

Country Policy and Information Note Chad: Opposition to the state

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Executive summary

On 20 April 2021, the then Chadian president, Idriss Deby Itno died of injuries suffered in clashes between government forces and rebels from the Front for Change and Concord in Chad (FACT). A Transitional Military Council (TMC) led by General Mahamat Idris Déby Itno, the late president's son, assumed power. It suspended the national assembly and replaced it with a Transitional National Council (TNC), dissolved the constitution, issued a transitional Charter, and outlined an 18-month transitional period before restoring civilian rule through elections. The TMC appointed members of the opposition into the TNC but excluded critical groups.

President Mahamat Deby announced a national inclusive and sovereign dialogue (NDIS) to define a timeline and rules for presidential elections at the end of the transition which was preceded by pre-negotiations with politico-military groups. In August 2022, following 5 months of negotiations in Doha, Qatar, the TMC and over 40 armed groups signed a peace agreement - the Doha Peace Accord. The NDIS was held from August to October 2022 the NDIS with 1,400 people from the TMC, armed and civilian opposition, civil society and other sectors participating. Critical opposition groups, however, boycotted it and called for civil resistance. The DNIS extended the transition for another 24 months, established a transitional government with Mahamat Déby as transitional president and allowed the junta to stand in future elections. Mahamat Deby included supportive opposition groups in the transitional government but excluded critical groups.

The Constitution and transitional Charter guarantee citizens the right to freedom of opinion and speech, to assemble, to form associations and to hold demonstrations. Over 200 political parties including from the opposition, civil society organisations and independent media operate. However, the government severely restricted press freedom, reporters and editors practiced self-censorship to avoid reprisals; harassed, intimidated and arrested opposition leaders, journalists, human rights defenders, civil society activists and protest organisers; and banned and violently dispersed protests.

Those who organised and/or participated in protests against the government attracted adverse attention from the authorities. They were subjected to police intimidation, arrest, enforced disappearance, beatings and other abuses and prosecution. Some of the protesters were convicted and sentenced to prison sentences ranging from two to three years on several charges including taking part in an unauthorised gathering, destroying belongings, arson and disturbing public order, but most were eventually pardoned and released. Treatment of human rights defenders, journalists, opposition and civil society leaders who criticise the government varied from short detention, suspended sentences, fines, beatings, torture and imprisonment. In general the treatment of protesters and critics is not sufficiently serious, by its nature and/or repetition, to amount to persecution and/or serious harm. Each case must be considered on its facts and the onus is the person to demonstrate why they would be at risk.

Where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities or internally relocate.

Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

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Assessment

About the assessment

This section considers the evidence relevant to this note – that is information in the <u>country information</u>, refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**, a person:

- faces a reasonable likelihood/real risk of persecution/serious harm from the state because of their actual or perceived opposition to, or criticism of, the state
- is able to obtain protection from the state (or quasi state bodies)
- can relocate within a country or territory to avoid persecution/serious harm
- merits a grant of asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

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- 1. Material facts, credibility and other checks/referrals
- 1.1 Credibility
- 1.1.1 For information on assessing credibility, see the instruction on <u>Assessing</u> Credibility and Refugee Status.
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the <u>Asylum Instruction on Visa Matches</u>, <u>Asylum Claims from UK Visa Applicants</u>).
- 1.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the <u>Asylum Instruction on Language Analysis</u>).

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1.2 Exclusion

- 1.2.1 Some persons may claim to be linked to militant groups that have used or incited violence to achieve their political ends. Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on Exclusion under Articles 1F and 33(2) of the Refugee Convention, Humanitarian Protection and the instruction on Restricted Leave.

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- 2. Convention reason(s)
- 2.1.1 Actual or perceived political opinion.
- 2.1.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.
- 2.1.3 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, <u>Assessing Credibility and Refugee Status</u>.

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3. Risk

- 3.1.1 A member or supporter of an opposition political party, civil society organisation, or a supporter of armed opposition group, or a person who has taken part in a protest, is unlikely to be at risk of persecution for this reason alone.
- 3.1.2 However, those who openly criticise, or are perceived to criticise, the government, may be at risk of persecution but this will depend upon a number of factors including:
 - the status and nature of the group (if any) that they are linked with, and its stance towards the government
 - their profile and level of involvement (in that group)
 - the nature and degree of their activities opposing the government
 - any past interaction with the government, including previous arrest and detention
- 3.1.3 Those linked with political groups/movements such as Wakit Tamma (the time has come) a coalition of opposition and civil society organizations, which continue to actively oppose the government or the armed opposition groups which have not signed a peace agreement with the government, including the Front for Change and Concord in Chad (FACT) and the Military Command Council for the Salvation of the Republic (CCSMR), have an elevated risk of persecution or serious harm. However, relations between the government and opposition groups are fluid and can change at any time. For example, following the constitutional referendum (see Constitutional referendum December 2023), President Mahamat Déby appointed the leader of Les Transformarteurs political party (see Les Transformateurs (The Transformers)), which had consistently opposed the government, as the Prime Minister of the new government.

- 3.1.4 Journalists and other media workers may face persecution if they criticise the government. However, whether they face such a risk will depend on a number of factors including:
 - the media organisation they work for and its stance towards the government
 - the subject matter, tone and language of their written or broadcast material
 - reach and frequency of the publication or broadcast

Each case, however, must be considered on its facts, with the onus on the person to demonstrate that they are at risk of persecution or serious harm.

- 3.1.5 The law guarantees citizens the right to freedom of opinion and speech, assembly and association, to hold demonstrations, and to choose their government through regular elections. However, in practice, the government does not tolerate critical political opinion or activity, and prevents democratic choice. Authorities reportedly harassed, threatened, arrested, and assaulted journalists for critical reporting (see Media workers and bloggers).
- 3.1.6 Chad has a multi-party political system and there are more than 200 registered political parties, although about half are associated with the ruling Patriotic Salvation Movement (MPS). Opposition parties fielded candidates in presidential and legislative elections. The last legislative elections was held in 2011 with the MPS party winning 118 of the National Assembly's 188 seats. Regular presidential elections have been held since 1990 with the most recent held in April 2021, all won by President Idriss Déby Itno. Sources report that the April 2021 elections were neither credible nor free, and took place amid government crackdown on political dissent and opposition boycott (see <u>Elections</u>, 1990 to April 2021).
- 3.1.7 In response to the protests in October 2022 (see <u>Protest events</u>), the government suspended the political activities of seven opposition parties, including Wakit Tamma. On 21 January 2023, the Government lifted the suspension but continued judicial proceedings against protesters and organisers arrested during the protests (see <u>Treatment of political opposition</u> and <u>Prosecution and release of protestors</u>).
- 3.1.8 There are also political-military movements (armed opposition groups) operating out of Libya who challenge the state's control of the country. The 4 most capable groups which until recently posed a serious threat to the government are: the Front for Change and Concord in Chad (FACT), the Military Command Council for the Salvation of the Republic (CCSMR), the Union of Forces for Democracy and Development (UFDD), and the Union of Resistance Forces (UFR) (see Armed opposition groups). In August 2022 the government and over 40 political-military movements signed the Doha Peace Accord which resulted in a ceasefire (see Doha Peace Accord, August 2022) and the participation of the signatories in the national inclusive and sovereign dialogue (see National inclusive and sovereign dialogue (DNIS), August to October 2022).
- 3.1.9 The transitional government also allowed the exiled leaders of UFR, UFDD and FACT to return. In November 2021, the transitional government

- pardoned 257 UFR members who were captured and jailed after the 2019 UFR failed attempt to overthrow the government. And in March 2023 President Mahamat Deby pardoned 380 previously sentenced fighters from the FACT the rebel group that had launched the incursion into Chad in April 2021 that culminated in the killing of the former President, Idriss Déby Itno but not FACT leader and others convicted and sentenced in absentia (see Treatment of armed opposition groups).
- 3.1.10 President Déby Itno was killed in clashes with the FACT shortly after winning the Presidential elections of April 2021. After his death, a Transitional Military Council (TMC), comprised of senior military officers and headed by his son, General Mahamat Idriss Déby Itno assumed power. The TMC announced that it would rule for an eighteen-month period, renewable once, during which time it would organise an inclusive national dialogue (DNIS), a series of talks to be attended by all segments of Chadian society and aimed at defining a timeline and rules for presidential elections. The TMC also suspended the constitution and the national assembly and respectively replaced them with a transitional charter the Transitional National Council (TNC). Mahamat Déby appointed supportive members of the opposition to the TNC (see National inclusive and sovereign dialogue (DNIS), August to October 2022).
- 3.1.11 During March to August 2022 a series of 'pre-dialogue' meetings between the government and armed opposition groups took place in Qatar that culminated in the Doha Peace Agreement of August 2022. 40 armed opposition groups including the UFR and UFDD signed the agreement but FACT and CCSMR refused to do so, and continued their armed opposition to the government (see Doha Peace Accord, August 2022).
- 3.1.12 The DNIS took place between August and October 2022 but critical opposition groups including Wakit Tamma and Les Transformateurs as we well as armed groups that did not sign the Doha Peace Agreement boycotted it. The DNIS extended the transitional period by another 2 years, replaced the TMC with a transitional government, inaugurated Mahamat Idriss Déby Itno as president and instituted changes to allow him to run for the presidency in the promised upcoming elections. Mahamat Déby appointed opposition leader Saleh Kebzabo of the National Union for Democracy and Renewal (UNDR as prime minister (see National inclusive and sovereign dialogue (DNIS), August to October 2022).
- 3.1.13 From the start of the transition in April 2021, critical opposition groups in particular, Les Transformateurs and Wakit Tamma organised protests against the TMC, the French support of the military and the lack of inclusiveness of the planned national dialogue, which they boycotted. Sources note protests continued into 2023 but were much fewer in number compared to 2021 and 2022, and there were also fewer reports of fatalities and arrests. According to the Armed Conflict Location and Event Data Project (ACLED) protests fell by 51.0% from 127 in 2022 to 62 protests in 2023 and the number of fatalities from protests fell by 96% from 125 in 2022 to 5 in 2023 (see Protest events activities).
- 3.1.14 Over the course of 2021 and 2022, Chadian authorities banned protests, arrested, used lethal force against protesters and detained and disappeared

- protest organisers and leaders of prominent opposition groups, often during or after the demonstrations. The most violent state response occurred following protests in N'Djamena and other southern cities in October 2022. On 21 February 2023, the National Human Rights Commission of Chad published the findings of its investigation into the protests of 20 October 2022. It had found that 128 people had been killed, 518 injured and 943 arrested, compared with 73, 300 and 621 reported by the Government, respectively; in addition, 12 people had been disappeared.
- 3.1.15 Of those arrested, 401 were tried in a mass trial, in which due process rights were violated, on charges including participating in an unauthorised gathering, destroying property, arson and disturbing public order; 261 received prison sentences ranging from 2 to 3 years, 80 received suspended sentences and 59 were acquitted. The government pardoned and released some of the arrested and convicted protesters including 139 in December 2022; 259 in March 2023, 75 in May 2023 and another 110 in July 2023 2023 (see Excessive force against protesters, and Prosecution and release of protestors). A new amnesty law passed by the national transitional council in 2023 removes the possibility of prosecutions following the violent repression of October 2022, risking impunity for rights violations that are reported to have occurred.
- 3.1.16 Detainees were subjected to abuses including torture and prison conditions were said to be harsh and life threatening. While the law permits the formation of civil society groups, the government restricts their organisation, funding and operation, and subjects them to intimidation and obstruction in the course of their work. Sources report that civil society activists were arrested during demonstrations in May and October 2022. Protect Defenders.EU documented 4 violations against HRDs in 2021, 7 violations in 2022 and none in 2023. Incidents included threats or harassment to killing and detention, most common of which was 'judicial harassment' accounting for 2 events in 2021 and 3 in 2022 (Treatment of civil society activists).
- 3.1.17 The constitution and transitional charter provide for freedom of the press. Independent print, broadcast and electronic media operate. About 10 newspapers appear regularly, 4 privately owned TV channels operate in N'Djamena and around 60 radio stations operate nationwide. The 2010 press law abolished prison sentences for most press offences except defamation, which is still punishable by up to three months in prison. However, authorities severely restrict press freedom. Some journalists and publishers practise self-censorship due to intimidation and threat of arrest. Authorities harassed, threatened, arrested, and assaulted journalists for critical reporting. CIVICUS and Réseau Des Défenseurs Droits Humains en Afrique Centrale documented the killing of 2 journalists and assault on 5 of which 4 were also arrested. Those arrested were released quickly although some were held in detention for weeks or months (see Media workers and bloggers Freedom of expression, media and access to information).

