate mechanism for dealing with the victims" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

With respect to the protection offered by NGOs, the President of the AFJT stated that [translation] "some civil society organizations provide legal aid" to girls in forced marriages, including legal support and assistance (14 Sept. 2015). A report by a coalition of 10 Chadian civil society organizations [1], including the AFJT, addressing the implementation of the International Covenant on Civil and Political Rights in Chad, mentions the following case of the AFJT's intervention in a forced marriage:

[translation]

In January 2014, a girl under 13 years of age was given away in marriage to a man of about 50 years old in Bol, in the Lake Region. The Association of Women Jurists of Chad (AFJT) was called upon and took action with the governor of the Lake Region to overturn the parents' decision. The dowry was subsequently reimbursed. (Civil Society Coalition 8 Feb. 2014, 29)

Similarly, the Professor indicated that

[translation]

there are no NGOs that help women flee forced marriages. Rather, human and women's rights associations help girls stand against their parents' will to enter them into forced marriages. These organizations use legal arguments to do so. (1 Sept. 2015)

Further information on protection provided by NGOs to women in forced marriages could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

## **5. Whether an Educated Woman May Live Alone in N'Djamena and Moundou**

Information on whether a Chadian woman may live alone in Chad was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

According to data from a World Bank global report on the economic status of women in 173 countries [2], in Chad, unmarried women are not legally discriminated against compared to men with respect to getting a job, registering a business, opening a bank account, choosing where to live, being head of household and having ownership rights over property (World Bank 9 Sept. 2015, 104). However, *Country Reports 2014* indicates that discrimination against and exploitation of women are "widespread" (US 25 June 2015, 19). According to the same source, "women suffered discrimination in access to employment, housing, credit, and pay equity for substantially similar work, and in owning or managing businesses" (ibid., 19-20).

The Professor provided the following information regarding whether women may live alone in Chad:

[translation]

Generally speaking, it is not easy for a woman, who has never been married or had children, to live alone, regardless of her place of residence and level of education. Chadian society is fundamentally pronatalist, valuing marriage very highly. A woman is expected to marry and have children. An unmarried or childless woman in her thirties who also lives alone is looked down upon by her family members and those around her. In the eyes of many, such a woman has wasted her life. Some people will openly call her a prostitute because she does not depend on a man to live. The children of the neighborhood may even treat her with disrespect and insult her, simply because she lives alone and/or does not have children. As a result, some women remain dependent on parents or guardians even if they are economically independent. Women living alone after a separation or a divorce are not treated this way.

Currently, it is becoming increasingly common in Chad to see single women in their thirties or beyond who are educated, employed, economically dependent and living alone in their own home or in a rental home. Most of these women chose to focus on their education before thinking about marriage. There are more of these women in N'Djamena than in the rest of the cities in Chad. They live alone not by choice, but simply because the men of their age are all married, and also because they do not want to live in a polygamous household. (Professor 1 Sept. 2015).

The President of the AFDCPT also recognizes that a Chadian woman may live alone in N'Djamena and in Moundou (AFDCPT 3 Sept. 2015). She explained that depends on the woman's adherence to the [translation] "traditions and customs" of the host community (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Without providing details, the President of the AFJT noted that finding a job in N'Djamena or Moundou would be a challenge for an educated woman wishing to settle in one of those cities (AFJT 14 Sept. 2015). With respect to housing, based on their financial means, the same source indicated that single women "rent or live with [members of their family] who agree to take them in for a period of time" while they are looking for employment that would enable them to pay rent (ibid.). Corroborating information 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.

### Notes

[1] The organizations that make up this coalition are: the Chadian Association for the Promotion and Defence of Human Rights (Association tchadienne pour la promotion et la défense des droits de l'homme, ATPDH); the Association of Women Jurists in Chad (Association des femmes juristes du Tchad, AFJT); the Association for the Promotion of Fundamental Liberties in Chad (Association pour la promotion des libertés fondamentales au Tchad, APLFT); the Chadian Human Rights League (Ligue tchadienne des droits de l'homme, LTDH); the Aboriginal Peul Women's Association in Chad (Association des femmes peules autochtones du Tchad, AFPAT); Rights of the Man Without Borders (Droits de l'homme sans frontières, DHSF); the Association for the Defence of Consumers' Rights (Association pour la défense des droits des consommateurs, ADC); the Peace and Reconciliation Follow-up Committee (Comité de suivi de l'appel à la paix et la réconciliation, CSAPR); the Liaison Cell of Women's Associations (Cellule de liaison des associations féminines, CELIAF); and the Action by Christians for the Abolition of Torture (Action des chrétiens pour l'abolition de la torture, ACAT-Tchad) (Civil Society Coalition 8 Feb. 2014, 3).

