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U.S. Department of State

Chad Country Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

CHAD

Chad continued its transition from an authoritarian system to a constitutional democracy. Effective power is held by President Idriss Deby and his party, the Patriotic Salvation Movement (MPS). President Deby took power in a December 1990 coup and was confirmed as Chief of State by the Sovereign National Conference (CNS) of 1993. He was elected President in mid-1996 under a Constitution adopted in a referendum earlier that year. Elections for a National Legislative Assembly were held in early 1997 and resulted in the replacement of the provisional parliament known as the Higher Transitional Council (CST). General Wadal Abdelkader Kamougue, the runner-up to Idriss Deby in the 1996 presidential elections, was elected President of the new Assembly. The Government is headed by a Prime Minister nominated by the President and confirmed by the National Assembly. Prime Minister Nassour Guelengdouksia Ouaidou has held office since May. Insurgent groups opposed to the Government did not mount any serious campaigns, and a number of rebels changed their support to the Government. An important peace accord was signed in Moundou on April 18 between the Government and the rebel group known as the Armed Forces for the Federal Republic (FARF), led by Laokein Barde Frisson. However, fighting broke out between the Government and FARF in Moundou in October, resulting in the breakdown of the accord and arresting the downward trend of Government-rebel confrontation. The judicial system continued to be ineffective, overburdened and subject to outside, including official, interference, notably in the handling by the Court of Appeals of the results of the legislative elections.

The army, gendarmerie, police, National and Nomadic Guard (GNNT), and intelligence services are responsible for internal security. Officers from the ethnic group of President Deby dominate the Rapid

Intervention Force (FIR), and the National Security Agency (ANS), a counterintelligence organization that has acted as an internal political police force. The security forces continued to commit serious human rights abuses, with the army remaining an essentially undisciplined force.

The economy is mainly based on subsistence agriculture, herding, and fishing. Per capita income is estimated at \$190 per year. The country has little industry; its chief export is cotton. The Government relies heavily on external financial and technical assistance, but has substantial undeveloped oil reserves.

The human rights situation improved in several respects; however, serious problems remain. According to local human rights groups, the security forces committed scores of extrajudicial killings. There were reports of disappearances. Members of the security forces also beat and reportedly raped citizens. Prison conditions are harsh and life threatening. Security forces continued to use arbitrary arrest, detention illegal searches and wiretaps. The Government did not prosecute security personnel accused in previous years of killings, rape, torture, and arbitrary arrest and detention. The judiciary remained subject to government interference. It was unable to provide citizens with prompt trials, and lengthy pretrial detention remained a problem. Citizens' right to change their government remained in doubt. The second round of the legislative elections was marred by widespread reports of fraud, vote-rigging, and irregularities committed by local officials, although no major incidents of violence were reported. The Court of Appeals succumbed to government pressure to ensure that a majority of parliamentary seats was held by the ruling party. There was infringement on worker rights, including reported instances of forced labor in agricultural communities and the military forces. Discrimination against women is common; violence against women is also believed to be common. Female genital mutilation is widespread.

FARF rebels reportedly committed serious abuses, including killings of civilians in the area of Moundou in November and December.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

The security forces committed scores of extrajudicial killings, according to local human rights groups. Reports of officially sanctioned extrajudicial killings of accused criminals by police and gendarmes began to appear in November 1996, in the aftermath of a severe crime wave. The press provided further evidence by publishing an official telegram signed by the commander of a special unit of the Gendarmerie Nationale. This telegram contained an order that instructed security forces to kill any person caught in the act of theft, under penalty of severe sanction if they did not comply. The implementation of the so-called "New Law" enjoyed a large measure of popular support. The authorities cited public support and the breakdown of the judicial and prison systems as justification for the use of lethal force until the policy was finally disavowed by the Government largely due to international pressure on March 14.

A Cabinet minister in January indicated in a newspaper interview that the policy of lethal force has worked but that there were no statistics. However, the minister did not directly dispute local human rights groups' charges that scores of citizens were killed or that security forces killed nine persons in a public square in Fianga on Christmas Eve 1996.