4. Protection

- 4.1.1 Where the person has a well-founded fear of persecution or serious harm from the state they will not, in general, be able to obtain effective protection.
- 4.1.2 For further guidance on assessing state protection, see the Asylum Instruction on <u>Assessing Credibility and Refugee Status</u>.

5. Internal relocation

- 5.1.1 Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk.
- 5.1.2 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on <u>Assessing Credibility and Refugee Status</u>.

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6. Certification

- 6.1.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 6.1.2 For further guidance on certification, see <u>Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).</u>

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Country information

About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the research methodology. It provides the evidence base for the assessment.

The structure and content of this section follow a terms of reference which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

Decision makers must use relevant COI as the evidential basis for decisions.

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Section updated: 22 January 2024

7. Geographical context

- 7.1 Size and administrative structure
- 7.1.1 Douglas Henry Jones and Alfred Thomas Grove entry on Chad in the Encyclopaedia Britannica (EB) updated 12 October 2023 (Jones and Grove, EB. October 2023) noted that Chad is the fifth largest country in Africa and is bounded on the north by Libya, on the east by Sudan, on the south by the Central African Republic, and on the west by Cameroon, Nigeria, and Niger. Chad's borders constitute a heritage from the colonial era and do not coincide with either natural or ethnic boundaries¹.
- 7.1.2 According to the US CIA World Factbook (US CIA Factbook 2024) Chad is 1,284,000 km², making it 5.2 times bigger than the UK³.
- 7.1.3 The Bertelsmann Stiftung's Transformation Index (BTI), which measures the development status and governance of political and economic transformation processes in developing countries⁴ country report, covering the period 1 February 2019 to 31 January 2021 and released in February 2022 (BTI report 2022) stated: 'Since 2018 Chad's administrative units comprise 23 provinces, 95 "départements" and 365 "communes"... Administrative structures are generally small, poorly funded and highly susceptible to corruption, at the expense of the population – be it in rural areas or the capital.'5
- 7.1.4 The UN Geospatial published the map below of Chad dated March 2014 showing regions, major cities and towns, the main roads and neighbouring countries⁶.

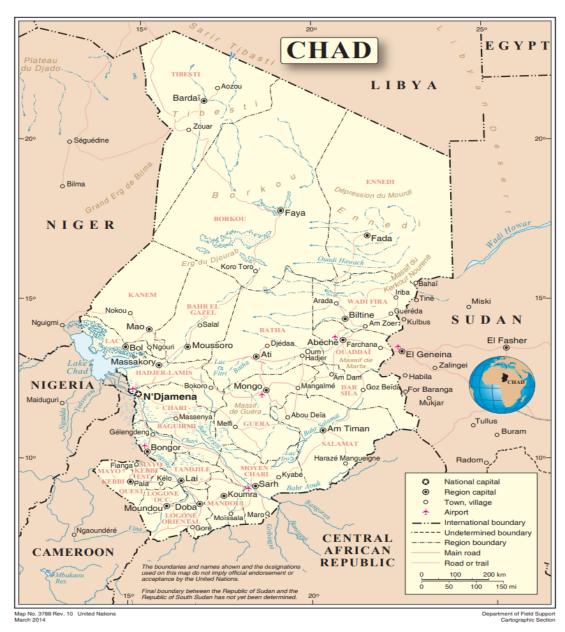
¹ Jones and Grove, EB, 'Chad' (land), last updated 12 October 2023

² US CIA, World Factbook 'Chad', updated 17 January 2024

³ US CIA World Factbook, 'United Kingdom', updated 17 January 2024

⁴ BTI, '<u>Who we are</u>', no date ⁵ BTI, '<u>Chad country report 2022</u>', February 2022

⁶ UN Geospatial, 'Chad', 1 March 2014



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7.2 Demography

- 7.2.1 The World Bank (WB) estimated Chad's mid- 2022 population, based on various sources, to be around 17.7 million⁷. As of 2023, Chad population was estimated at 18.5 million with capital and largest city, N'Djamena's population estimated to be around 1.5 million⁸ or 18.3 million as of July 2023⁹.
- 7.2.2 According to US CIA Factbook 2024: 'the population is unevenly distributed due to contrasts in climate and physical geography; the highest density is found in the southwest, particularly around Lake Chad ... the dry Saharan zone to the north is the least densely populated...'10

⁷ WB, 'WB data: Population, total Chad', no date

⁸ US CIA World Factbook 'Chad' (summary), updated 17 January 2024

⁹ UN Population Division, 'World population ageing 2023: Challenges and...' (page 61), 2023

¹⁰ US CIA World Factbook 'Chad' (summary), updated 17 January 2024

7.2.3 Minority Rights Group, a human rights organization working with ethnic, religious and linguistic minorities, and indigenous peoples worldwide¹¹, November 2020 report on Chad (MRG report November 2020) observed:

'Chad is divisible into three agro-climatic zones. First, the northern 'BET' (Borkou, Ennedi, Tibesti) area of the Sahara, accounting for over a third of Chad's territory, is home to only about 6 per cent of its population. Two nomadic peoples, collectively known as Toubou, make up virtually all its population; Teda people, concentrated near Tibesti in mountainous reaches of the far north; and Daza (in Arabic: Gorane) peoples, concentrated further south and east. The ethnic roots of Hissène Habré, Chad's ruthless strongman from 1979 to 1990, are in a small eastern Gorane sub-group.

'Second, the arid Sahelian scrublands of the middle belt account for over half of Chad's territory and somewhat less than half its population. They are home to nomadic and semi-nomadic peoples... as well as sedentary peoples dependent on farming, fishing and trade ...

- '... [V]irtually everyone in this zone is Muslim. In the Ouaddai prefecture bordering Sudan to the east, Zaghawa peoples... have been salient in recent history. Zaghawa make up much of the feared Republican Guard ... responsible for much of the brutality and bloodshed of the 1990s. Chad's president since 1990, Idriss Déby, is of the Bidéyat people, who are a subclan of the Zaghawa.
- '... The third zone is the south. Southerners have lacked effective state power, and borne the brunt of much, but by no means all, of the violence and intimidation by armed groups. Other minorities, in the central and northern zones of Chad, have been subject to abuse and predatory practices, but have suffered less than southerners. The peoples of the mainly Christian south, despite making up nearly half of the population, were in the past excluded from political power ...'¹²
- 7.2.4 Jones and Grove, EB, October 2023 observed:

'The population of Chad presents a tapestry composed of different languages, peoples, and religions that is remarkable even amid the variety of Africa ...

'More than 100 different languages and dialects are spoken in the country. Although many of these languages are imperfectly recorded, they may be divided into the following 12 groupings: (1) the Sara-Bongo-Bagirmi group, representing languages spoken by about one million people in southern and central Chad, (2) the Mundang-Tuburi-Mbum languages, which are spoken by several hundred thousand people in southwestern Chad, (3) the Chado-Hamitic group, which is related to the Hausa spoken in Nigeria, (4) the Kanembu-Zaghawa languages, spoken in the north, mostly by nomads, (5) the Maba group, spoken in the vicinity of Abéché and throughout the Ouaddaï region of eastern Chad, (6) the Tama languages, spoken in the Abéché, Adré, Goz Béïda, and Am Dam regions, (7) Daju, spoken in the area of Goz Béïda and Am Dam, (8) some languages of the Central African groups, particularly Sango (also the lingua franca of the Central African

¹¹ MRG, 'About us', no date

¹² MRG, 'Chad', updated November 2020

Republic), which are spoken in the south, (9) the Bua group, spoken in southern and central Chad, (10) the Somrai group, spoken in western and central Chad, and (11) Mimi and (12) Fur, both spoken in the extreme east. More than 100 different languages and dialects are spoken in the country. Arabic spoken in various forms and French are the two official languages¹³.

'French is the other official language, and it is used in communications and in instruction as well, although the national radio network also broadcasts in Arabic, Sara Madjingay, Tuburi, and Mundang. 14

The US CIA Factbook 2024 has provided the below data about Chad's 7.2.5 ethnolinguistic composition based on 2014-15 estimates¹⁵.

Ethnic group	As a % of total population
Sara (Ngambaye/Sara/Madjingaye/Mbaye)	30.5%
Kanembu/Bornu/ Buduma	9.80%
Arab	9.7%
Wadai/Maba/Masalit/Mimi	7%
Gorane	5.8%
Masa/Musseye/Musgum	4.9%
Bulala/Medogo/Kuka	3.7%
Marba/Lele/Mesme	3.5%
Mundang	2.7%
Bidiyo/Migaama/Kenga/Dangleat	2.5%
Dadjo/Kibet/Muro	2.4%
Tupuri/Kera	2%
Gabri/Kabalaye/Nanchere/Somrai	2%
Fulani/Fulbe/Bodore	1.8%
Karo/Zime/Peve	1.3%
Baguirmi/Barma	1.2%
Zaghawa/Bideyat/Kobe	1.1%
Tama/Assongori/Mararit	1.1%
Mesmedje/Massalat/Kadjakse	0.8%
Other Chadian ethnicities	3.4%
Chadian of foreign ethnicities	0.9%
foreign nationals	0.3%
Unspecified	1.7%

7.2.6 The US CIA Factbook 2024 noted that according to 2014-15 estimates more than half of the population (52.1%) is Muslim, 44.1% Christian, 2.8 % no religion, 0.3 % animist and 0.7 % is unspecified 16.

 ¹³ Jones and Grove, EB, '<u>Chad</u>' (land), updated 12 October 2023
 ¹⁴ Jones and Grove, EB, '<u>Chad</u>' (people), last updated 12 October 2023

US CIA World Factbook 'Chad' (summary), updated 17 January 2024
 US CIA World Factbook 'Chad' (summary), updated 17 January 2024

Section updated: 4 January 2024

8. **Economic context**

- 8.1.1 The USCRS paper 2021, commenting on the country situation following the death of former President Idriss Déby in April 2021, observed it: '... ranks among the world's poorest, despite oil exports, and among the most corrupt. Instability and poor governance have hindered development, and economic problems, elite impunity, ethnic favoritism, and repression have fueled discontent.'17
- The WB overview of Chad updated 29 September 2023 (WB Chad overview 8.1.2 September 2023) noted:

'Once an agrarian economy, Chad joined the ranks of oil-producing countries in 2003 and since then its economy has been heavily dependent on oil.

'In 2023, Chad's economy should grow by 3% (-0.2% per capita), after moderate growth due to flooding and insecurity in 2022. Non-oil GDP growth is expected to reach 2.2%, thanks to increased public investment. Industry, driven by the oil sector, should be the main contributor to growth.

