



[Home](#) » [Under Secretary for Democracy and Global Affairs](#) » [Bureau of Democracy, Human Rights, and Labor](#) » [Releases](#) » [Human Rights Reports](#) » [2010 Country Reports on Human Rights Practices](#) » [Africa](#) » [Chad](#)

2010 Human Rights Report: Chad

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2010 Country Reports on Human Rights Practices

April 8, 2011

Chad is a centralized republic with a population of approximately 11 million. In 2006 President Idriss Deby Itno, leader of the Patriotic Salvation Movement (MPS), was elected to a third term in what unofficial observers characterized as an orderly but seriously flawed election boycotted by the opposition. Deby has ruled the country since taking power in a 1990 coup. The executive branch dominated the legislature and judiciary.

On January 15, the governments of Chad and Sudan signed an agreement to normalize relations. Both parties agreed to end the presence of and support for the other's armed opposition groups in their respective territories. The governments also agreed to establish a joint force to patrol and monitor the shared border; the joint force was established in February. Hundreds of Chadian rebels who had been living in Sudan returned to the country during the year. The government withdrew support for the Justice and Equality Movement (JEM) and expelled JEM personnel, including leader Khalil Ibrahim. Fighting between government forces and rebels occurred once during the year, and there were no reports of cross-border raids by militias based in Darfur, Sudan.

In January President Deby announced that he would not support the renewal of MINURCAT, the UN Mission in the Central African Republic (CAR) and Chad. On May 25, following subsequent discussions between the government and the United Nations, UN Security Council Resolution 1923 extended MINURCAT's mandate until December 31, with a reduction in its military personnel and complete withdrawal of military and civilian elements, other than those required for the mission's liquidation, by that date. MINURCAT concluded operations and withdrew from the country by December 31. There were instances in which elements of the security forces acted independently of civilian control.

Human rights abuses included limitations on citizens' right to change their government; extrajudicial killings, including politically motivated killings; criminal kidnappings of children for ransom; torture, beatings, and rape by security forces; security force impunity; harsh and life-threatening prison conditions; arbitrary arrest and detention; incommunicado detention; lengthy pretrial detention; denial of fair public trial; executive interference in the judiciary; arbitrary interference with privacy, family, and correspondence; limitations on freedom of speech, press, and movement; abuse of refugees; widespread official corruption; kidnappings of nongovernmental organization (NGO) personnel by armed groups and

bandits; societal discrimination and violence against women, including female genital mutilation (FGM); child abuse, abduction, and trafficking; and child marriage. Use of child soldiers occurred, although reports of such activity greatly decreased during the year. Ethnic-based discrimination; repression of union activity; forced labor, including by children; and exploitive child labor were problems.

Ethnic-based rebel groups and bandits committed human rights abuses, including killings; abductions, rape, and injury of civilians; use of child soldiers; and attacks against humanitarian workers. The government's defeat of rebel groups and expulsion of JEM personnel, however, impeded their ability to operate within the country, resulting in a dramatic decrease in human rights abuses committed by such groups.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were reports that the government or its agents committed arbitrary or unlawful killings, including politically motivated killings, generally of those suspected of rebel affiliations. Killings were sometimes committed by "men in uniform," and it was often not possible to determine whether perpetrators were members of the armed forces or police, or whether they were acting on official orders. The government generally did not prosecute or punish security force members who committed killings.

On January 11, in Doba, security forces reportedly kidnapped and killed Madjingar Kemhodjim due to his alleged membership in a southern-based rebel group. Kemhodjim's body was found in a local cemetery.

On March 23, in Haraze-Mangaine, members of the Chadian National Army (ANT) killed Fadoul Barcham, a district chief. According to a local human rights organization, Barcham was killed because he did not support local representatives of the ruling MPS party.

On October 19, in Guereda, ANT soldiers detained and reportedly beat a minor for allegedly possessing weapons; the minor subsequently died in ANT custody. In retaliation, on October 21, ANT troops of the boy's ethnic Tama tribe confronted the ethnic Zaghawa ANT troops accused of the beating death. A subsequent exchange of fire killed an ANT officer from each tribe.

Following the January accord between the governments of Chad and Sudan, fighting between government and rebel forces occurred on one occasion; however, there were no reports of civilian killings.

The government conducted no investigations of the following 2009 security force killings in connection with the conflict in the East: the May summary executions by soldiers of at least nine rebels in Am Dam; the May killings of civilians in Am Dam as a result of government tanks crushing suspected rebel homes; the July killings by soldiers of five unidentified persons, whose bodies were found buried outside of Pala; and the December killing of Regine Doumro by a uniformed perpetrator.

Attacks on travelers by armed bandits, some of whom wore uniforms, resulted in deaths, although there were fewer such attacks than in the previous year. Some of the perpetrators were identified as active duty soldiers or deserters. It was often unclear whether the killings were politically or criminally motivated.

For example, on June 2, in N'Djamena armed bandits suspected of being ANT members killed Ali Karachi Abderamane, an aviation technician. Local media reported that Abderamane was killed due to his relationship with an exiled regime opponent.

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No investigation was conducted in the January 2009 killing by unknown assailants of Gani Nassour Betchi, sister of rebel leader Tom Erdimi.

No action was taken to identify the perpetrators of numerous cases of human rights abuse reported by the Commission of Inquiry, which was established to investigate disappearances and other abuses that occurred during the 2008 rebel attack and government counterattack in N'Djamena. However, on November 18, the Council of Ministers authorized the defense minister and former interior minister to provide witness testimony to judicial investigators. The commission's 2008 report charged that 977 persons--including civilians, ANT personnel, and rebels--were killed, 1,758 injured, 34 raped, and 380 detained in N'Djamena and the provinces during that period. In 2009 the government established an additional subcommittee under the minister of justice to reexamine cases discussed in the commission's report.

