

# Chad - Human Rights Scorecard <sup>1</sup>

Chad, a landlocked country situated in central Africa, is surrounded by six other states including volatile Libya, Sudan and Nigeria. It has gained independence from France in 1960. President Déby has held office since 1990 after a coup and has subsequently repealed the constitutional provision of two terms limit. Through the years, this country has been under threat from rebel insurrections. Since 2015, Boko Haram's presence in the lake Chad region has prompted the implementation of a state of emergency. Boko Haram has been responsible for many attacks and bombings throughout the country including in N'Djamena.

**Official language:** French and Arabic

**Ethnic groups:** 27.7% Sara; 12.3% Arab; 10.5% Daza; 9.5% Mayo-Kebbi; 9.0% Kanem-Bornou; 8.7% Ouaddaï; 6.7% Hadjarai; 6.5% Tandjilé; 4.7% Fitri-Batha; 6.4% other

**Government:** Presidential republic

- President: Idriss Déby
- Prime Minister: Albert Pahimi Padacké

**Death penalty:** Retentionist

**Population:** 12.83 millions

**Life expectancy:** 50.7 years

**Under-5 mortality:** 139 per 1000

**Adult literacy:** 35.4 percent



## Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

### Human Development (UNDP Human Development Index (HDI)) <sup>2</sup>



#### 0.392 – Low Human Development <sup>3</sup>

According to the UNDP, Chadians enjoyed a gross national income per capita of \$2,085.3, and could expect to have on average 7.4 years of schooling. However, other countries with comparable gross national income per capita tend to have a much higher HDI.

## Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Largely disrespected <sup>4</sup>

There have been reports that government security forces killed and tortured citizens arbitrarily and unlawfully. The perpetrators carried out these acts with impunity.

### Freedom from disappearance



#### Respected <sup>5</sup>

There are no reports of disappearances. However, there are some allegations that the government might be withholding the right of certain detainees to communicate with the outside.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Largely disrespected <sup>6</sup>

While this is prohibited by the law and the constitution, there are reports of widespread use of torture and use of excessive force against civilians. These issues are not addressed by the government.

### Freedom from arbitrary arrest or detention



#### Largely disrespected <sup>7</sup>

Amnesty International observed many instances of people being detained or arrested without charge. However, there is no mention of secret detention facilities.

### Freedom from denial of fair public trial



#### Largely disrespected<sup>8</sup>

The judiciary branch is, by law, independent. However, in practice there are many instances of government interference. Due to corruption, government officials and members of the military have avoided prosecution.

### Freedom from arbitrary interference with privacy, family, home or correspondence



#### Largely disrespected<sup>9</sup>

Contrary to the law, security forces have entered homes, confiscated goods from citizens without proper legal authorization. There is also a problem with security forces using extortion.

## Section 3: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>10</sup>



#### Score: 40.59, Rank: 127 / 179 – Highly controlled, limited or intimidated<sup>11</sup>

Criticism of the government is not tolerated, and journalists who dare to criticize face imprisonment.

### Freedom from academic censorship



#### Respected<sup>12</sup>

There are no reports of restriction of academic freedom.

### Freedom of peaceful assembly and association



#### Partially respected<sup>13</sup>

In order to assemble, organizers must gain authorization from the government five days prior to the event. However, permissions are sometimes denied without explanation, especially after Boko Haram attacks. The freedom of association remains respected.

### Freedom of religion



#### Respected<sup>14</sup>

After a suicide bombing in N'Djamena, the burqa was banned as a security measure. However, generally speaking the government, and Christian, Islamic and Protestant leaders promote religious tolerance.

### Freedom of movement



#### Partially respected<sup>15</sup>

Laws are in place in order to guarantee freedom of movement, although the government does impose some limits.

### Protection of refugees and stateless persons



#### Partially Respected<sup>16</sup>

There are no provisions in the law order to provide asylum or refugee status. Since 2013, the government started providing birth certificates for refugee births. The government cooperates with the UNHCR, however, refugees still face security and humanitarian challenges in refugee camps.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>17 1819</sup>



#### 6 / 7 – Not free<sup>20</sup>

The media and the legal system are controlled by the government, or individuals close to the government. The government arbitrarily arrests civilians or suspected rebels based primarily on ethnicity and restricts their freedom of speech.

## Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>21</sup>



**7 / 7 – Not free**<sup>22</sup>

President Débry is one of Africa’s longest standing heads of government, given that he abolished constitutional term limits. Under Débry, the judicial and legislative branches are submitted to the authority of the executive.

## Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>23</sup>



**Score: 22%, Rank: 147 / 168 – Highly corrupt**<sup>24</sup>

There is a move to pass new laws in order to fight corruption; however, it remains endemic in the country. Central to this corruption, there is a chronic problem of government funds being redirected to the armed forces.

## Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



**Respected**<sup>25</sup>

There are many human rights groups operating within Chad. The government officials are sometimes responsive to the demands of such groups.

## Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

### Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)<sup>26</sup>



**Listed- Dangers faced by minorities ‘Black African’ groups, Arabs and Southerners**<sup>27</sup>

There is a lot of discrimination based on ethnicity. Northerners are overrepresented in many institutions such as the military and the presidential staff.

### Rights of women (*World Economic Forum Gender Gap Index*)<sup>28</sup>



**Score: 58.7%, Rank: 140 / 144 – Very unequal rights**<sup>29</sup>

There are provisions in the law against rape and genital mutilation but they are rarely enforced since society discourages prosecution. Family laws discriminate against women and they have very limited access to education and employment.

### Rights of Children (*KidsRights Index Overall Score*)<sup>30</sup>



**Score: 29.8%, Rank: 160 / 163 – Extremely vulnerable**<sup>31</sup>

Children in Chad are vulnerable to many bad practices such as sexual abuse and female genital mutilation, which can happen to girls as young as 6 years old. In some regions, up to 90% of girls have been subjected to this practice. The government has pledged to release all child soldiers.

### Rights of persons with disabilities



**Partially respected**<sup>32</sup>

There are some laws protecting persons with disabilities, yet they are incomplete and unenforced.

## Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



### Partially respected<sup>33</sup>

There are about 200 ethnic groups in Chad which engage in violence, frequently over territorial issues. Discrimination in employment is also frequent in the workplace.

## Freedom from abuse and discrimination based on sexual orientation or gender identity



### Partially respected<sup>34 35</sup>

There is no legal protection for the LGBTI community in Chad. Worse, an unclear legal provision prohibits “unnatural acts”. Fortunately, a recent law to criminalize homosexual acts did not pass, though it is still under consideration.

## Section 7: Workers’ Rights

*Workers’ rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

## Rights to freedom of association and to collective bargaining



### Respected<sup>36</sup>

There are many laws regarding the freedom of association. Most formal sector workers are unionized within independent unions.

## Freedom from forced or compulsory labour



### Partially respected<sup>37</sup>

Many laws are in place in order to prohibit servitude or forced labour. Some violations occurred mostly in the informal sector such as forced agricultural labour and domestic servitude.

## Freedom from forced labour for children, and a minimum age of employment



### Largely disrespected<sup>38</sup>

Child labour laws- including the respect of the minimum age of employment of 14 years old- are not well enforced by the government. Chadian children are involved in some of the worst forms of forced labour including cattle herding and domestic work.

## Right to acceptable conditions of work



### Partially respected<sup>39</sup>

There are minimum wages, limits of hours per week and rest periods provisions in the law. The labour code applies to all kinds of workers, even foreign and illegal workers. However, these provisions are not well enforced within the informal sector.

## Right to employment



### 7.0% - Reasonable unemployment<sup>40</sup>

Unemployment rates are quite stable in Chad, apart from a drop a few years ago, since 1980 it has only moved from 6.8 to 7.0%.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed Jan. 8, 2017 <http://hdr.undp.org/en/composite/HDI>

<sup>3</sup> "Table 1: Human Development Index and its components, Chad" UNDP, based on 2016 or the most recent year available. Accessed Jan. 8, 2017. <http://hdr.undp.org/en/composite/HDI>.