'Inflation is set to jump from 5.8% in 2022 to 13.2% in 2023, with food inflation expected to reach 13.9%, mainly due to the war in Sudan, with trade disruptions reducing supply and causing shortages, while demand for goods from refugees has increased...'18

- The IMF Economic Outlook 2023 has provided the following economic 8.1.3 projections for Chad for 2023: Real GDP growth (annual percentage change) - 4%; GDP per capita current prices (US\$) - 702.85 and Inflation rate, average consumer prices (Annual % change) - 7%¹⁹.
- The WB overview September 2023 stated: 'Poverty and vulnerability are 8.1.4 pervasive [...] with 42.3% of the population living below the national poverty line. Extreme poverty ([US]\$2.15 /day per capita, [purchasing power parity] PPP 2017) also remains high in the country and has increased significantly, rising from 31.2% in 2018 to 34.9% in 2021 and 35.4% in 2023.²⁰

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Section updated: 22 January 2024

9. **Regional security**

9.1.1 An April 2021 US Congressional Research Service paper noted:

> 'Chadian forces have played an integral role in U.S.- and AU-backed efforts to combat Boko Haram and the Islamic State's West Africa Province (IS-WA) in the Lake Chad Basin region (comprising adjacent areas of Chad, Cameroon, Niger, and Nigeria)... Chad has played a leading role in French-

¹⁷ US CRS, 'Chad: Implications of President Déby's death and transition', 26 April 2021

¹⁸ WB, 'The World Bank in Chad' (context), last updated 29 September 2023

 ¹⁹ IMF, 'Chad', October 203
 ²⁰ WB, 'The World Bank in Chad' (context), last updated 29 September 2023

led counterterrorism operations in the Sahel for nearly a decade; its troops first deployed to Mali in 2013 alongside French forces to oust Al Qaeda-linked groups, and in 2014, France established an enduring counterterrorism mission in the region, Operation Barkhane, headquartered in N'Djamena. Chad is also a top troop contributor to the U.N. peacekeeping mission in Mali.'21

9.1.2 The USSD 'Country Reports on Terrorism 2022' noted:

'Chad has experienced persistent terrorist threats in the border areas near population centers surrounding Lake Chad and suffered five attacks against military and civilian targets in 2022 in the Lake and neighboring Hadjer-Lamis regions. Boko Haram (BH) continued using IEDs in the Lake Chad region, but more often carried out raids with semiautomatic rifles. BH and ISIS-West Africa (ISIS-WA) maintained minimal presence in Chad, with BH conducting the most activity within Chad.

'Security forces and basic government services remained under resourced, which limited the Chadian government's ability to address all security concerns, but Chadian armed forces led missions within the Sahel to contribute to regional security. Chad continued to support the following counterterrorism efforts: deploying soldiers to Mali to support the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA); supporting the Lake Chad region's Multinational Joint Task Force (MNJTF); and committing forces to the G-5 Sahel Joint Force.

'On November 9 [2022], French President Emmanuel Macron announced the end of Operation Barkhane, France's counterterrorism (CT) mission to the Sahel, but French troops remained in N'Djamena under a new arrangement.'22

9.1.3 UK Foreign, Commonwealth and Development Office (FCDO) September 2023 Chad advice stated: 'There have been numerous attacks by armed groups in the Lake Chad region since 2016. The terrorist group Boko Haram remains active in this region. In an attack in November 2022, Boko Haram reportedly killed at least 30 Chadian soldiers near Baga Sola, Lac province. Military operations are ongoing and a state of emergency remains in place.'23

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10. History: timeline since independence

10.1.1 The US CIA Factbook 2024 observed:

'Chad achieved its independence [from France] in 1960 and saw three decades of instability, oppressive rule, civil war, and a Libyan invasion. With the help of the French military and several African countries, Chadian leaders expelled Libyan forces during the 1987 "Toyota War," so named for the use of Toyota pickup trucks as fighting vehicles. In 1990, Chadian

²¹ US CRS, 'Chad: Implications of President Déby's death and transition', 26 April 2021

²² USSD, 'Country reports on terrorism 2022', 30 November 2023

²³ FCDO, Foreign travel advice Chad', 8 September 2023

general Idriss DEBY led a rebellion against President Hissene HABRE. Under DEBY, Chad drafted and approved a constitution and held elections in 1996. DEBY led the country until April 2021 when he was killed during a rebel incursion. Shortly after his death, a group of military officials - led by former President DEBY's son, Mahamat Idriss DEBY - took control of the government ... '24

10.1.2 For information on key moments in Chad's history see BBC, 'Chad country profile' 28 July 2023

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11. **Political context**

- 11.1 Governance
- 11.1.1 The US CRS paper 2021, commented: 'Déby and his party have dominated elections against a weak and fractured opposition. Chad has never had a democratic transfer of power.²⁵
- 11.1.2 Jones and Grove, EB, October 2023 stated:
 - 'Under the constitution of 2018, Chad is a republic. The executive branch of the government is represented by the president, who serves as the head of state and government. The president is elected by universal suffrage to a six-year term, limited to two terms ... The legislative branch is served by the National Assembly, comprising members who are directly elected to fouryear terms; under the terms of the 2018 constitution, terms will be changed to five years with the next election. For administrative purposes, Chad is divided into regions.²⁶
- 11.1.3 The MRG report November 2020 noted: 'Although believed to be more numerous, Southerners have been dominated by Arab northerners under the presidencies of Hissène Habré and Idriss Déby. 27 Similarly, BTI report 2022 noted that 'Muslims (approximately 55% of the population) dominate the government and are overrepresented amongst government officials ... '28
- 11.1.4 The USSD HR report for 2022 noted that: 'Members of the Zaghawa, the transitional president's ethnic group, occupied a disproportionate share of civilian and military posts, creating imbalances in access to opportunity and enforcement of laws guaranteeing equal protection for all.'29

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- Elections, 1990 to April 2021 11.1
- 11.1.1 The BTI report 2022 commented: 'Universal suffrage and democratic elections are guaranteed in the constitution. However, only presidential

US CIA World Factbook, '<u>Chad</u>' (introduction), updated 17 January 2024
 US CRS, '<u>Chad</u>: <u>Implications of President Déby's death and transition</u>', 26 April 2021

²⁶ Jones and Grove, EB, 'Chad' (government and society), last updated 12 October 2023

²⁷ MRG, 'Chad', updated November 2020

²⁸ BTI, 'Chad country report 2022' (Stateness), February 2022

²⁹ USSD, '2022 country report on human rights practices' (section 6), 20 March 2023

elections are scheduled in accordance with the constitution ... Parliamentary elections last took place in 2011, although they were scheduled for 2015. They have been postponed repeatedly, allegedly because of a lack of financial resources or logistical difficulties. '30

11.1.2 Freedom House (FH) reporting on political rights and civil liberties in 2021 and published in 2022 (FH report 2022 stated:

'The president is normally directly elected to a five-year term. President Idriss Déby Itno took power in 1990 during a rebellion, and overwhelmingly won re-election in 1996, 2001, 2006, 2011, and 2016. Déby was re-elected to a sixth term in April 2021 with 79.3 percent of the vote. The election. which was not credible or free, took place amid a government crackdown on political dissent and was boycotted by the country's main opposition figures...

'Before the April 2021 coup, elections were managed by the Independent National Electoral Commission (CENI); the CENI's leadership was appointed by the country's entrenched political class through the National Framework for Political Dialogue (CNDP), and civil society was excluded from the process. In 2019, the CNDP adopted a revised electoral code, reducing the number of lower-house members from 188 to 161 in the next legislature, over the objection of opposition members.'31

11.1.3 USSD HR report for 2022 observed:

'The March-April 2021 presidential election campaign culminated in elections in April 2021. The political opposition had a highly limited space to operate, both before and during the election. Amnesty International reported pretrial detentions, systematic bans on gatherings, and attempts to prevent the free exchange of information leading up to the election.

'In April 2021, the National Independent Electoral Commission (CENI) announced Idriss Deby won the election with 79 percent of the vote. Election observers reported multiple irregularities, including improperly secured ballot boxes, polling sites in private spaces in violation of the law, voting authorities improperly accompanying some voters, poor staffing coverage by the CENI, campaigning within or near polling stations, police and military giving voters instructions on voting, missing voter registration lists, duplicate voting, underage voting, and improper transport of ballot boxes ...

'The most recent legislative elections took place in 2011, during which the ruling Patriotic Salvation Movement (MPS) won 118 of the National Assembly's 188 seats. Subsequent legislative elections were repeatedly postponed for lack of financing or planning.'32

11.1.4 Human Rights Watch (HRW) reporting on the human rights situation in 2021 claimed:

'On April 19, the Chadian electoral commission announced that President Idriss Déby Itno had won a sixth term in the April 11 presidential elections. The pre-election period was marred by a ruthless government crackdown on

BTI, '<u>Chad country report 2022</u>' (political participation), 2022
 FH, '<u>Freedom in the world 2022 - Chad</u>' (sections A1, A3), 24 February 2022

³² USSD, '2022 Country report on human rights practices' (section 3), 20 March 2023

protesters and the political opposition...

'Chad's security forces cracked down on protesters and the political opposition in the lead-up to the country's April 11 presidential election. In the capital N'Diamena, they used teargas to disperse peaceful protesters who called for political change and an end to social and economic injustices on February 6, February 15, March 20, and March 27, injuring dozens of protesters and human rights activists ... and bystanders. They also arbitrarily arrested at least 112 opposition party members and supporters and civil society activists, subjecting some to severe beatings and other ill-treatment.

In an attack on the home of a political opposition leader and presidential candidate, Yaya Dillo, on February 28, security forces killed his 80-year-old mother and wounded five other family members.

Opposition parties accused the government of using Covid-19 regulations to block their campaigns and ban political gatherings, including a strict lockdown that was imposed in N'Djamena from January 1 to March 10.'33

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11.2 Transitional Military Council (TMC)- April 2021 to October 2023

11.2.1 A 30 September 2021 report by the International Crisis Group, an independent think tank focussing on security and conflict,³⁴ (ICG report September 2021) stated:

'In April [2021], Chadian President Idriss Déby Itno was killed in clashes with the [armed opposition group] Front for Change and Concord in Chad (FACT)... His unexpected death prompted a group of army generals to instal his 37-year-old son Mahamat [Idriss Déby] as leader of a fifteen-member Transitional Military Council [TMC]. The junta announced that it would rule Chad for an eighteen-month period, renewable once, during which time it would organise an inclusive national dialogue before handing over the reins of power to civilians through elections. Though wary of its ambitions, Chad's international allies swiftly endorsed the new leadership... Some Chadian opposition figures express disquiet about the transition and the military's continued grip on the state. Government officials, opposition figures and rebels all have divergent views on what should happen next. Outside powers, meanwhile, appear to have little sway over the junta.'35

11.2.2 The FH report 2021 noted:

'... Following Déby's death, a transitional military council (TMC) comprised of senior military officers and headed by his son—General Mahamat Idriss Déby Itno—took control of the country in a coup d'état.

'The TMC announced that it would oversee an 18-month transition period, which can be renewed once, followed by "free and fair" elections. In July, the TMC announced a planned timeline for the transition, calling for an "inclusive national dialogue" to be held in November and December 2021, followed by

³³ HRW, 'World report 2022 - Chad' 13 January 2022

³⁴ ICG, 'Who we are', no date

³⁵ ICG, 'Getting Chad's transition on track', 30 September 2021

elections between June and September 2022. In December, the transitional government announced that the national dialogue had been postponed, and would not be held until February 2022.

'In April, the TMC named Albert Pahimi Padacké as prime minister of the transitional government. Padacké previously served as prime minister under former president Déby; opposition politicians criticized the choice, saying the military lacked the authority to appoint a prime minister.'36

11.2.3 The FH report on political rights and civil liberties in 2022 stated:

'Prior to the April 2021 military coup, the unicameral National Assembly consisted of 188 members elected to four-year terms. Elections were last held in 2011, having been repeatedly postponed. At the time of the coup, legislators were performing their functions despite the expiration of their electoral mandates.