There were no developments in the following 2008 security force killings: the civilian killings resulting from the ANT's destruction of several villages in Maitoukoulou, CAR and the killing of supporters of Sheikh Ahmet Ismael Bichara in response to their alleged attack on security forces.

The two persons detained in Sarh for the 2008 high-profile killing of college professor Tenebaye Oringar remained in detention awaiting trial at year's end.

Unlike in previous years, there were no reports of civilian deaths resulting from unexploded ordnance, including landmines, laid by government, rebel, and foreign units.

Interethnic fighting resulted in deaths.

For example, in June, in continuation of a decades-long ethnic feud, armed Zaghawa entered the court in Abeche and killed several ethnic Tama who had completed prison terms for an offense committed against the Zaghawa, but who had refused to leave prison for fear of their personal safety.

The alleged perpetrators of the killings of nine persons during the November 2009 interethnic conflict between herders and farmers in Kana District remained in detention without charge at year's end.

Children kidnapped for ransom were sometimes killed (see section 1.b.).

b. Disappearance

Unlike in the previous year, there were no reports of politically motivated disappearances; however, the whereabouts of persons arrested for political reasons in previous years remained unknown. Persons were held incommunicado during the year.

On June 6, armed bandits kidnapped Hubert Blama, an employee of the British NGO Oxfam; Blama was subsequently released (see section 5).

The whereabouts of Ibni Oumar Mahamat Saleh, one of three prominent opposition leaders arrested in 2008, remained unknown. Despite pressure from foreign governments, local human rights groups, and members of Ibni's political party, who during the year held an assembly calling for government action on the case, no arrests were made. In January an interministerial committee, established to investigate unresolved cases connected to the 2008 rebel attacks, requested a six-month extension to complete its work; however, no information about Ibni's case had been released by year's end.

The whereabouts of at least 135 rebels captured during the 2008 rebel attack on N'Djamena remained unknown at year's end.

The kidnapping of children for ransom in the Mayo-Kebbi Ouest Region remained a problem, although there were fewer such incidents than in the previous year. Armed persons, both local and from neighboring countries, reportedly kidnapped children, especially Peuhl children, due to perceptions that Peuhl families were wealthier than those of other ethnic groups. According to a local NGO, 148 children were kidnapped from 2007-09, and the total ransom money paid was approximately 157 million CFA (\$314,000). During the same period, 114 children held by bandits were killed, some by kidnapers when ransom payments were not forthcoming and others during police attempts to free them.

On July 16, local human rights representatives in Pala reported the kidnapping of a four-year-old child near Fianga. During the same month, another local human rights group reported the kidnapping of two children in Bongor. On September 23, five children were kidnapped for ransom; on October 28, one kidnapped child was found dead after the parents were unable to pay the ransom in time. According to the human rights organization, no investigation of the death was conducted.

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

The constitution and law prohibit such practices; however, the government did not respect these provisions in practice. Security force members tortured, beat, raped, and abused persons, particularly those suspected of rebel activity or collaboration with rebels. The government took no known action against security force members responsible for such abuse.

On January 24, in N'Djamena security forces arrested Mbailassem Berangoto, who allegedly was tortured during detention. No information was available on the reasons for Berangoto's arrest, and no action had been taken against security force members reportedly involved in his torture by year's end.

On February 7, in Salamat gendarmes arrested Djibrine Noh, who was subsequently tortured during detention. As a result of injuries inflicted during the torture, doctors amputated Noh's right hand after he was released.

On May 12, in Sarh government intelligence agents arrested Madjadoumbe Ngom Halle, who they subsequently tortured during detention. Halle was released on June 16.

No action was taken against security forces involved in the following 2009 cases of torture: the March 19 detention and torture by military personnel of Malioum Ousamane; the March 26 arrest and torture by police of 15-year-old Mahamat Nour Abrass; and the May 29 torture by security agents of Yaya Erdimi.

Police, gendarmes, and ANT personnel raped women and girls.

No action was taken in the following 2009 cases of security force rape: the May 7 rape by ANT soldiers of a girl and a woman near Am Dam; the July 1 rape of an 11-year-old girl by men in uniform; and the kidnap and rape by ANT soldiers of 10 girls.

Unlike in the previous year, there were no reports that unexploded ordnance, including landmines laid by government, rebel, or foreign forces, resulted in injuries.

Prison and Detention Center Conditions

Prison conditions remained harsh and life threatening. Prisons were seriously overcrowded; had poor sanitation; and provided inadequate food, shelter, and medical facilities. Regional detention centers, which were crumbling, overcrowded,

and without adequate protection for women and youth, had no budgets to provide meals for inmates. Prison guards were not regularly paid, and sometimes "released" prisoners who offered compensation for the service. Provisions for ventilation, temperature, lighting, and access to potable water were inadequate or nonexistent. The law provides that a doctor must visit each prison three times a week, but this provision was not respected. Forced labor in prisons occurred.

As a result of inadequate record-keeping and management, many individuals remained in prison after completing their sentences or after courts had ordered their release. During the year Justice Minister Mbailao Naimbaye Lossimian and other government officials visited various prisons throughout the country to evaluate conditions. In May the justice minister ordered a survey of all prisoners to assess the disposition of cases and whether prisoners knew their rights. The survey revealed there were prisoners without case files, who had been detained more than three years with no follow-up by judges or lawyers.