<sup>4</sup> "Country Reports on Human Rights Practices for 2015- Chad." U.S Department of State. January 1, 2015. Accessed Jan. 13, 2017 <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

- <sup>5</sup> Ibid. U.S Department of State. For purposes of the present analysis, a “disappearance” is different than simple arbitrary detention because a “disappearance” is considered permanent.
- <sup>6</sup> Ibid. U.S Department of State.
- <sup>7</sup> Ibid. U.S Department of State.
- <sup>8</sup> Ibid. U.S Department of State.
- <sup>9</sup> Ibid. U.S Department of State.
- <sup>10</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.
- <sup>11</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2016. Accessed Jan. 13, 2017. <https://rsf.org/en/ranking>
- <sup>12</sup> "Country Reports on Human Rights Practices for 2015- Chad." U.S Department of State. January 1, 2015. Accessed Jan. 13, 2017 <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- <sup>13</sup> "Chad." World Report 2016: Chad. January 1, 2016. Accessed January 13, 2017. <https://www.hrw.org/world-report/2011/country-chapters/chad>
- <sup>14</sup> "Chad" International Religious Freedom Report for 2015. January 1, 2015. Accessed January 13, 2017. <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.
- <sup>15</sup> "Country Reports on Human Rights Practices for 2015- Chad." U.S Department of State. January 1, 2015. Accessed Jan. 13, 2017 <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- <sup>16</sup> "Chad." World Report 2016: Chad. January 1, 2016. Accessed January 13, 2017. <https://www.hrw.org/world-report/2011/country-chapters/chad>
- <sup>17</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).
- <sup>18</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Jan. 13, 2017 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>
- <sup>19</sup> "Chad." World Report 2016: Chad. January 1, 2016. Accessed January 13, 2017. <https://www.hrw.org/world-report/2011/country-chapters/chad>
- <sup>20</sup> "Chad." Freedom in the World 2016: Chad. January 1, 2016. Accessed January 13, 2017. <https://freedomhouse.org/report/freedom-world/2016/chad>
- <sup>21</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed January 13, 2017 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>
- <sup>22</sup> "Chad." Freedom in the World 2016: Chad. January 1, 2016. Accessed January 13, 2017. <https://freedomhouse.org/report/freedom-world/2016/chad>
- <sup>23</sup> Transparency International (TI) publishes a “Corruption Perceptions Index” annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt
- <sup>24</sup> "Chad." Corruption by Country. . Accessed January 13, 2017. <http://www.transparency.org/country#BHR>.
- <sup>25</sup> "Country Reports on Human Rights Practices for 2015- Chad." U.S Department of State. January 1, 2015. Accessed Jan. 13, 2017 <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- <sup>26</sup> The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed Jan. 8, 2017 <http://peoplesunderthreat.org/>.
- <sup>27</sup> "Chad." Peoples under Threat, Minority Rights Group International. 2015, or most recent data. Accessed Jan. 8, 2017. <http://peoplesunderthreat.org/>.
- <sup>28</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights
- <sup>29</sup> "Chad". World Economic Forum. January 1, 2016. Accessed January 13, 2017. <http://reports.weforum.org/global-gender-gap-report-2016/>
- <sup>30</sup> This metric is based on the Kids Rights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. Kids Rights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable
- <sup>31</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed January 13, 2017. <http://www.kidsrightsindex.org/>
- <sup>32</sup> "Country Reports on Human Rights Practices for 2015- Chad." U.S Department of State. January 1, 2015. Accessed Jan. 13, 2017 <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- <sup>33</sup> Ibid. U.S Department of State.
- <sup>34</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2016. Accessed January 13, 2017. <http://ilga.org/>. See also Ibid. U.S Department of State.
- <sup>35</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.
- <sup>36</sup> "Country Reports on Human Rights Practices for 2015- Chad." U.S Department of State. January 1, 2015. Accessed Jan. 13, 2017 <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>
- <sup>37</sup> Ibid. U.S Department of State.

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<sup>38</sup> "2015 Findings on the Worst Forms of Child Labour". U.S Department of Labour. Accessed Jan. 13, 2017.

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/chad>

<sup>39</sup> "Country Reports on Human Rights Practices for 2015- Chad." U.S Department of State. January 1, 2015. Accessed Jan. 13, 2017

<https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>

<sup>40</sup> "Unemployment, total (% of total labour force)". The World Bank. Accessed Jan. 13, 2017. <http://data.worldbank.org/indicator/SL.UEM.TOTL.ZS>