'The [Conseil militaire de transition] CMT dissolved the National Assembly and in September 2021 appointed a 93-member National Transitional Council (CNT) as an interim legislature. While some opposition members were named to the body, members of a prominent opposition coalition that denounced the coup were excluded. In October of that year, the former president of the National Assembly, Haroun Kabadi, was appointed as president of the CNT. In November 2022, Déby issued a decree to name 104 additional deputies to the CNT.'37

- 11.2.4 As reported on 7 November 2022 by Africa News, a pan-African news media covering sub-African and international news and business stories 24/7 in French and English languages³⁸ the national inclusive dialogue (see National inclusive and sovereign dialogue (DNIS), August to October 2022) increased the number of "deputies" in the NTC from 93 to 197 'to integrate personalities from parties, civil society organisations and rebel movements that joined the national dialogue.'39
- 11.2.5 FH reporting on political rights and civil liberties in 2022 and published in 2023 (FH report 2022) noted that following the National inclusive sovereign dialogue (see National inclusive and sovereign dialogue (DNIS), August to October 2022): 'The CMT formally disbanded, and Mahamat Déby remained in position as president of a new transitional government. He appointed a former political opposition leader, Saleh Kebzabo, as transitional prime minister.'40

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- Doha Peace Accord, August 2022 11.3
- 11.3.1 HRW reporting on human rights situation in 2021 observed:

'On August 10 [2021] the transitional president invited rebel groups, with

³⁶ FH, 'Freedom in the world 2022 – Chad' (section A1), 24 February 2022
³⁷ FH, 'Freedom in the world 2023 – Chad' (section A2), 9 March 2023
³⁸ Africa News, 'About Africa news', no date
³⁹ Africa News, 'Chad: President Déby appoints 104 more members to parliament', 7 November 2022
⁴⁰ FH, 'Freedom in the world 2023 – Chad' (section A1), 9 March 2023

whom he had previously refused to negotiate, to participate alongside other stakeholders in a national dialogue which started on November 5. In a November 2 joint statement, Chad's main rebel groups, including the Union of Resistance Forces (UFR) and the Front for Change and Concord in Chad (FACT) said they are willing to participate in the national dialogue under "certain conditions," such as the release of members of their groups from prison, and a general amnesty. Opposition and civil society groups criticized the proposed national dialogue but called on transitional authorities to ensure it is inclusive.'41

11.3.2 A 15 November 2022 article by Dr. Daniel Eizeng, a Research Fellow on security challenges in Africa at the Africa Center For Strategic Studies (ACSS), a US Department of Defense academic institution established and funded by Congress to study security issues relating to Africa, 42 (ACSS report November 2022) commented:

'Déby's regime has used the parlance of political dialogue to create the masquerade of a political transition and appease international stakeholders, while gaining some support from long-time rivals at little expense to his control.

'The first of these overtures was the pre-dialogue forum convened in March [2022] among Déby's junta and armed opposition groups in Doha, Qatar. Dozens of groups participated, but only four genuinely possess capabilities that could threaten N'Djamena: the FACT, [Military Command Council for the Salvation of the Republic: French: le Conseil de Commandement Militaire pour le salut de la République] CCSMR, [Union of forces for democracy and development; French: Union des Forces pour la Démocratie et le Développement | UFDD, and [Union of Resistance Forces; French: Union des forces de la resistance or Union of Resistance Forces] UFR. The ostensible goal of the pre-dialogue was to gain the participation of these armed groups in a subsequent national dialogue.

'Several groups, including the UFDD and UFR, signed an accord in August [2022] after months of negotiating in Doha in return for the release of prisoners, amnesty, and an end to hostilities between the government and these armed factions. However, other armed groups, including FACT and CCSMR, refused to join the accord. These two groups continue to maintain armed opposition to the military junta from their bases in southern Libya.'43

11.3.3 A November 2022 commentary by the Siftung Wissenschaft und Politik (German Institute for International and Security Affairs commentary (SWP), a foreign policy think-tanks, conducting independent, practice-driven research which also advise the German government and parliament on questions of foreign and security⁴⁴ (SWP November 2022) observed:

'The "pre-dialogue" held with the rebels in Qatar from March to August 2022 concluded with a peace agreement signed by 43 out of 52 participating groups. The signatory movements then returned to Ndjamena, with some of

⁴¹ HRW, 'World report 2022 - Chad' (pre-election violence), 13 January 2022

⁴² ACSS, 'Who we are', no date ⁴³ ACSS, '"Transition" orchestrated by Chad's military goes awry", 15 November 2022 ⁴⁴ SWP, 'About SWP',

their representatives obtaining official positions. Yet, few of these so-called politico-militaires actually had fighters, and many were not actual rebels; in fact, some had even travelled to Qatar from Ndjamena. By signing the peace agreement, the government committed to giving the rebels shares in a transitional government and the transitional council, as well as material benefits through an internationally financed process of Disarmament, Demobilization and Reintegration... Above all, however, the Chadian leadership rejected more substantial demands, including those that sought to prevent Deby from running in future elections and others aimed at fundamentally reforming the army to break the dominance of Deby's Zaghawa ethnic group within its ranks. As a result, several groups refused to sign the Qatar agreement – among them the only two organisations with notable firepower ... FACT and [Conseil de commandement militaire pour le salut de la république - Council of military command for the salvation of the republic]; CCMSR, as well as several smaller groups.'45

11.3.4 The HRW annual report on human rights for 2022 noted that: 'On August 8, the transitional military council and more than 40 rebel groups signed a peace accord in Doha, Qatar, to end a decades long conflict and initiate a broader national dialogue ... However, nine armed factions, including ...FACT... rejected the deal, saying it did not consider their demands.'46 The FH report 2022 noted that '... key groups including FACT and CCMSR did not sign an agreement with the government at the end of the process. FACT leader Mahamat Mahdi Ali reiterated his group's determination to oppose Mahamat Déby's dynastic succession to the presidency, including through armed struggle.'47

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- 11.4 National inclusive and sovereign dialogue (DNIS) August to October 2022
- 11.4.1 The HRW reporting on human rights in 2022 noted: 'On August 20, the national dialogue - a series of talks to be attended by all segments of Chadian society and aimed at defining a timeline and rules for presidential elections - opened in the capital, N'Djamena. Some members and supporters of opposition parties and civil society organizations have refused to participate in the dialogue, deeming it "not inclusive." 48
- 11.4.2 On 21 October 2022 CIVICUS Monitor, a research collaboration between CIVICUS and over 20 research partners worldwide that analyses civic space and the extent to which the state protects these fundamental rights⁴⁹ (CIVICUS Monitor October 2022) reported:

'An "inclusive and sovereign national dialogue" - announced at the start of the 18-month long transitional period with the aim of setting up the constitutional framework for the new civilian government after the transition. finally started in August 2022. The dialogue was boycotted by parts of civil

⁴⁵ SWP, 'Chad's crisis-prone transition: dynastic consolidation and its risks' (page 2), November 2022

⁴⁶ HRW, 'World report 2023 – Chad', 12 January 2023 ⁴⁷ FH, 'Freedom in the world 2023 – Chad' (section F3), 2023 ⁴⁸ HRW, 'World report 2023 – Chad', 12 January 2023

⁴⁹ CIVICUS Monitor, 'About', no date

society and the opposition, including by the protest collective Wakit Tama and opposition party Les Transformateurs.

'At the end of the dialogue in early October [2022], several resolutions were adopted "by consensus", including the extension of the transitional period by another two years and the dissolution of the Military Transitional Council (CMT), which is to be replaced by a transitional government. Additionally, Mahamat Idriss Déby Itno, who until then had been the president of the CMT, was given the eligibility to run as a candidate in the upcoming presidential elections, contrary to promises made to the African Union early on in the transition.

'A transitional unity government was formed, with former opposition leader Saleh Kebzabo of the National Union for Democracy and Renewal (UNDR) appointed as Prime Minister and on 10th October 2022, Mahamat Idriss Déby Itno was officially inaugurated as president during the transition.'50

11.4.3 ACSS report November 2022 observed:

'Less than 3 weeks after the Doha Accord [see <u>Doha Peace Accord</u>], the junta organized a Sovereign Inclusive National Dialogue (DNIS) in N'Djamena. The DNIS brought together some 1,400 participants from the junta, elements of the armed opposition, certain members of the civilian opposition, civil society, traditional and religious groups, and professional associations... Though open debate by participants was allowed and diverse views incorporated, the junta controlled the parameters and, by consequence, the content of the dialogue.

'Meanwhile, critical opposition groups boycotted the dialogue, recognizing it as illegitimate and called for civil resistance. Others withdrew as it became clear the junta intended to force through its own agenda including the prominent appointment of some seasoned opposition leaders...

'Despite the violence, exclusion, and boycott of many groups, the DNIS adopted a resolution at its conclusion on October 8 [2022] extending the transition for another 24 months. The proclamation ostensibly dissolved the military junta but retained Mahamat Déby as Transitional President, controversially stating that members of the junta (to include Déby) and the transitional government would not be barred from contesting future elections...

'Following the DNIS, Mahamat Déby named long-time opposition leader, 75-year-old Saleh Kebzabo, as interim Prime Minister. Kebzabo then selected a new government, which included other former opposition leaders as well as some previous leaders of armed opposition groups who participated in the DNIS. Many of these elites represent a co-opted old guard of the political opposition in Chad from the generation of Idriss Déby who may have concluded this was their last chance for power. They have not been part of the current civilian opposition and protest movement.'⁵¹

11.4.4 The ICG report December 2022 commented:

'After many postponements, the authorities launched a national dialogue on

⁵⁰ CIVICUS Monitor, "Black Thursday: At least 50 killed in protests against ...' 21 October 2022
⁵¹ ACSS, "Transition" orchestrated by Chad's military goes awry', 15 November 2022

20 August [2022] on terms that led key military and civilian actors to refuse participation. Those who declined to attend included the ... FACT... which rejected a peace agreement signed between the government and 40 rebel groups in Doha, Qatar, in early August . Les Transformateurs [political party] and Wakit Tama, a platform of over 30 political parties and civil society groups created in January 2021, also chose to be absent, criticising the talks as too pro-regime and insufficiently representative of the country's political diversity. Most importantly, those who declined to participate had fruitlessly demanded the government guarantee that none of the junta's members would be allowed to run for election at the end of the transition.

- '... When the dialogue ended, on 8 October, its conclusions provided for a two-year extension of the transition and made clear that all Chadians including junta members would be eligible to participate in the elections at the end of that period. The military council was dissolved and Mahamat Déby appointed as transitional president. Worried that Déby and the ruling elite were tightening their grip on power, the opposition reacted vigorously, organising street protests in N'Djamena and other population centres in the south on 20 October.'52
- 11.4.5 The UN Secretary General's report to the Security Council on the situation in Central Africa and the activities of the United Nations Regional Office for Central Africa stated with respect to Chad:

The transitional authorities of Chad proceeded with the implementation of recommendations from the inclusive and sovereign national dialogue held in 2022. In late January 2023, they established a commission in charge of organizing the constitutional referendum, led by the Minister of Territorial Administration, Decentralization and Good Governance and comprising five other ministers and 15 representatives of the Conseil national de transition, including five women. The opposition rejected the commission, arguing that it was insufficiently inclusive and lacked independence. On 28 March, the transitional authorities operationalized a political party consultation forum, consisting of the parties that had participated in the national dialogue. '53

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11.5 Constitutional referendum – December 2023

- 11.5.1 The HRW annual report on human rights for 2023 stated: 'A new draft constitution proposed by the transitional government was adopted in June [2023] by 96 percent of the members of the National Transitional Council (Conseil National de Transition, CNT) ... A public referendum on the new constitution was scheduled for December ...'⁵⁴ For more information on the draft constitution see ConstitutionNet Chad's Proposed New Constitution: Between Hopes for Refoundation and an Uncertain Future.
- 11.5.2 A December 2023 ACSS analysis and commentary on Chad's Political Transition by Dr. Daniel Eizenga and Katie Nodjimbadem, a Chadian Master

⁵² ICG, 'Chad's transition: easing tensions on line', 13 December 2022

⁵³ UNSC, 'The situation in Central Africa and the activities of the' (paragraph 8), 31 May 2023

⁵⁴ HRW, World report 2024- Chad, 12 January 2024

of Science Student at Georgetown University, (Eizenga and Nodjimbadem December 2023) observed:

'Chad's constitutional referendum, scheduled for December 17, is the latest step by General Mahamat Déby's military junta to stage-manage a transition that maintains the hereditary succession of the Déby dynasty and the military as a central political actor ...

Civil society and opposition leaders have criticized the referendum process for its lack of inclusiveness and failure to consider key concerns of the political opposition such as intimidation, lack of freedom of speech and assembly, a partisan electoral management body, and consideration of decentralizing authority... Most opposition parties have called for either a "no" vote or a boycott of the referendum...