Local human rights organizations continued to report on the existence of military prisons to which access was prohibited; they also reported on the existence of secret prisons run by the National Security Agency and the General Directorate of Security Services for National Institutions (DGSSIE). According to local human rights organizations, persons were detained in secret detention facilities under the authority of the Ministry of the Environment; other international organizations disputed this claim.

There were continued reports that rebel suspects were being held in the Koro Toro detention facility, which was operated by the Public Security and Immigration Ministry. (During the year the president divided the former ministry of interior into two entities: the Ministry of Public Security and Immigration and the Ministry of Territorial Administration.) On August 11, an opposition Web site released a list of 750 prisoners allegedly detained there. No information on prison conditions was available. In December the government formally transferred control of the prison to the Ministry of Justice in an effort to improve conditions, encourage due process, and provide humanitarian access.

Estimates of deaths due to poor prison conditions varied. A local human rights group reported 10 prisoners died during the year; however, an opposition Web site claimed that 20 prisoners had died in Koro Toro Prison alone.

The government did not keep statistics on the number of prisoners and detainees in the country, and no information was available. Juvenile males were not always separated from adult male prisoners, and children were sometimes held with their inmate mothers. During a July 2 to 5 Justice Ministry visit to five eastern towns, officials found children as young as eight years old incarcerated for petty thievery. Pretrial detainees were held with convicted prisoners.

Prisoners generally had access to visitors and were permitted religious observance. There was no regular mechanism by which prisoners could submit complaints about prison conditions, and there were no judicial authorities to receive such complaints.

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

The government permitted the International Committee of the Red Cross (ICRC) to visit civilian prisons under the control of the Ministry of Justice and, during the year, the ICRC conducted such visits. Despite repeated ICRC requests, the government denied access to the Koro Toro detention facility, which was run by the Ministry of Public Security and Immigration. However, the Ministry of Justice, which assumed authority for the Koro Toro facility in December, assured the

ICRC that access would be forthcoming. The government also restricted ICRC access to detention centers operated by other ministries.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

The ANT, gendarmerie, national police, nomadic guard (GNNT), DGSSIE, and counterintelligence service (ANS) are responsible for internal security. The Integrated Security Detachment (DIS), which reports to the National Coordination of Support to Humanitarian Activities and the Integrated Security Detachment, is responsible for reducing insecurity in refugee camps and for protecting refugees and IDPs. The ANT, gendarmerie, and GNNT report to the Ministry of Defense; the National Police reports to the Ministry of Public Security and Immigration; and the DGSSIE and ANS report to the president. Officers from President Deby's ethnic group, the Zaghawa, and closely allied ethnic groups dominated the ANS. The DGSSIE's ethnic composition was mixed, but Zaghawas were overrepresented. The police force was centrally controlled, but exercising oversight, particularly outside N'Djamena, was difficult.

Police were corrupt and involved in banditry, arms proliferation, and extortion. Security force impunity was widespread (see section 5).

As a result of the January 15 peace accord with Sudan, a mixed Chadian-Sudanese border force to patrol between the two countries was established in February. The government and outside observers considered the border force effective. Command authority alternated every six months between Chad and Sudan.

In 2009 the government initiated an extensive military modernization program to professionalize and reduce the size of the armed forces. Part of the effort included ascertaining who still collected military salaries and wore uniforms, since many former military personnel continued to do so, and former soldiers sometimes posed as active duty military and committed crimes with government-issued weapons. However, weapons were pervasive in the country, there was no standardized military uniform (except for the beret), and camouflage uniforms were readily available in the marketplace. Reports of violence were often accompanied by witnesses claiming the perpetrator was "someone in uniform."

In January President Deby announced that he would not support the renewal of MINURCAT, which the UN authorized in 2007 to protect civilians, support regional peace, and promote human rights and the rule of law in eastern Chad and northeastern CAR. Deby claimed the government could perform MINURCAT's protection functions as well as UN peacekeepers. On May 25, following subsequent discussions between the government and the UN, UN Security Council Resolution 1923 extended MINURCAT's mandate until December 31, with a reduction in its military personnel and complete withdrawal of military and civilian elements, other than those required for the mission's liquidation, by that date. MINURCAT ended all military operations on October 15. On December 31, MINUCAT transferred its remaining functions to the government.

Arrest Procedures and Treatment While in Detention

Although the constitution and law require a judicial official to sign arrest warrants, secret detentions occurred. Detainees were not promptly informed of charges, and judicial determinations were not made promptly. The law requires access to bail and counsel, but neither was regularly provided. Incommunicado detention was a problem, and there were reports that persons held incommunicado were tortured. The constitution and law state that legal counsel should be provided for indigent defendants and that defendants should be allowed prompt access to family members; however, in practice this usually did not occur.

Security forces arbitrarily arrested and reportedly tortured detainees, particularly those suspected of collaborating with rebels; however, unlike in the previous year, there were no reports that political leaders, civil society representatives, or human rights activists were arrested.

On March 31, gendarmes in N'Djamena arbitrarily arrested without charge Abakar Hassane, a driver. Hassane was later released after the Chadian League for Human Rights (LTDH), a local human rights organization, lodged a complaint.

During the same month, in N'Djamena intelligence agents arrested without charge Mahamat Abrass Moussa, who remained in ANS detention at year's end. The government denied access to the ICRC and a local human rights organization, both of which had requested permission to visit Moussa.