[2] World Bank's report entitled *Women, Business and the Law 2016* is intended, through a comparative study of 173 countries across seven legal indicators, to "enhance global understanding of laws that affect women's economic opportunities" (World Bank 9 Sept. 2015, 1).

### References

Association des femmes juristes du Tchad (AFJT). 14 September 2015. Correspondence from the President to the Research Directorate.

Association des femmes pour le développement et la culture de la paix au Tchad (AFDCPT). 3 September 2015. Correspondence from the President to the Research Directorate.

Chad. 2002. *Loi n° 006/PR/2002 portant promotion de la Santé de Reproduction*. <[http://www.ilo.org/aids/legislation/WCMS\\_140821/lang--fr/index.htm](http://www.ilo.org/aids/legislation/WCMS_140821/lang--fr/index.htm)> [Accessed 17 Sept. 2015]

Civil Society Coalition. 8 February 2014. *Rapport de la société civile sur la mise en œuvre du Pacte international relatif aux droits civils et politiques (PIDCP) au Tchad. Réponse à la liste des points à traiter (CCPR/C/CD/Q/2)*. <[http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/TCD/INT\\_CCPR\\_CSS\\_TCD\\_16583\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/TCD/INT_CCPR_CSS_TCD_16583_E.pdf)> [Accessed 9 Sept. 2015]

Insight on Conflict. August 2015. "Association des femmes pour le développement et la culture de la Paix au Tchad (AFDCPT)." <[http://www.insightonconflict.org/conflicts/chad/peacebuilding-organisations/afdcpt/?lang\\_original=1](http://www.insightonconflict.org/conflicts/chad/peacebuilding-organisations/afdcpt/?lang_original=1)> [Accessed 14 Sept. 2015]

\_\_\_\_\_. May 2015. "Association des femmes juristes du Tchad." <[http://www.insightonconflict.org/conflicts/chad/peacebuilding-organisations/association-des-femmes-juristes-du-tchad/?lang\\_original=1](http://www.insightonconflict.org/conflicts/chad/peacebuilding-organisations/association-des-femmes-juristes-du-tchad/?lang_original=1)> [Accessed 14 Sept. 2015]

Professor, University of N'Djamena. 1 September 2015. Correspondence with the Research Directorate.

United Nations (UN). 17 April 2015. UNICEF. *Mère et Enfant : Mettre fin au mariage des enfants tous ensemble*. <<http://reliefweb.int/report/chad/m-re-et-enfant-bulletin-dinformation-de-lunicef-chad-avril-2015>> [Accessed 14 Sept. 2015]

United States (US). 25 June 2015. Department of State. "Chad." *Country Reports on Human Rights Practices for 2014*. <<http://www.state.gov/documents/organization/236554.pdf>> [Accessed 10 Sept. 2015]

World Bank. 9 September 2015. *Women, Business and the Law 2016*. <[http://wbl.worldbank.org/~/\\_media/WBG/WBL/Documents/Reports/2016/Women-Business-and-the-Law-2016.pdf](http://wbl.worldbank.org/~/_media/WBG/WBL/Documents/Reports/2016/Women-Business-and-the-Law-2016.pdf)> [Accessed 11 Sept. 2015]

## Additional Sources Consulted

**Oral sources:** Association des femmes pour l'autopromotion; Association jeunesse pour la paix et la non violence; Association pour la promotion des liberté fondamentales au Tchad; Association tchadienne de promotion et de défense des droits de l'homme; Cellule de liaison et de l'information des associations féminines; Chad – ministère de l'Action sociale, de la Famille et de la Solidarité nationale; Comité inter-africain sur les pratiques traditionnelles; Girls Not Brides.

A lecturer with the University of Montreal's Department of Demography was unable to provide information for this Response.

The Director of International & Global Studies at the Rochester Institute of Technology was unable to respond to a request for information within the time constraints of this Response.

**Internet sites, including:** Afrik.com; Agence tchadienne de presse; AllAfrica; Amnesty International; British Broadcasting Corporation; Chad – Institut national de la statistique, des études démographiques économiques et démographiques, Official government site; ecoi.net; Equality Now; Factiva; Fédération internationale des ligues des droits de l'homme; Freedom House; Human Rights Watch; IRIN; *Jeune Afrique*; Minority Rights Group International; Panapress; Tchadinfo.com; Tchadonline.com; Tostan; UN – Office of the High Commissioner for Human Rights, Refworld, UNFPA, UN Women; World Organisation Against Torture.

[Tips on how to use this search engine.](#)

[Top of Page](#)

Date modified: 2016-01-05