'The December constitutional referendum seems intended to provide a veneer of validation for the junta's continued management of the transition leading to presidential elections in October 2024...

'Déby has established the National Commission Charged with the Organization of the Constitutional Referendum (CONOREC) to organize and administer the referendum. Presently Chad's sole electoral institution, CONOREC has been a source of controversy from its inception. All of CONOREC's commissioners were appointed by Déby and exclusively comprise regime representatives and members of the transitional legislature.

'Substantively, the opposition has long advocated for a transition to a federal system as a means of diffusing power to local authorities in this expansive country. The issue received considerable attention during the DNIS resulting in a resolution that the question of whether to shift to a federal system would be included in a referendum. Despite this, the December 17 referendum does not address the federalism issue. Rather it solely asks voters to accept or reject the draft constitution, which specifies a unitary state...

'Many technical issues have plagued CONOREC's efforts as well ...

'The lack of transparency around the audit and voter registration have created more distrust between CONOREC and the population. Even the Chadian Alliance for Democracy and Development, a party aligned with Déby, criticized the exclusion of political parties from the process following the audit.

Déby's control of the referendum process appears to be a continuation of his effort to cement power and extend his father's legacy.⁵⁵

11.5.3 On 24 December 2023 Reuters reported:

'Chadians have voted in favour of a new constitution that critics say could help cement the power of junta leader Mahamat Idriss Deby.

'The referendum held earlier this month was approved by 86% of voters, the government commission that organised it said on Sunday. Voter turnout was about 64%, it said.

'Chad's military authorities have called the vote a vital stepping-stone to

⁵⁵ ACSS, 'Chad's Constitutional...', 28 November 2023

elections next year – a long-promised return to democratic rule after they seized power in 2021 when former president Idriss Deby was killed on the battlefield during a conflict with insurgents.

'The new constitution will maintain a unitary state, which Chad has had since independence, while some of its opponents had called for the creation of a federal state, saying it would help spur development.

'Several opposition groups called for a boycott of the vote, saying the junta had too much control over the referendum process.'56

11.5.4 On December 29, 2023, Africa News reported that the Supreme Court recognized the results of a referendum, opening the way for elections in 2024. The Supreme Court observed that the final results revealed that the "yes" side received 85.90% of the vote, while the "no" side received 14.10%, with a 62.8% turnout. The same source also said that the Supreme Court refused a petition by the Bloc Fédéral, an opposition organization, to invalidate the election results owing to voting irregularities⁵⁷.

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Section updated: 4 March 2024

12. Political opposition parties

12.1 Ability of opposition to operate

12.1.1 The BTI report 2022 stated:

'The existence of a multiparty system is recognized by law. A party law regulates the admission, legal recognition and financing of political parties. However, admission is already a political decision... 220 political parties were registered in Chad at the end of 2019.

'The political opposition is weak, predominantly old, and divided. This "real" opposition is mainly personality-based and has ethnoregional roots. Ideology does not play a noteworthy role in political parties in Chad. Therefore, opposition parties tend to only achieve respectable electoral results in the region of origin of their respective party leaders.

'The political opposition and its leaders [amongst others]... are constantly threatened... The ruling elite target the political opposition... through tactics such as arrest, military presence at party headquarters, prohibition of demonstrations and tear gassing.'58

12.1.2 The FH report 2022 observed: 'There are more than 130 registered political parties in Chad, though most have historically been aligned with the ruling party of former president Déby, the Patriotic Salvation Movement (MPS). Opposition parties have legal recognition, and some members are represented in the transitional government and legislature.^{'59}

⁵⁶ Reuters, 'Chad votes yes to new constitution backed by junta', 24 December 2023

⁵⁷ Africa News, 'Chad: Supreme court approves 'yes' referendum vote', 29 December 2023

 ⁵⁸ BTI, '<u>Chad country report 2022</u>' (political participation), February 2022
 ⁵⁹ FH, '<u>Freedom in the world 2023 – Chad</u>' (section B1), 2023

12.1.3 The USSD HR report for 2022 noted:

'There were more than 200 registered political parties, of which more than 100 were associated with the dominant MPS party.

'Changes to the law in 2018 complicated and increased the cost of party registration, outreach, and participation procedures. Opposition leaders attributed the changes to the government's attempt to limit dissent ...

'Numerous laws disadvantage full political participation by citizens holding political views or allegiances out of alignment with the dominant MPS party. For example, opposition parties are legally barred from ownership of media outlets. The government enacted age limits on leadership of political parties, which many viewed as an effort to disqualify certain key opposition leaders. The dominant MPS party owned and enjoyed state-funded political programming on state-owned television and radio stations, which many saw as granting it an unfair political advantage in a country where television and radio comprised the most effective public outreach tools. Candidates affiliated with the MPS often used official vehicles for political campaigning. and there were reports that government employees were pressured to close their offices during campaign season support MPS campaigning. Active membership in the MPS often conferred advantages for those wishing to hold high-level government positions. In addition, the MPS-led central government faced accusations of having appointed local and traditional chiefs in a way that rewarded allegiance to the MPS rather than respecting the traditional transmission of power via birth.'60

- 12.1.4 The US CIA Factbook listed the main political parties and their leaders (square brackets have been used by the source to indicate leaders). The list include only parties with at least two seats in the last elected National Assembly (February 2011).⁶¹
 - 'Chadian Convention for Peace and Development or CTPD [Laoukein Kourayo MEDARD]
 - Federation Action for the Republic or FAR [Ngarledjy YORONGAR]
 National Rally for Development and Progress or Viva-RNDP [Dr. Nouradine Delwa Kassire COUMAKOYE]
 - National Union for Democracy and Renewal or UNDR [Saleh KEBZABO]
 - Party for Unity and Reconstruction or PUR
 - Patriotic Salvation Movement or MPS [formerly Idriss DEBY]
 - Rally for Democracy and Progress or RDP [Mahamat Allahou TAHER]
 - Rally of Chadian Nationalists/Awakening or RNDT/Le Reveil [Albert Pahimi PADACKE]
 - Social Democratic Party for a Change-over of Power or PDSA [Malloum YOBODA]
 - Union for Democracy and the Republic or UDR

⁶⁰ USSD, '2022 Country report on human rights practices' (section 3), 20 March 2023

⁶¹ US CIA, World Factbook 'Chad', updated 17 January 2024

- Union for Renewal and Democracy or URD [Felix Romadoumngar NIALBE].
- Transformers [Succès MASRA]⁶²

- 12.2 Les Transformateurs (The Transformers)
- 12.2.1 The BBC Monitoring report of 20 October 2023, referencing Le Monde 18 July 2019, noted

'The Transformers is a Chadian opposition party launched in April 2018 by Succès Masra, a former senior economist at the African Development Bank (AfDB)

'According to the French newspaper, Le Monde, The Transformers party is popular among the elite of well-educated young people, "The Transformers appear to be the only movement with momentum, while a great deal of fatigue is being expressed in the country. The government, accustomed to a corrupt opposition, fears here that young people will join other young people."63

- 12.2.2 The same source referencing Jeune Afrique website 18 May 2020, added: 'The Transformers party is launched with the purpose of "bringing together Chadians from abroad and inside the country, around a project of a new republic, united, respectful, and just"'64
- 12.2.3 As reported by the BTI report 2022 Succès Masra's attempt to register his movement as a political party since 2019 was constantly denied⁶⁵ until June 2021 when the Minister of Territorial Administration and Decentralization signed the decree authorising "Les Transformateurs" to operate as a political party⁶⁶.
- 12.2.4 Les Transformateurs boycotted the Doha talks as well as the inclusive national dialogue (DNI)^{67 68}. The part also organised and its followers participated in anti TMC protests during 2021 and 2021 (see Protest events and Excessive force against protesters).
- 12.2.5 For information on the treatment of Les Transformateurs members and followers see Treatment of political opposition

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- 12.3 Wakit Tamma (also spelt Wakit Tama)
- 12.3.1 The BBC Monitoring report 18 January 2024 observed:

⁶² US CIA, World Factbook 'Chad', updated 17 January 2024

BBC Monitoring, '<u>The Transformers</u>', 20 December 2023
 BBC Monitoring, '<u>The Transformers</u>', 20 December 2023

⁶⁵ BTI, 'Chad Country Report 2022', February 2022

⁶⁶ Al Wihda, 'The "Transformers" party is officially recognized by the authorities' 8 June 2021

⁶⁷ SWP, 'Chad's crisis-prone transition', November 2022

⁶⁸ ICG, 'Chad's transition: easing tensions on line', 13 December 2022

'Wakit Tamma is a coalition of opposition political parties and civil society organisations which united against plans by Chadian President Idriss Deby Itno to run for a sixth consecutive term. Wakit Tamma translates from Chadian Arabic as "the time has come". Since Deby's death on 20 April 2021, one day after he was re-elected as president, the group has been protesting against the Transitional Military Council (CMT) established by his son, Mahamat Idriss Deby. Having initially refused to recognise the CMT and criticised the African Union for doing so, Wakit Tamma's coordinator Max Loalngar subsequently voiced the group's interest in joining a national dialogue. The group has no representation in the country's interim parliament, the 93-member National Transitional Council (CNT), which was configured by the CMT in September 2021.⁶⁹

- 12.3.2 Wakit Tamma did not participate in the Doha talks which it criticised as too pro-regime and insufficiently representative of the country's political diversity. It also refused to participate in the DNI because it lacked inclusivity^{70 71}.
- 12.3.3 HRW report 2022 and CIVICUS report July 2023 noted that Wakit Tamma organised protests throughout the country against the TMC and France's military presence in Chad and its perceived support for the military junta⁷² (see Protest events activities).
- 12.3.4 For information on government treatment of Wakit Tamma see Treatment of political opposition

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- 12.4 Treatment of political opposition
- 12.4.1 The ICG Report September 2021 noted: 'Due partly to international pressure, the transitional authorities took steps to open up political space in the country. They reversed a decades-long ban on protest marches, allowed the popular Transformateurs opposition movement to become a political party ... In late April, they formed a civilian cabinet, thus seeming to relinguish some of their power while co-opting key opposition politicians.⁷³
- 12.4.2 President Mahamat Derby appointed members of opposition groups to the TNC and transitional government (see Transitional Military Council (Conseil militaire de transition, CMT) - April 2021 to 2023 and National inclusive and sovereign dialogue (DNIS), August to October 2022). In January 2024, following the December 2023 constitutional referendum (see Constitutional referendum - December 2023), it was reported that President Mahamat Derby appointed former opposition leader and pro-democracy figure, Success Masra, as the prime minister in a newly-appointed transitional government⁷⁴.
- 12.4.3 The HRW report on human rights in 2022 noted that: 'The military junta

⁶⁹ BBC Monitoring, 'Wakit Tamma' 18 January 2024

⁷⁰ SWP, 'Chad's crisis-prone Transition', November 2022

⁷¹ ICG, 'Chad's Transition: Easing tensions online' 13 December 2022

⁷² HRW, 'World Report 2023 – Chad', 12 January 2023

⁷³ ICG, 'Getting Chad's transition on track', 21 September 2021

⁷⁴ VoA, 'Chad's Junta leader appoints pro-democracy figure as Prime Minister', 3 January 2024

- harassed, intimidated, and occasionally prosecuted opposition political parties and supporters.'75
- 12.4.4 The UN Committee Against Torture's concluding observations on the second periodic report of Chad adopted on 18 November 2022 (UNCAT Chad Report 2022) expressed its concern 'about the high number of reports alleging that [amongst others]... human rights defenders, political opponents..., representatives of civil society and journalists continue to be regularly subjected to intimidation, threats, harassment, physical assault. arbitrary arrest and detention, prosecution, torture and ill-treatment, enforced disappearances and extrajudicial killings.^{'76} The same source also stated that it was '... concerned that Act No. 003/PR/2020 contains a definition of terrorism that is vague and overly broad and that it has been used to oppress those critical of the Government.'77
- 12.4.5 USSD HR report for 2022 noted:
 - "...The government significantly restricted opposition protests in the lead-up to and after the national dialogue and formally banned public activity of three main opposition movements after cracking down on the October 20 demonstrations.
 - 'On October 21, the minister of public security signed a decree suspending political activity by the opposition party Les Transformateurs and six other opposition parties for a period of three months. A separate simultaneous decree prohibited activity by the civil society platform Wakit Tama for an unspecified period. The suspensions remained in place at year's end.'78
- 12.4.6 In a Joint submission to the 45th session of UN Universal Periodic Review (UPR) CIVICUS, a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society around the world and Réseau Des Défenseurs Droits Humains en Afrique Centrale (REDHAC), a network of human rights defenders and CSOs in the Central Africa region⁷⁹ (CIVICUS/ REDHAC Report July 2023), noted:

'In October 2022, the Ministry of Territorial Administration issued an order suspending the activities of seven political parties for three months, accusing them of undermining national security, compromising the proper functioning of the state and disturbing public order. The parties affected by the ban were l'Al Takhadoum, Front Populaire pour la Fédération, Parti des Démocrates pour le Renouveau, Parti Socialiste sans Frontière, Les Patriotes, Rassemblement pour la Justice et l'Égalité des Tchadiens and Les Transformateurs. The parties were banned after they joined with CSOs in calling for protests against the extension of the CMT for a further two years. The authorities raided the offices of some of the parties, including Les Transformateurs, and noted that the headquarters of the affected parties should be closed for the duration of the ban. The affected political parties expressed concerns over the suspension, questioning the legitimacy of the CMT that has also extended the transition period. On 20 January 2021.