In April in Guidari, the LTDH reported that gendarmes arrested, detained, and fined 20 farmers a total of 232,000 CFA (\$464) for allegedly felling trees on their farms; the law prohibits the mass destruction of trees, although security forces sometimes used the law to extort money from persons who cut a single tree. The farmers were released after the LTDH filed a complaint with the court in Moundou.

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

Amnesty

On January 14, 175 prisoners were pardoned following a New Year's amnesty declared by the president.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, the judiciary was ineffective, underfunded, overburdened, and subject to executive interference. Intimidation and violence against judicial members were also problems, and members of the judiciary sometimes received death threats or were demoted or removed from their positions for not acquiescing to pressure from officials. Courts were generally weak and in some areas nonexistent or nonfunctional. For example, there were only 150 judges in the country and all had to hand-write court documents. The constitution mandates that the Superior Council of Magistrates recommend judicial nominees and sanction judges who commit improprieties; however, the government prevented any sanctions from being considered or carried out. A judicial oversight commission has the power to conduct investigations of judicial decisions and address suspected miscarriages of justice; however, the president appointed commission members, which increased executive control over the judiciary and diminished the authority of the superior council. Some members of the Supreme Court, Constitutional Court, and Court of Appeals were appointed by the government rather than popularly elected as required by law, which further weakened judicial independence.

During the year the justice minister organized a variety of trips around the country to evaluate the judicial system personally; most results of those visits were not made public.

Government officials, particularly members of the military, had impunity (see section 4). During the year there were reports that the mayor of Abeche prevented the enforcement of sentences delivered by the court. According to one report, persons detained on criminal charges in the East and sent to N'Djamena for prosecution later reappeared in military uniform in Abeche.

Applicable law was sometimes confusing, as courts tended to blend the formal French-derived legal code with traditional practices, and customary law often superseded Napoleonic law in practice. Residents of rural areas often lacked access to formal judicial institutions, and legal reference texts were not available outside the capital or in Arabic. In most minor civil cases, the population relied on traditional courts, over which village chiefs, canton chiefs, or sultans presided. Penalties in traditional courts varied and sometimes depended on the clan affiliation of the victim and perpetrator. Decisions of traditional courts can be appealed to a formal court. During the year the UN conducted a program to train local chiefs and officials on mediation techniques and practices.

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

Trial Procedures

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

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

Political Prisoners and Detainees

The government held political detainees and prisoners during the year; however, the absence of statistics and records made it difficult to ascertain how many were held.

Civil Judicial Procedures and Remedies

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

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

The constitution provides for the right to privacy and inviolability of the home; however, the government conducted illegal searches and wiretaps, monitored private mail and e-mail, and continued home demolitions in N'Djamena. Security forces regularly stopped citizens and extorted money or confiscated belongings.

In June the government demolished homes, businesses, NGO headquarters, and government facilities as part of its ongoing urban renewal efforts in N'Djamena. The demolitions, which began in 2008, have left tens of thousands of persons without shelter or means of earning income. Citizens charged that the government had not given proper advance notification of the home demolitions, although the government claimed that citizens had not heeded notifications to move. The government provided compensation to those with deeds; however, critics charged that the compensation was

inadequate and not available to all. New construction to replace demolished housing began during the year, but many newly homeless persons were living in vacant lots at year's end.

The Ministry of Public Security and Immigration maintained an emergency-era ban on both the possession and use of satellite telephones. Military and police personnel searched for and confiscated satellite telephones.

Unlike in previous years, there were no reports that police arrested family members of suspects.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of opinion, expression, and of the press, with restrictions if public order, good morals, or the rights of others are affected; however, the government did not always respect these rights, although press freedom improved during the year. The constitution also prohibits propaganda of an ethnic, regionalist, or religious nature that affects national unity or the secular nature of the state. Journalists and publishers practiced self-censorship.

Individuals who publicly criticized the government said they risked reprisals, and the government reportedly attempted to control criticism by intimidating critics and monitoring opposition meetings.

On August 18, the National Assembly adopted a new law on press freedom, Law No. 17, and rescinded Ordinance 5, the 2008 presidential decree that placed state-of-emergency restrictions on speech and press. Most observers welcomed the new law, which decriminalizes many press offenses as well as the specific crime of offending the head of state. However, others criticized provisions that prohibit journalists or newspapers from inciting racial or ethnic hatred or condoning violence, for which penalties include jail sentences of up to one year, fines of up to one million CFA (\$2,000 dollars), or a six-month suspension of publication.

Some journalists in rural areas reported that government officials warned them not to engage in political reporting on contentious subjects. In addition some domestic journalists claimed the government restricted their ability to cover events or visit certain locations and limited their access to high-ranking officials, restrictions the government did not impose on foreign journalists.

On January 6, an N'Djamena court ordered the suspension of the opposition publication *La Voix du Tchad* following the High Council for Communications (HCC) order that it cease publication in December 2009 because it was not licensed. The newspaper was permitted to resume publishing in mid-January.

In the October 14 to 17 edition of the local newspaper *N'Djamena Bi-Hebdo*, the publishers included an article comparing southern Sudan with southern Chad. The prime minister called the article "dangerous" and asked the HCC to act on the matter. On October 19, the HCC met with journalists and warned *N'Djamena Bi-Hebdo* in particular and all media houses in general to "observe ethics rules" by not printing articles that risked inciting hatred, violence, or separatist sentiment.

Unlike in the previous year, there were no reports of foreign journalists being deported.

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

The licensing fee set by the HCC for a commercial radio station remained prohibitively high at approximately five million CFA (approximately \$10,000) per year, 10 times the fee for radio stations owned by nonprofit NGOs. The HCC monitored and censored the content of radio station programming.