In February the independent newspaper N'Djamena Hebdo reported the experiences of Adoum Godi,

who said that he and two companions had been arrested in late January on charges of stealing a carpet. Godi said that after a few days in detention the three were taken out by gendarmes at night, bound, and thrown into the Chari river. Godi said that he was able to escape, while the others drowned. Security forces maintained that the story was a fabrication and that Godi was "a thief who was let go." However, independent eyewitnesses reported seeing Godi being pulled out of the river by fishermen.

Other instances of extrajudicial killings by security forces reportedly occurred even after the issuance of the March 14 order. On June 1 and June 12, Gendarme Commander Ouardougou reportedly killed five persons in the town of Dourbali who were accused of theft. The victims were: Hissein Fadil Hamid; Omar Ahmat; Yaya Moursal; Cheick Abakar Ahmat; and Mahamat Abakar. Persistent reports from Koumra, Bongor, and N'Djamena indicated that extrajudicial killings continued to occur until August, although it is unclear whether the killings were ordered by the Government or whether local authorities acted independently. Many of the killings apparently were clandestine, at night, or in remote locations.

Police, gendarmes, and soldiers used excessive force in attempting to quell a protest in Gounou-Gaya in January. After knife wounds inflicted by a retired gendarme caused the death of a village chief, peasants from the hamlet demonstrated noisily outside the hospital where he had been taken. Police used tear gas and warning shots to disperse the protesters. However, a crowd of about 500 villagers later carried the chief's corpse to the office of the provincial administrator. Security forces then fired a rocket-propelled grenade toward the crowd. The grenade exploded, killing one person and wounding eight others. The authorities took no action to punish those responsible.

In October in Moundou government forces committed extrajudicial killings that included summary executions in their confrontations with FARF elements. An estimated 100 persons were killed, including those killed by rebels; a large number of those killed were noncombatants.

Fighting broke out between government and FARF troops during a period of considerable tension over accusations of noncompliance by both sides with the April peace accords intended to end the FARF insurgency in the south of the country. Most observers believe that government troops sought the confrontation. Although open fighting between the two forces ceased within hours, government troops conducted brutal house-to-house searches for FARF personnel, in the process committing executions and torture of civilians. Following a lengthy questioning of the Government by Members of Parliament during an extraordinary session of Parliament on live television on November 4, a joint Parliamentary-Government team traveled to the region to restore calm and gather information on the incident. The Government also announced several initiatives to renew reconciliation with the FARF, including integrating FARF forces into the army without retribution. The joint team produced a report that acknowledged a much higher death toll than the Government had originally announced, blamed the FARF for the tensions leading to the incident, and assigned no blame for the civilian deaths. Local human rights groups also sent a team to the area, and published a report detailing numerous serious human rights violations by government troops. The human rights groups reported a lack of cooperation by authorities during their investigation.

In December human rights organizations reported that the military forces continued to commit human rights abuses, including the killing of villagers in the prefectures of Eastern and Western Logone during November and December. Some of these killings appeared to have been executions of targeted persons, while other deaths and woundings appeared to be random.

The Chadian contingent of the Inter-African Peacekeeping force (MISAB) in the Central African Republic reportedly committed serious rights abuses during its operations, including the killing of many civilians and looting of residences. The Government did not punish the Chadian contingent of MISAB for its abuses and undisciplined behavior.

In response to the October incident in Moundou, FARF rebels reportedly retaliated against the army in November, and followed this action with a number of alleged attacks on civilian targets in the region around Moundou in November and December, reportedly killing and abusing civilians.

b. Disappearance

There were credible reports of disappearances. Although it was difficult to establish the facts and to assign responsibility, there were reports of security force involvement. For example, Djimadoumgue Guemingar, allegedly a former agent and an informant for the ANS, was arrested on May 22 by a "Brigade Mixte" (a unit composed of elements from different branches of the armed services) on a charge of possessing