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FREEDOM OF THE PRESS

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Chad

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Chad's constitution allows for freedom of expression and of the press, but authorities routinely use threats and legal provisions to censor critical reporting. A 2008 press law, Decree No. 5, increased the maximum penalty for false news and defamation to three years in prison, and the maximum penalty for insulting the president to five years. Also in 2008, the High Council of Communication (HCC), Chad's media regulatory body, banned reporting on the activities of rebels and any other information that could harm national unity. Law No. 17 of 2010 removed Decree No. 5's prison sentences for defamation, but introduced sentences of six months to a year in prison and fines for inciting racial or ethnic hatred and "condoning violence." A proposed revision to existing media laws that was introduced in 2012 contained more draconian restrictions, including requirements that journalists possess certain educational credentials and that newspaper printers be headquartered inside Chad, placing a financial burden on papers that print at lower rates in neighboring countries. The draft law would also require copies of each newspaper edition to be submitted to the HCC and other authorities, raising concerns about prepublication censorship, and would broaden

the definitions and increase the penalties for a variety of press offenses, including “insult.” The proposed legislation had not been passed by year’s end.

Defendants bear the burden of proof in defamation cases and face a biased judicial process. In September 2012, Jean-Claude Nékim, editor of the opposition-oriented newspaper *N’Djamena Bi-Hebdo*, was convicted of defamation and inciting racial hatred for publishing a petition that was critical of the president’s ethnic group. He was given a one-year suspended jail sentence and fined 1 million CFA francs (\$2,000), and his newspaper was suspended for three months. Nékim published a caricature of the judge who sentenced him a week later, and was charged with contempt of court. At the end of 2012, Nékim was awaiting trial for the contempt charge as well as the outcome of his appeal of the first conviction.

Chad has no law establishing the right to access official information, and access remains difficult in practice.

Permission from the prosecutor’s office, the HCC, and the Ministry of Commerce is required to establish a newspaper. Radio licenses are granted by the HCC, which is considered to be greatly influenced by the government and is also said to monitor and control radio content. The licensing fee for commercial radio stations remains prohibitively high at 5 million CFA francs (\$9,800) per year. Officials periodically threaten to shut down media outlets or fine journalists for “irresponsible” reporting. In July 2012, the authorities denied reports that they were considering measures to shut down *Le blog de Makaila*, which is run by a Chadian living abroad and carries criticism of the government. In October, the community radio station *La Voix du Paysan* in the town of Doba was served with a formal warning for allegedly inciting insurrection by broadcasting the sermon of a bishop who criticized the government’s use of oil wealth.

There were several incidents of threats and violence against critical journalists in 2012. Some reporters and editors practiced self-censorship to avoid reprisals, and impunity remained the norm for perpetrators of harassment against journalists. Eloi Miandadji and Déli Sainzoumi Nestor, both former employees of the newspaper *La Voix*, allegedly received threats in the first half of 2012 from Land Affairs Minister Jean-Bernard Padaré, who is part owner of *La Voix*, for working at a rival publication. Another former *La Voix* employee, Ahmadou Bouba Bondaba, was attacked and beaten and had his phone and motorcycle stolen in July, shortly after he was allegedly threatened by Padaré in a telephone call. In September, *La Voix du Paysan* broadcast a series of reports that were critical of Doba’s mayor,

and three journalists from the station were subsequently threatened by the mayor and his family; one reporter was assaulted, with no resulting arrests.

The state-run Chad Press Agency is country's only news agency, and the government subsidizes the only daily newspaper, *Le Progrès*, in exchange for its support. While private newspapers circulate freely in the capital, they have little impact on the largely rural and illiterate population. Some newspapers use printing facilities outside the country for financial reasons, and distribution is difficult due to poor infrastructure. The only television station is state owned, but the government does not interfere with the reception of foreign channels. Radio is the primary means of mass communication, and there are over a dozen private and community-run stations on the air, many of which are owned by religious organizations. Internews recently built three community radio stations in the east of the country, which has been flooded by refugees from Sudan's Darfur region and displaced Chadians, in order to address topics such as gender-based violence, security, water distribution, and food rations. Ownership of community radio outlets was under threat in 2012. In March, presidential decree No. 410 ordered the transfer of three community stations to the state-owned broadcaster ONRTV. Advertising is scarce, but it is the main source of revenue for media outlets, as government subsidies and other alternatives are even less reliable. In 2012, just 2 percent of Chadians accessed the internet. There are no reports that the government restricts access, but the internet infrastructure remains government owned.

2013 SCORES

PRESS STATUS

Not Free

PRESS FREEDOM SCORE

76

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