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

Internet Freedom

There were no government restrictions on access to the Internet; however, the government reportedly monitored e-mail. Although increasingly available to the public at Internet cafes, most persons could not afford Internet access. Lack of infrastructure limited public access elsewhere. According to International Telecommunication Union statistics for the year, approximately 1.19 percent of the country's inhabitants used the Internet.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

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

Freedom of Association

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

An ordinance requires prior authorization from the Ministry of Territorial Administration before an association, including a labor union, may be formed; however, there were no reports that the ordinance was enforced. The ordinance also allows for the immediate administrative dissolution of an association and permits authorities to monitor association funds.

c. Freedom of Religion

For a complete description of religious freedom, please see the *2010 International Religious Freedom Report* at www.state.gov/g/drl/rls/irf/rpt.

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

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

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

The Ministry of Territorial Administration required foreigners, including humanitarian agency personnel, to obtain authorization to travel to the eastern part of the country.

Security forces, bandits, and, to a lesser extent than in previous years, rebel groups continued to maintain roadblocks, extorting money from travelers, often beating and in some cases killing them.

Armed bandits, herders involved in cross-border conflict over resources, and rebel groups along the border with CAR continued to hinder free movement in the region.

The law prohibits forced exile, and the government did not use it.

The government continued active negotiations with rebel groups to convince them to renounce their rebel associations and integrate into the ANT or civilian life. Returning rebels who gave up former affiliations were not arrested or threatened with arrest, although rebels captured without surrendering were detained. During the year hundreds of rebel fighters returned voluntarily from Sudan; in 2009 between 2,000 and 3,000 rebels returned to the country. However, rebel fighters remained in Sudan at year's end.

Internally Displaced Persons (IDPs)

Approximately 170,000 IDPs, most of whom were displaced in 2005 as a result of interethnic fighting over scarce water and land resources during drought, resided in 38 camps in the country. Many IDPs were reluctant to return to their original homes, which often had been resettled by other groups and frequently provided less access to potable water and primary health care. The government continued to allow IDPs access to humanitarian organizations and permitted them to accept assistance provided by these groups. Although UN and humanitarian organizations operated in the country during the year, lack of security lessened their ability to provide services to IDPs and refugees.

Sexual violence against displaced women and girls in the eastern part of the country was a problem. Four ANT soldiers reportedly raped an IDP during the year, and there were reports that organized groups and bandits raped IDPs. While in the past such violence was primarily perpetrated by soldiers, rebels, and bandits, during the year such attacks were perpetrated primarily by unemployed male IDPs. Observers commented that male IDP inability to obtain livelihoods contributed to domestic violence.

As in the rest of the country, perpetrators of sexual violence rarely were prosecuted, and government efforts to protect vulnerable women were inadequate. However, the government conducted extensive sensitization campaigns against sexual violence and urged women to come forward without fear of reprisal.

Although there were more than 70 international humanitarian organizations in the eastern part of the country, there were gaps in their protection mechanisms as well. For example, victims of sexual violence may need a medical certificate to proceed with a legal case, but they struggled to get these certificates from NGO doctors wary of engaging in court processes. The mobile courts organized by the UN only made occasional visits to each area and rarely addressed sexual violence cases.

Tension between IDPs and local communities existed. IDPs generally were located near internationally provided potable water and health services, which sometimes created resentment in host communities that did not receive such services.

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

Protection of Refugees

The country's laws do not provide for the granting of asylum or refugee status; however, the government has established a system for providing protection to refugees. In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

By September approximately 270,000 Sudanese refugees from Darfur remained in the country, most located in 12 camps along the eastern border with Sudan. Approximately 80,000 refugees from CAR lived primarily in five camps in the south, and approximately 5,000 refugees of various nationalities lived in urban areas.

Insecurity in the East, including rebel and bandit attacks, hindered the ability of humanitarian organizations to provide services to refugees. NGO workers traveling between camps frequently were victims of carjackings and armed robberies.

The UNHCR and its partner organizations continued to express concern regarding the potential for militarization of refugee camps by Sudanese and Chadian rebels, particularly camps located close to the border. The recruitment of some refugees, including children, into rebel armed groups continued (see section 6).

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

Reports of refugees being raped continued. According to the UNHCR, there were 32 rapes of refugee women or girls between January and October. In the majority of the cases, the perpetrators were either fellow refugees or unknown individuals just outside the camps. In 2009 the NGO Physicians for Human Rights documented cases of refugee rape inside and outside of refugee camps. There were reports that organized groups, bandits, and other refugee groups committed the rapes. Unlike in the previous year, however, there were no reports that NGO staff members were responsible for raping refugees. In 2009 Amnesty International removed several staff members who had reportedly raped refugees.

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

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

Elections and Political Participation

In 2006 President Idriss Deby Itno, leader of the ruling MPS, was elected to a third term in what unofficial observers characterized as an orderly but seriously flawed election boycotted by the opposition. Deby has ruled the country since taking power in a 1990 coup.

Due to technical problems in meeting the electoral deadline, the Independent National Electoral Commission postponed legislative elections scheduled for November 28 and municipal elections scheduled for December 5 until 2011. The commission oversaw a voter registration drive and worked with the permanent election bureau to develop voter lists and voter cards.

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

Unlike in the previous year, there were no reports that opposition leaders were harassed, co-opted to run as MPS members in local elections, or pressured to cross the aisle in the National Assembly. There also were no reports that the military intimidated party members who refused to cooperate.

There were 10 women in the 155-seat National Assembly. Nine of the 41 ministers in the cabinet were women. Both the cabinet and the National Assembly had diverse ethnic representation.