⁷⁵ HRW, 'World report 2023 – Chad' (crackdown on political opposition...), 12 January 2023

UNCAT, 'Concluding observations on the second periodic ...' (paragraph 43), 7 December 2022
 UNCAT, 'Concluding observations on the second periodic ...' (paragraph 19), 7 December 2022

⁷⁸ USSD, '2022 Country report on Human rights practices' (section 3), 20 March 2023 ⁷⁹ CIVICUS/REDHAC, 'Joint submission to the UN ...' (paragraph 1.2), 18 July 2023

- exactly three months after the suspension was imposed, the Ministry of Territorial Administration announced that the suspension had been lifted.'80
- 12.4.7 The German Federal Office for Migration and Refugees (BAMF) reported on 30 January 2023 that 'on 21 January 2023, a government spokesperson declared that the suspension of the seven parties had been lifted, saying they are now permitted to resume their work but had to strictly comply with the legislation in force.'81
- 12.4.8 The FH report 2022 claimed: 'Opposition parties remain subject to government harassment, intimidation, and arrest. During 2022, the authorities arrested leaders of prominent opposition groups following demonstrations against the junta and used violent repression to disperse and intimidate political activists. After the October protests, the government issued a curfew for major urban areas and a three-month ban on political activities '82
- 12.4.9 A 1 March 2024 report by HRW stated:

'On February 28, members of the security forces killed Yaya Dillo, the president of the Socialist Party Without Borders (Parti socialiste sans frontières, PSF), during an attack on the party's headquarters in N'Djamena, the country's capital. The state prosecutor, Oumar Mahamat Kedelaye, said at a news conference that Dillo was killed during an exchange of gunfire with security forces ...

'Dillo, 49, was considered a leading political opponent of the current transitional president, Gen. Mahamat Idriss Déby Itno. The two men are reported to be cousins from the same Zaghawa ethnic group. While Dillo had not announced his intention to run for president, he was widely reported to be preparing to do so.

'Earlier in the week, on February 27 into February 28, a high-ranking PSF member. Ahmed Torabi, was reported by the media to have been arrested for trying to assassinate the president of the supreme court. Some media outlets stated that Torabi had actually been killed by the security forces. The government alleged that PSF members attacked an office of the national security agency, which responded by attacking the party headquarters on February 28. Before he was killed, Dillo told Agence France-Presse that the claimed assassination attempt was staged and that his party members never attacked the security agency.'83

- 12.4.10 According to Al Wihda: 'The violent attack reportedly resulted in the death and dozens of injuries. In addition, twenty-six people have been arrested in connection with the case.'84
- 12.4.1 For further information on government response to protests by opposition parties, see Violence against protesters, Arrest and detention of protesters and Prosecution and release of protestors.

⁸⁰ CIVICUS/REDHAC, 'Joint submission to the UN universal periodic...' (paragraph 5.5), 18 July 2023

⁸¹ BAMF, 'Briefing Notes' (Chad), 30 January 2023

⁸² FH, '<u>Freedom in the world 2023 – Chad</u>' (section B1), 2023
⁸³ HRW, '<u>Chad: Prominent Opposition Leader Killed</u>' 1 March 2024

⁸⁴ Al Wihda, Chad: Opposition leader Yaya Dillo dies following ...' (google translate) 29 February 2024

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13. Armed opposition groups

- 13.1.1 The BTI report 2022 observed: 'The Chadian state's monopoly on power is established in almost every part of the country, but it is contested by Chadian political-military movements (armed opposition or rebel groups, depending on the point of view) operating from the neighboring countries of Libya and (to a lesser extent) Sudan, and by local so-called self-defense groups in the region of Miski (although the latter have mostly local interests...'85
- 13.1.2 The CIA Factbook noted that: 'Several rebel groups operate in northern Chad from bases in southern Libya...' These included:
 - Front for Change and Concord in Chad (Front pour le Changement et la Concorde au Tchad or FACT)
 - the Military Command Council for the Salvation of the Republic (le Conseil de Commandement Militaire pour le salut de la République or CCSMR)
 - the Union of Forces for Democracy and Development (le Union des Forces pour la Démocratie et le Développement or UFDD)
 - the Union of Resistance Forces (le Union des Forces de la Résistance -UFR).^{'86}
- 13.1.3 A December 2021 report by the Global Initiative Against Transnational Organized Crime, a Swiss-based civil-society organisation focussing on organised crime⁸⁷ (Global Initiative report December 2021) stated that FACT, CCMSR, UFDD, UFR and the Front de la nation pour la démocratie et la justice au Tchad (Front of the nation for democracy and justice in Chad, FNDJT) were the Chadian rebels groups with bases in Libya. According to the source membership in these groups often followed ethnic lines with the UFR mostly composed of Bideyat Zaghawa (eastern Chad); the FACT of Daza Goran, the CCMSR of Kreda Goran (northern Chad) and Arabs; and the UFDD of Goran Anakaza⁸⁸.
- 13.1.4 The same source added:

'Chadian rebel groups have been politically motivated with the common goal of overthrowing the Chadian government. However, their prolonged stay in Libya and the need to find funding streams have driven many to profit from the illicit economy, blurring the lines between groups that are politically driven and those that are criminally inclined.

"... after sponsorship from the Sudanese government ended in 2009, Chadian rebel groups engaged in mercenary activities in post-Qaddafi Libya to fund the rebellion. Following declining demand for their services after the

⁸⁵ BTI, 'Chad country report 2022' (political transformation), February 2022

⁸⁶ CIA, World Factbook, 'Chad' (military and security), updated 17 January 2024

⁸⁷ Global Initiative, 'About us', no date

⁸⁸ Global Initiative, 'Soldiers of fortune: The future of Chadian fighters ...' (page 9), December 2021

- October 2020 Libya ceasefire, they appear to have consolidated their hold on trafficking economies as a source of revenue.'89
- 13.1.5 For information on Chadian armed groups see Jérôme Tubiana 'The Chad-Sudan Proxy War and the 'Darfurization' of Chad: Myths and reality and Renouncing the Rebels: Local and Regional Dimensions of Chad-Sudan Rapprochement (pages 70-71), BBC Monitoring (subscription); International Crisis Group Rebel Incursion Exposes Chad's Weaknesses; The Counterpoint Blog. Chad: Extremism & Terrorism

13.2 Recent fighting

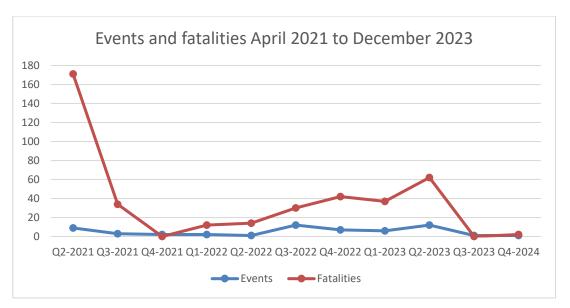
- 13.2.1 On 7 June 2023, the Voice of America (VoA) reported that a government official claimed that 23 FNDJT and CCMSR rebels died and 8 government soldiers were wounded in clashes in northern Chad since 31 May 2023. However, FNDJT claimed that it killed 15 government soldiers including 2 senior officers⁹⁰. On 1 September 2023, the ICG Crisis Watch reported that CCMSR claimed it killed an unknown number of government soldiers and captured 23 others after attacking a government army base in Tibesti on 10 August 2023. CCMSR also announced that government forces killed 2 of its senior leaders in an airstrike on 17 August 2023⁹¹.
- 13.2.2 The Armed Conflict Location and Event Database (ACLED) collates data on political violence based on the 'latest reports from selected local, national and international sources, including media, vetted social media accounts, government and NGO reports, and partner organizations'92 The data can be filtered on the ACLED dashboard by events including battles and remote violence between government forces and rebels and number of fatalities from these interactions For the period between 21 April 2021 and 31 December 2023, ACLED documented 56 events and 404 fatalities with 20 events and 101 fatalities occurring between January to December 2023⁹³. This data is presented in the graph below produced by CPIT based on the ACLED data.

 ⁸⁹ Global Initiative, 'Soldiers of fortune: The future of Chadian fighters ...' (page 8), December 2021
 90 VoA, 'Chad army, insurgents collide' 7 June 2023

⁹¹ ICG Crisis Watch, 'Chad', August 2023

⁹² ACLED, 'Quick Guide to ACLED Data', March 2023

⁹³ ACLED, 'Dashboard', accessed 12 January 2024



13.3 Treatment of armed opposition groups

- 13.3.1 The FH report 2021 noted: 'Chadian human rights groups reported that members of certain ethnic groups were targeted for arbitrary arrest and forcibly disappeared by security forces due to perceived complicity with FACT rebels.'94 However, the report did not provide details of numbers, frequency, location or which groups were involved.
- 13.3.2 On 2 March 2023, Africa News reported that more than 400 FACT rebels were sentenced to life imprisonment for the killing of former ruler Idriss Deby Itno, in April 2021. The report stated: 'After a mass trial, they were sentenced for "acts of terrorism, mercenarism, recruitment of child soldiers and assaulting the head of state ... 24 other defendants were acquitted ... Several defendants were also ordered to pay damages of more than [US]\$32 million to the state and [US]\$1.6 million to the ex-president's family.'95
- 13.3.3 The ICG reported in September 2021 that the TMC arranged for the return of the UFR's representative in France⁹⁶ and in early March 2023, at least 30 members of FACT returned from Libya⁹⁷. In August 2022, Timan Erdimi, the UFR's leader, and Mahamat Nouri the head of UFDD returned from exile⁹⁸.
- 13.3.4 On 29 November 2021 France 24 reported that in November 2021 President Mahamat Derby decreed an amnesty for 257 UFR members who had been captured and jailed after the failed attempt by UFR to overthrow the government in 2019⁹⁹ with the first group of those pardoned released in January 2022¹⁰⁰. And in Mach 2023, President Mahamat Idriss Deby pardoned 380 out of the more than 400 jailed members of FACT but Mahamat Mahadi. the FACT leader, was among those sentenced, but did

⁹⁴ FH, 'Freedom in the world 2022 - Chad' (section F3), February 2022

⁹⁵ Africa News, 'Chad jails over 400 rebels for life after ruler's death', 22 March 2023

⁹⁶ ICG, 'Getting Chad's transition on track', 21 September 2021

⁹⁷ UNSC, 'Final report of the Panel of Experts on Libya ...' (paragraphs 38 to 39),15 September 2023

⁹⁸ Al Jazeera, 'Rebel leader Timan Erdimi returns to Chad after 17...', 18 August 2022

⁹⁹ France 24, 'Chad gives amnesty to hundreds of rebels and dissidents ...' 29 November 2021

¹⁰⁰ Reuters, 'Chad frees rebels ahead of national peace-building talks', 19 January 2022

- not receive a pardon¹⁰¹ 102 103. On 31 October 2023 Chad's transitional government signed an agreement with Les Transformateurs allowing for the return of opposition leader Succes Masra and all other people who left the country after the 20 October 2022 events¹⁰⁴.
- 13.3.5 On 18 August 2023 FACT announced it had terminated a two year ceasefire with the government after government forces bombed its base in northern Tibesti region in which 3 rebels were killed¹⁰⁵ ¹⁰⁶.
- 13.3.6 The ICG Crisis Watch reported on 2 January 2024 that 'almost 900 fighters from rebel coalition Union of Democratic Forces for Democracy ... gathered in Faya-Largeau city (Borkou province) with their president, Mahamat Nouri. to disarm as per 2022 Doha agreement'107.