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for corruption; however, the government did not implement the law effectively, and corruption was pervasive at all levels of government. The World Bank's most recent Worldwide Governance Indicators reflected that corruption was a severe problem.

Police were unable to address internal security problems effectively, including widespread banditry and arms proliferation. Police and gendarmes extorted payments from motorists with impunity. In November, in an effort to curb such extortion and combat the high cost of living, President Deby ordered the dismantling of all military checkpoints in the country, and many had been dismantled by year's end.

Official impunity, particularly for the military and other influential persons, was common. For example, members of the Judiciary Police did not enforce domestic court orders against the armed forces or members of their own ethnic groups. Judicial lack of independence and corruption also were problems.

The Ministry of Moralization is responsible for fighting corruption.

During the year the government investigated several officials connected to various 2009 corruption scandals, including a school textbook scandal involving 1.5 billion CFA (\$3 million) in false contracts. During the year all 141 government officials investigated in connection with this and 34 other 2009 cases of embezzlement and misappropriation were released; in most cases, charges were dropped.

In January the High Court formally investigated seven ministers in connection with the textbook scandal. By early February, former minister of education Abdramane Koko, former deputy minister of finance Oumar Boukar Gana, and former minister and secretary-general of the government Limane Mahamat had been dismissed for corruption. By year's end, charges had been dropped against ministers Gana, Mahamat, and Koko. The National Assembly elected not to call for cases against four other ministers arrested in connection with the scandal--former deputy education minister Khadidja Hassaballah, former health minister Ngombaye Djaibe, and former deputy agriculture minister Fatime Ramadan. Former secretary-general of the presidency Haroun Kabadi, also implicated in the textbook scandal, was released on February 16 and appointed special advisor to President Deby on July 7. Sixteen other government officials from the Ministries of Finance and Education arrested in connection with the case also were freed for lack of evidence.

In a separate corruption case, Mahamat Zen Bada, a former mayor of N'Djamena, and his 10 associates, who were arrested and removed from office in 2009, also were released with all charges dropped.

In 2009 the College for the Control and Monitoring of Oil Resources, a committee established to involve civil society in the management of oil revenues, identified deficiencies that included insufficient coordination between ministries and local officials, lack of qualified personnel to implement and oversee poverty reduction projects, and the inability of the government to complete fully or to provide sufficient resources for ongoing projects. The government had taken no clear action on findings in the college's previous reports by year's end.

The government took no action regarding an August 2009 report by the International Crisis Group charging that the government did not award contracts transparently for public works built with oil revenues, which increased corruption and cronyism. The report also stated that the government had gradually reduced the role of the College for the Control and Monitoring of Oil Resources.

On July 16, the government held training sessions for local officials on ethics and good governance; governors from the 22 regions attended the sessions.

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

The law does not provide for public access to government information, although the government provided such access to government-employed journalists. The government makes its budget partially available to the public; however, it did not disclose a large portion of expenditures in the published budget. Independent media journalists stated that they were not given sufficient access to government information.

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

Government officials generally were accessible to human rights advocates but occasionally were unresponsive or hostile to their findings; however, unlike in the previous year, there were no reports that the government actively obstructed the work of domestic human rights organizations. Despite pressure from the government, such groups were able to investigate and publish their findings on human rights cases.

There were two principal local human rights organizations, ATPDH and the LTDH. These and smaller human rights organizations worked together through an umbrella organization, the Association for Human Rights. Human rights groups were outspoken in publicizing abuses through reports, press releases, and the print media; however, they rarely were able to intervene successfully with authorities.

Unlike in the previous year, there were no reports that the government arrested or harassed NGO employees.

On March 9 to 11, the government held its first forum on human rights to address problems and develop a government action plan. Led by Minister of Human Rights Abdraman Djasnabille, government ministers, national and local government officials, military leaders, traditional chiefs, local civil society representatives, and members of domestic and international human rights organizations attended the forum. Violence against women, arbitrary arrest, police brutality, prisoner abuse, continued recruitment of child soldiers, and official impunity were among the problems addressed.

Violent attacks by armed groups and bandits against humanitarian and human rights NGO workers increased during the year. Such workers were kidnapped, their vehicles hijacked, their convoys looted, and their offices plundered. Humanitarian organizations were forced to suspend or limit their activities temporarily--including food distribution to refugees and IDPs.

On June 6, in Abeche, armed bandits kidnapped Hubert Blama, an employee of the British NGO Oxfam; Blama was released on June 16. The kidnapping reportedly was perpetrated to embarrass the president.

On February 6, ICRC international staff member Laurent Maurice was released in Darfur, Sudan after being held for 89 days; Maurice was kidnapped in Kawa in November 2009 by armed members of a Sudan-based group.

There were no developments regarding the 2008 killing of NGO Save the Children director Pascal Marlinge.

The government cooperated with international governmental organizations and permitted visits by UN representatives. A delegation from the Geneva-based UN Commission on Human Rights visited and evaluated the possibility of opening an office in the country. In contrast to previous years, there were no reports that the government obstructed the work of international human rights organizations, such as Human Rights Watch.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

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

Women

Rape is prohibited and punishable by hard labor; however, rape, including of female refugees, was a problem (see section 2.d.); no reliable data on the extent of the problem was available. The law does not specifically address spousal rape. Although police often arrested and detained perpetrators, rape cases usually were not tried, and most suspects were released. Cultural norms often forced women and unmarried girls to marry their attackers to preserve their honor.

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

In some areas girls and women may not visit the site where an initiation ceremony is to take place. If a woman or girl violates this prohibition, she may be killed by village leaders under traditional custom, although there were no reports of this occurring during the year.

During the year the government, with assistance from the UN, launched an awareness campaign to combat gender-based violence. This included raising awareness regarding rape, sexual harassment, FGM, discrimination against women, and early marriage.

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

The law provides for the right of couples and individuals to decide freely and responsibly the number and spacing of their children, as well as to have access to information regarding birth control methods. However, many persons lacked access to medical care, particularly those in rural areas. Couples lacked access to contraception, and only 14 percent of childbirths were assisted professionally. Based on 2008 statistics, the ratio of midwives to women of childbearing age was one to 14,800. The incidence of maternal mortality was 1,500 per 100,000 live births. Approximately 10 percent of married women in N'Djamena used contraceptives during the year; 5 percent of women in towns and 0.4 percent of women in the countryside used contraception. Women were equally diagnosed and treated for sexual transmitted infections, including HIV; treatment was free.

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

The law states that persons of the required legal age have the right, in accordance with the law, customs, and mores, to decide whether to be married. The law does not address polygyny, but husbands may opt at any time to declare a marriage polygynous. If a husband takes a second wife, the first wife has the right to request that her marriage be dissolved, but she must repay her bride price and other marriage-related expenses.

Children

Citizenship is derived by birth within the country's territory and from ones' parents; however, children born to refugees from Sudan were not always considered citizens. Children born to refugees from CAR generally were granted Chadian citizenship. The government did not register all births immediately, and it was unclear whether a birth certificate was required to attend school. By law education is universal and free, and primary education is compulsory between the ages of six and 11; however, parents were often required to pay tuition to public schools beyond the primary level. Parents also were required to pay for textbooks, except in some rural areas. Parent-teacher associations hired and paid approximately half of teachers, without government reimbursement. Schools did not exist in many locations. Only 37 percent of children completed primary education. According to the World Bank Development Indicators Database, only six girls for every 10 boys attended primary school. Most children did not attend secondary school, where enrollment of girls was also lower than that of boys.

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

Child abuse remained a problem.

The law prohibits FGM; however, the practice was widespread, particularly in rural areas. According to a 2004 report by the governmental National Institute of Statistics, Economic, and Demographic Studies, 45 percent of females had undergone excision. According to the survey, 70 percent of Muslim females and 30 percent of Christian females were subjected to FGM. The practice was especially prevalent among ethnic groups in the East and South. All three types of FGM were practiced. The least common but most dangerous and severe type, infibulation, was confined largely to the region on the eastern border with Sudan. FGM usually was performed prior to puberty as a rite of passage.

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

Although the law prohibits sexual relations with a girl younger than 14 years old, even if she is married, the ban rarely was enforced. Families arranged marriages for girls as young as 12 or 13 years old; the minimum legal age for engagements is 11 years old. The law prohibits forced marriages of anyone younger than the age of 18 and provides for imprisonment of six months to two years and a fine of 50,000 to 500,000 CFA (\$100 to \$1,000). However, forced marriage of girls was a serious problem, including among refugees. The custom of buying and selling child brides was widespread. Girls that

objected to being forcibly married often suffered physical assaults by their family members and their husband. Many young wives were forced to work long hours for their husbands in the fields or home.

The law prohibits the use of child soldiers, and the government discontinued all conscription of child soldiers and continued efforts to demobilize all remaining children from security forces and rebel groups. However, armed groups, both Chadian and from Sudan, continued to recruit children from refugee camps along the eastern border, although such incidents had sharply decreased by year's end. MINURCAT reported that in April, JEM recruits from refugee camps in the East included children.

From June 7 to 9, the country hosted a regional conference to end recruitment and use of children in armed conflict. The conference was organized with support from UNICEF and included official delegations from Cameroon, CAR, Niger, Nigeria, and Sudan. UNICEF publicly stated that Chad's progress on addressing child soldiers had made it a regional leader on the issue. All conference participants signed the N'Djamena Declaration, pledging to eliminate the recruitment and involvement of children in armed forces, armed groups, and in all forms of hostilities. A follow-up committee to implement the declaration met and continued to work through year's end.

The government continued to transfer children associated with returning rebel groups to UNICEF for reintegration and rehabilitation during the year. On the eve of the conference, for example, the government facilitated the release of 45 new child soldiers from rebel groups into UNICEF's care. The government cooperated with international efforts to provide rehabilitation services.

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

In October members of the NGO Zoe's Ark, who had been charged with abduction of Chadian children in 2007, appeared before a court in France; in 2008 the president of Chad had pardoned those involved.

The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html.

Anti-Semitism

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

Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

Persons with Disabilities

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

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

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

National/Racial/Ethnic Minorities

There are approximately 200 ethnic groups, many of which were concentrated regionally. They speak 128 distinct primary languages. Most ethnic groups were affiliated with one of two regional and cultural traditions--Arabs and Muslims in the north, center, and east, and Christian or animist groups in the south; however, internal migrations in response to urbanization and desertification resulted in the integration of these groups in some areas.

Interethnic violence continued, particularly in the east and south. Clashes between herders and sedentary populations and other interethnic violence continued, often related to competition for increasingly scarce arable lands due to desertification.

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

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

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

Other Societal Violence or Discrimination

The law provides for persons with HIV/AIDS to have the same rights as those without HIV/AIDS and obligates the government to provide information, education, and access to tests and treatment for persons with HIV/AIDS; however, societal discrimination against persons living with HIV/AIDS continued. Government officials were not always well informed on educating such persons on their rights and treatment options. Women were accused occasionally of passing HIV to their husbands and were threatened by family members with judicial action or banishment.