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- 14. Civil society, including human right defenders
- 14.1 Ability to operate
- 14.1.1 The FH report 2022 noted: 'NGOS must receive government approval to operate legally, and few such applications are approved.'108
- 14.1.2 The CIVICUS/REDHAC Report July 2023 noted: 'Article 12 of the constitution recognises and guarantees fundamental rights within the conditions provided by the law. Article 11 of the Transitional Charter promotes the rights of [human rights defenders] HRDs and guarantees their right to speak freely without fear of reprisals ... [however] violations of these rights continued to occur during the reporting period [UPR 3rd cycle 2017-2022].'109
- 14.1.3 The USSD HR report for 2022 noted that there was 'substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations.'110
- 14.1.4 Despite the restrictions, civil society and HRDs operated in Chad. A 20 July 2022 article by Ine Van Severan, a researcher for CIVICUS and David Kole, the advocacy and campaigns lead for CIVICUS published by African Arguments, a Royal African Society pan-African platform for news, investigation and opinion, 111 observed: 'Since the start of the transition, the Wakit Tama mobilised people across Chad in opposition to the CMT, called for a return to civilian rule and organised protests against DNIS and France's

¹⁰¹ Reuters, 'Chad pardons 380 rebels in apparent peace gesture', 23 March 2023

¹⁰² Africa News, 'Chad's interim president pardons 380 rebels jailed for 2021 death...', 27 March 2023

¹⁰³ VOA, 'Former FACT rebels want leaders freed', 19 April 2023

¹⁰⁴ Reuters, 'Chad military government allows opposition leader back', 31 October 2023

¹⁰⁵ BAMF 'Briefing Notes' (Chad), 21 August 2023

¹⁰⁶ ICG, 'Amid renewed hostilities in northern Tibesti region, prominent rebel group ...', August 2023

¹⁰⁷ ICG Crisis Watch, 'Chad', January 2023

¹⁰⁸ FH, '<u>Freedom in the world 2023 – Chad</u>' (section E2), 2023
109 CIVICUS/REDHAC, '<u>Joint submission to the UN periodic ...</u>' (paragraph 2.2 to 2.3), 18 July 2023

¹¹⁰ USSD, '2022 Report on human rights practices' (executive summary), 20 March 2023

¹¹¹ African Arguments, 'About', no date

perceived support for the military¹¹².

14.1.5 The FH report 2022 noted: 'Some NGOs do operate in the country, but they have tended to focus on less politically sensitive issues like humanitarian relief or human trafficking.'113 The USSD HR report for 2022 also noted that 'Several domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases. Government officials were sometimes cooperative and responsive to their views.'114

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14.2 Treatment of civil society activists

- 14.2.1 The USSD HR report for 2022 stated: 'Human rights defenders and attorneys reported instances of intimidation and obstruction in the course of their work, notably following the deadly government crackdown against opposition protesters on October 20 [2022].^{'115}
- 14.2.2 A May 2022 report by Protect Defenders.EU, a consortium of Europe-based human rights organisations, 116 observed:

'ProtectDefenders.eu has received with deep concern information about the increased targeting and excessive use of force against human rights defenders in Chad, in particular during the crackdown of peaceful protests across the country, which started on 14 May 2022.

'Several human rights defenders and civil society figures in Chad were arbitrarily arrested during a peaceful demonstration authorised by the authorities on 14 May 2022 in N'Djamena... The peaceful protests denounced human rights violations, lack of consultation and inclusion of human rights defenders in the transition and French military presence in the country. Among those arrested were Gounoung Vaima Gan Fare, secretary general of the Union des Syndicats du Tchad [Union of Trade Unions of Chad]; Youssouf Korom Ahmat, secretary general of the Syndicat des commercants fournisseurs du Tchad [a trade union for traders and suppliers of Chad, which focuses and promotes the rights of the traders and suppliers of Chad], and; Koude Mbainaissem, a lawyer and president of the Association for Freedom of Expression ...

'Max Loalngar, human rights defender, lawyer and coordinator of the citizen movement WAKIT TAMA, was abducted... on 17 May 2022... detained at the General Intelligence Services... On 19 May 2022... was transferred ... to Klessom prison, where the other human rights defenders are being held.

"... an assassination attempt against Baldal Oyamta, national coordinator of the Chadian League for Human Rights (LTDH), was carried out in April 2022.'117

14.2.3 CIVICUS/REDHAC Report July 2023 noted:

¹¹² Van Severan I., African Arguments, 'Chad's transition to nowhere', 20 July 2022

¹¹³ FH, 'Freedom in the world 2023 – Chad' (section E2), 2023

¹¹⁴ USSD, '2022 Country report on human rights practices' (section 5), 20 March 2023
115 USSD, '2022 Country report on human rights practices' (section 5), 20 March 2023

¹¹⁶ Protect Defenders.EU, 'Who we are', no date

¹¹⁷ Protect Defenders.EU, 'Chad - Targeting and arbitrary detention of human rights ...', 31 May 2022

'HRDs and civil society activists operate within severely confined boundaries and are subjected to numerous threats and obstacles. On 6 June 2022, four HRD - Gounoung Vaima Ganfare, Youssouf Korom, Max Loalngar and Kounde Mbainaissem – were fined 10 million FCFA (approx. US\$16,626) and given a suspended 12-month prison sentence. They were arrested during protests denouncing human rights violations and the lack of consultations with and inclusion of HRDs and civil society in the political transition. At the time of their arrest, they were accused of disturbing public order and attacking the 'physical integrity of people'. They embarked on a hunger strike on 20 May to protest against their transfer from Klessom prison in N'Djamena to Mossoro prison, more than 300 km away ... A year before, the police arrested Max Loalngar and another HRD, Mahamat Nour, as they expressed concerns about the potential sixth term in office of President Déby.'118

- 14.2.4 FH report 2022 noted: 'following the October [2022] protests, the authorities banned Wakit Tama and forbade any other such civic-political alliances. The coalition's events had faced bans earlier in the year, and a number of its leaders were subjected to arrest and harassment.'119
- 14.2.5 CIVICUS/REDHAC Report July 2023 noted: 'In the aftermath of the protests [October 2022], the authorities continued to intimidate, harass and arrest activists and others suspected of participating in the protests, creating a climate of fear. Several HRDs and members of the political opposition. including Max Loalngar of Wakit Tama and Succes Masra from the Les Transformateurs opposition party, were forced to go into hiding to avoid reprisals.'120
- 14.2.6 The BTI report 2022 stated: 'The relations between the political leadership and civil society, with the exception of the civil society brought into being by the government itself, are rather conflictual. Civil society regularly pays a high price for criticizing the ruling elite. Repressive actions – from harassment to arrests or even complete disappearance – by government supporters or the security forces shape everyday life for members of the outspoken civil society. They are unable to participate in the political process.'121
- 14.2.7 Available data indicated that only a small number of HRDs suffered abuses. The Protect Defenders.EU index of alerts, which maps violations committed towards human rights defenders based on compilation of public alerts on individual attacks, documented 4 verified violations against HRDs in 2021, 7 in 2022 and none in 2023. The violations included intimidation, judicial harassment, physical violence, attempted murder, killing and detention 122. However, as Protect Defenders.eu has cautioned, the 'Index is fed by public alerts provided by ProtectDefenders.eu partners and is based on verified information and cannot be taken as complete or exhaustive with real figures

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¹¹⁸ CIVICUS/REDHAC, 'Joint submission to the UN universal ...' (paragraph 2.3), 18 July 2023

¹¹⁹ FH, '<u>Freedom in the world 2023 – Chad</u>' (section E2), 2023 120 CIVICUS/REDHAC, '<u>Joint Submission to the UN universal...</u>' (paragraph 4.3), 18 July 2023

¹²¹ BTI, 'Chad Country Report 2022' (cleavage / conflict management), February 2022

¹²² Protect Defenders.EU, 'The ProtectDefenders.eu Index of Alerts', no date

likely to be much higher as many alerts and attacks still go unreported¹²³.

14.2.8 For more information see Violence against protesters, Arbitrary arrest and detention and Prosecution and release of protestors).

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- **15.** Opposition and civil society protests April 2021 to 2023
- Freedom of assembly 15.1
- 15.1.1 CIVICUS/REDHAC report July 2023 noted: '... Article 28 of the constitution guarantees the right to freedoms of assembly, movement and demonstration. In addition, Article 33 of the Transitional Charter guarantees the right to freedom of assembly and prohibits arbitrary arrests and detention. However ... the Chadian authorities have persistently used deadly force to disperse protests.'124 HRW report October 2021 also noted that: 'The right to peaceful protest came under attack almost immediately after Chad's Transitional Military Council ... took over in April [2021] and imposed a ban on demonstrations.'125
- 15.1.2 USSD HR report for 2022 stated:

'Although the constitution and transitional charter provide for freedom of peaceful assembly "under conditions fixed by the law," the government did not always respect this right.

'The government regularly dictated the locations of opposition protests and civil society gatherings to limit their base of popular support. Authorities routinely banned gatherings and arrested organizers, and security forces used excessive force against demonstrators. The law requires organizers to notify the Ministry of Public Security and Immigration five days in advance of demonstrations, although groups that provided advance notice did not always receive permission to assemble. The law also requires opposition political parties to meet complicated registration requirements for party gatherings.'126

15.1.3 CIVICUS Monitor reported that the Minister of Public Security and Immigration issued a blanket ban on all protests planned on 20th May 2022 to demonstrate against the detention of the organisers of the Wakit Tama protest on 14th May, and banned planned protests on 28, 29 and 30 May 2022, 19th August 2022 against the national inclusive dialogue and 20 October 2022. The authorities invoked public order or claimed that organisers had not complied with legal provisions for protests¹²⁷ ¹²⁸. During 2023 the government banned a protest planned for 14 July 2023 by Rassemblement pour le Justice et l'Egalité (RAJET), and another planned

¹²³ Protect Defenders.EU, '<u>The ProtectDefenders</u>.eu Index of Alerts', no date

¹²⁴ CIVICUS/REDHAC, 'Joint submission to the UN universal ...' (paragraph 3.2, 4.2), 18 July 2023

¹²⁵ HRW, 'Chad: Violent repression of opposition protest', 29 October 2021

¹²⁶ USSD, '2022 Country report on human rights practices' (section 2B), 20 March 2023
127 CIVICUS Monitor, 'Six members and supporters of Wakit Tama arrested, charged...', 6 June 2022,
128 CIVICUS Monitor, "Black Thursday": At least 50 killed in protests against ...', 1 November 2022

for 26 August and 28 October 2023 by Revolutionary Movement for Democracy and Peace(MRPD), citing risks to public order¹²⁹.