Section 7 Worker Rights

a. The Right of Association

The law allows all employees except members of the armed forces to form or join unions of their choice without excessive requirements, but the authorization of the Ministry of Territorial Administration is required; there were no reports that the authorization requirement was enforced during the year. The Ministry of Territorial Administration can also order the immediate administrative dissolution of a union.

In the formal sector, more than 90 percent of employees belonged to unions; however, the great majority of workers were self-employed, nonunionized, unpaid, subsistence cultivators or herders. The government, which owned enterprises that dominated many sectors of the formal economy, remained the largest employer.

The law recognizes the right to strike but restricts the right of civil servants and employees of state enterprises to do so. Civil servants and employees of state enterprises, including civil servants and teachers, must complete a mediation process and notify the government before striking. Employees of several public entities deemed essential must continue to

provide a certain level of services. According to an International Trade Union Confederation report published during the year, the definition of essential services is overly broad. The law permits imprisonment with forced labor as punishment for participation in illegal strikes, but no such punishment was imposed during the year.

b. The Right to Organize and Bargain Collectively

The law allows unions to organize and bargain collectively, and the government protected these rights. Although there are no restrictions on collective bargaining, the law authorizes the government to intervene under certain circumstances. There were no reports of restrictions on collective bargaining during the year.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The constitution states that persons cannot be held as slaves or in servitude, and the law prohibits forced or compulsory labor, including by children; however, forced labor, particularly by children, occurred in the informal sector. There were no reports of forced labor practices in the formal economy, but children and adults in the rural sector were involved in forced agricultural work and domestic servitude.

Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

d. Prohibition of Child Labor and Minimum Age for Employment

The labor code stipulates that the minimum age for employment is 14 years, except that children may work as apprentices beginning at the age of 13. However, the government did not enforce the law, and child labor, including forced child labor, was a serious problem. The low legal minimum age for employment, lack of mandatory schooling past the age of 11, lack of any schooling opportunities in some areas, and tribal initiation rites rendering children informally adults by the age of 14 contributed to a general perception that child labor did not constitute exploitation unless the victims were less than age 13 or 14 years old.

The majority of forced child laborers were subjected to domestic servitude; forced begging; forced labor in cattle herding and fishing; and street vending. Children were trafficked to Cameroon, the Central African Republic, and Nigeria for forced cattle herding. Girls sold or forced into child marriages were forced by their husbands into domestic servitude and agricultural labor.

The law prohibits the use of child soldiers, and the government discontinued all conscription of child soldiers and continued efforts to demobilize all remaining children from security forces and rebel groups. UNICEF stated that it could not rule out the occasional use of children in the ANT in noncombat roles; but it maintained that, during the year, the ANT had ceased using children in combat and that it did not recruit children. However, armed groups, both from Chad and Sudan, continued to recruit children from refugee camps along the eastern border, although such incidents had decreased sharply by year's end. MINURCAT reported that in April, JEM recruits from refugee camps in the East included children (see section 6).

The country's numerous child herders working outside of traditional herding clans often lived in substandard conditions without access to school or proper nutrition. These herders customarily were given one cow as payment for a year's work, but herd managers often refused to pay this salary, or the child's parents collected the payment for themselves. Children from the south occasionally were kidnapped and transferred to the northeast, near the border with Sudan, to be used as herders.

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

A 2005 UNICEF-government survey of child domestics in N'Djamena noted that 62 percent were boys, 24 percent were between eight and 14 years of age, 68 percent were between the ages of 15 and 17, and 86 percent were illiterate. Local human rights organizations reported an increase in the number of child domestic workers during the year.

Children who attended certain Islamic schools were sometimes forced by their teachers to beg for food and money.

Some young girls were forced into marriages by their families and then compelled to work in their husbands' fields or homes while they were still too young to do so safely.

The Office of Labor Inspection is responsible for enforcement of child labor laws and policies; however, no prosecutions were conducted during the year. As in previous years, the office reportedly had no funding to carry out field work and investigations. Police reportedly used extrajudicial actions against traffickers and child labor offenders, including beatings and imposing unofficial fines. Traditional leaders also sometimes meted out traditional punishments, such as ostracism.

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

On December 1, in a speech commemorating Freedom and Democracy Day, President Deby admonished parents who forced their children to herd instead of sending them to schools.

e. Acceptable Conditions of Work

The labor code requires the government to set minimum wages, and the minimum wage at year's end was 28,000 CFA (\$56) per month; however, this standard was generally ignored. The minimum wage did not provide a decent standard of living for a worker and family, although wage levels were raised during the year. Nearly all private sector and state-owned firms paid at least the minimum wage, but it was largely ignored in the vast informal sector. Salary arrears remained a problem, although less so than in previous years. The law limits most employment to 39 hours per week, with overtime paid for supplementary hours. Agricultural work was limited to 2,400 hours per year, an average of 46 hours per week. All workers were entitled to unbroken rest periods of between 24 and 48 hours; however, workers did not always avail themselves of these rights, largely because they preferred the additional pay.

The labor code mandates occupational health and safety standards and gives inspectors the authority to enforce them; however, these standards were generally ignored in the private sector and in the civil service.

Workers had the right to remove themselves from dangerous working conditions; however, in practice, with so few jobs available in the formal sector, doing so for any reason often meant jeopardizing their employment. The labor code explicitly protects all workers, including foreign and illegal workers, but the protections provided were not always respected in practice.

[Back to Top](#)