15.1.4 The CIVICUS Monitor of 31 October 2023 reported:

'On 1st August 2023, authorities reportedly issued a new order (ordinance) [Ordinance No. 009 IPT/2023] regulating assemblies and gatherings, imposing heavy sanctions - prison sentences of 2 months to one year and other penalties such as travel bans and house arrests - on people refusing to disperse after the first summation by security forces. Under this order, all gatherings – armed and unarmed – likely to disturb public order are furthermore strictly prohibited. Additionally, security forces can use force against peaceful and unarmed protesters if they refuse to disperse after the third summation. Those convicted of participation in or provocation of a gathering are also held liable for damages resulting from that gathering.' 130

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15.2 Protest events

15.2.1 An October 2021 report by HRW stated:

'In April and May [2021] hundreds of members and supporters of opposition parties and civil society organizations united under the Wakit Tamma coalition to protest the ban and demand a transition to civilian rule. Joined by many Chadians, protests were held across the country.

- '... On October 2 hundreds of N'Djamena residents joined members and supporters of Wakit Tamma to protest the CMT's rule and seek amendments to Chad's transitional charter.'131
- 15.2.2 The USSD HR report 2022 noted: 'The opposition party Les Transformateurs organized an authorized rally in January with more than 1,000 attendees.'132 Civil society actors including Wakit Tamma and opposition party Les Transformateurs organised mass protests throughout the country on 20th October 2022; the day when the military had initially pledged to end the 18month transition and hand over power civilians. The protests went ahead despite the authorities banning them on 19 October 133 The HRW annual report on human rights for 2022 also noted that 'Wakit Tamma led demonstrations across the country the week of May 14 [2022] denouncing France's military presence in Chad and its perceived support for the military junta.'134
- 15.2.3 ACLED documented 280 protest events from 21 April 2021 to 12 January 2024¹³⁵. The figure included 69 riots defined as violent events where demonstrators or mobs engage in destructive acts against property and/or

¹²⁹ CIVICUS Monitor, 'No accountability one year after deadly 'Black Thursday', 31 October 2023

¹³⁰ CIVICUS Monitor, 'No accountability one year after deadly 'Black Thursday'', 31 October 2023

¹³¹ HRW, 'Chad: Violent repression of opposition protest', 29 October 2021

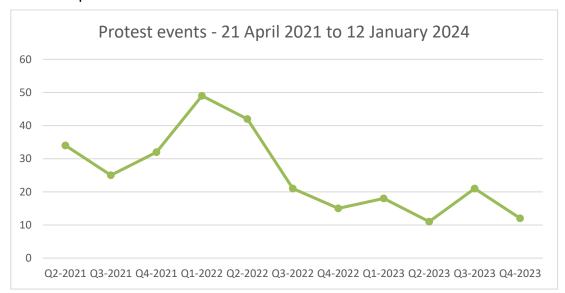
¹³² USSD, '2022 Country Report on Human Rights Practices' (section 2a) 20 March 2023

¹³³ CIVICUS Monitor, "Black Thursday: At least 50 killed in protests ..." 21 October 2022 ¹³⁴ HRW, 'World report 2023 – Chad', 12 January 2023

¹³⁵ ACLED 'Dashboard' (Chad), last updated 14 October 2023

disorganized acts of violence against people.'136

15.2.4 CPIT has produced the graph below which sets out the number of protests where there was state intervention between April 2021 and January 2024. It shows that the number of protests rose from 34 in second quarter of 2021 to 49 in first quarter of 2022 and thereafter fell steadily to 15 in fourth quarter of 2024 and then rose slightly to 21 in third quarter of 2023 before falling to 12 in fourth quarter of 2023.



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15.3 Excessive force against protesters

15.3.1 Th UNCAT Chad Report December 2022 observed:

'The Committee notes with concern the recurrent allegations of excessive use of force against demonstrators during the period under review. It is concerned at the numerous allegations that, during the demonstrations that took place in the context of the presidential election and following the establishment of the transitional military council in April 2021, as well as in the context of the inclusive and sovereign national dialogue in August and September 2022 and at its conclusion in October 2022, security forces and unidentified armed groups used excessive force and lethal weapons, resulting in deaths and injuries, including among children...'¹³⁷

- 15.3.2 HRW report October 2021 observed: 'In April and May [protests] ... The security forces dispersed protests using excessive force, including live ammunition, and killed at least 7 people while injuring dozens.' ¹³⁸ The CIVICUS/REDHAC report July 2023 stated that security forces killed 16 demonstrators during the 27 April and 19 May 2021 Wakit Tama organised protests ¹³⁹.
- 15.3.3 With respect to the 2 October 2021 protest, an October 2021 HRW report

¹³⁶ ACLED, 'Quick guide to ACLED Data', March 2023

¹³⁷ UNCAT, 'Concluding observations on the second periodic ...' (paragraph 8), 7 December 2022

¹³⁸ HRW, 'Chad: Violent repression of opposition protest', 29 October 2021

¹³⁹ CIVICUS/REDHAC, 'Joint submission to the UN universal ... ' (paragraph 4.6), 18 July 2023

noted:

'... Although the authorities had authorized this demonstration, Human Rights Watch found that the anti-riot police – and in one case, gendarmes – fired teargas canisters, rubber bullets, and potentially live ammunition at the protesters, injuring about 40 to 45 people and damaging private property.

'Some of those interviewed said that they had either been injured, had seen others injured, or had heard live ammunition ...

'Human Rights Watch did not have access to images or footage of casings from live ammunition to corroborate whether some of the gunshots were from live ammunition, or if all could have been rubber bullets or other forms of less-lethal weapons. Human Rights Watch has reviewed images of many cartridges from less-lethal weapons including rubber bullets and teargas, collected after the security forces used force against the protesters.' 140

- 15.3.4 Van Severan and Kole July 2022 article stated: 'On 2 and 9 October 2021... dozens of people were injured as security forces fired tear gas and rubber bullets at a protest. Similarly, this May [2022], authorities violently dispersed rallies being held in multiple cities against France's military presence and backing of Mahamat Déby.'141
- 15.3.5 A March 2022 HRW report noted that on 24 and 25 January 2022 'Security forces killed at least 13 people, including a 12-year-old child, and injured over 80 others in Abéché, Ouaddaï province', when dispersing thousands of peaceful protesters...'142
- 15.3.6 HRW report September 2022 noted: 'Government forces injured scores of protesters in N'Djamena during the first 10 days of September, including with improper use of teargas'143 The source did not give the figures of those injured. Similarly, CIVICUS/REDHAC Report July 2023 noted: 'Security forces also used teargas canisters and violently arrested protesters who demonstrated against the National Dialogue, which started on 20 August 2022 to define a timeframe and modalities for elections. Protesters argued that the dialogue was not inclusive enough and that the outcomes would not reflect the will of a majority of Chadians. Protests were held and violently repressed throughout September 2022 ...'144
- 15.3.7 The CIVICUS/REDHAC report of July 2023 observed that, 'the Chadian authorities have persistently used deadly force to disperse protests', and notes multiple incidences throughout 2022 and 2021.145 With respect to the October 2022 protests the same source noted: 'On 20 October 2022 ... Security forces used live ammunition against thousands of protesters in N'Djamena and Doba, Moundou and Sarh as people called for civilian rule. On the day known as 'Black Thursday', more than 50 people were killed, at least 300 were injured and hundreds more were detained.'146

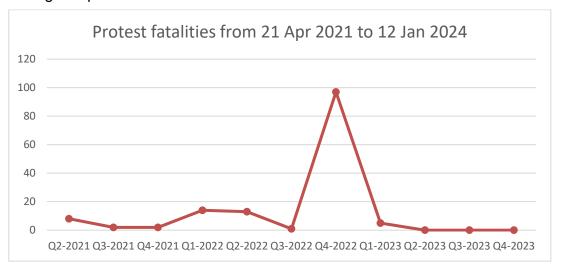
¹⁴⁰ HRW, 'Chad: Violent repression of opposition protest', 29 October 2021

¹⁴¹ Van Severan and Kole, D., 'Chad's transition to nowhere', 20 July 2022

¹⁴² HRW, 'Chad: Killings by security forces in East' 9 March 2022

¹⁴³ HRW, 'Chad: Security force abuse amid National Dialogue', 23 September 2022
144 CIVICUS/REDHAC, 'Joint submission to the UN universal ...' (paragraph 4.4), 18 July 2023
145 CIVICUS/REDHAC, 'Joint submission to the UN universal ...' (paragraph 4.2), 18 July 2023
146 CIVICUS/REDHAC, 'Joint submission to the UN universal ...' (paragraph 4.4), 18 July 2023

- 15.3.8 An October 2023 report by HRW noted the government appointed National Human Rights Commission (CNDH) [Commission Nationale des Droits de l'Homme] stated in a report published in February 2023 that '128 people were killed and 518 injured on October 20, 2022.'147
- 15.3.9 ACLED documented 142 protest fatalities from 21 April 2021 to 12 January 2024 that occurred over the course of 280 protest events, around two-thirds of which took place as part of the 20 October protests¹⁴⁸. CPIT has produced the graph below based on ACLED data showing protest fatalities by quarter during this period:



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15.4 Arbitrary arrest and detention

15.4.1 USSD HR report for 2022 observed:

'The constitution, subsequent transitional charter, and law prohibit arbitrary arrest and detention, but the government did not always observe these prohibitions. The law does not provide for the right of persons to challenge the lawfulness of their arrest or detention in court.

'Although the law requires a judge to sign and issue arrest warrants before arrests may take place, this did not always occur. By law detainees must be charged within 48 hours or released, unless the procureur (investigating magistrate) authorizes an extension of detention for investigative purposes. Nevertheless, authorities often did not make judicial determinations promptly. The law allows for bail and access to counsel, but there were cases in which authorities provided neither. While the law provides for legal counsel for indigent defendants and prompt access to family members, this rarely occurred, according to legal observers. Authorities occasionally held detainees incommunicado.'...¹⁴⁹

15.4.2 An October 2023 report by Human Rights Watch stated: 'Arrests of supporters of Chad's main opposition party seem to be an attempt to limit political dissent before an upcoming constitutional referendum, Human Rights Watch said today. The arrests came days after a June 2023 arrest

¹⁴⁷ HRW, 'Chad: Closing political space ahead of referendum', 13 October 2023

¹⁴⁸ ACLED, 'Dashboard' (Chad), last updated 14 October 2023

¹⁴⁹ USSD, '2022 Country report on human rights practices' (section 1 b), 20 March 2023

- warrant for the leader of the Les Transformateurs party (The Transformers, in English) appeared on social media. At least 72 party members and supporters have been detained since October 8...'150
- 15.4.3 The CAT Chad Report December 2022 noted that the committee was concerned about numerous allegations that during the demonstrations security forces 'made arbitrary arrests, carried out incommunicado detentions and transfers of detainees to the Koro Toro high-security prison.'151 The source, however, did not provide detail of the number, frequency, location or time period of these arrests.
- 15.4.4 CIVICUS/REDHAC Report July 2023 noted that security forces arrested 700 protesters during protests organised by Wakit Tama from 27 April to 19 May 2021 and more than 220 protesters during protests against the DNI in September 2022. 152
- 15.4.5 The FH report 2022 stated: 'After the October 2022 protests against the new two-year transition period, security forces continued to target the opposition and their headquarters with detentions and harassment. The opposition claimed that hundreds of their supporters had been detained or disappeared by year's end.'153 This is corroborated by other sources which reported that following the 20 October 2022 protests security forces carried out mass arrests and conducted arbitrary searches, arrests, and detention of activists and others suspected of participating in the protests¹⁵⁴ ¹⁵⁵.
- 15.4.6 Sources differ on the number of protesters arrested during the 20 October 2022 demonstrations. Whilst Chad's Justice Minister claimed, 'that 621 protesters including 83 minors were arrested, '156 Radio France International (RFI), the French news and current affairs public radio station that broadcasts worldwide in French and in 16 other languages¹⁵⁷ reported on 23 February 2023 that the CNDH documented 943 arrests and 265 convictions'. 158 On 31 October 2023 CIVICUS Monitor reported that Chadian League of Human Rights and the World Organisation against Torture report in April 2023 stated that at least 1,300 people were arrested 159.

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15.5 Prosecution and release of protestors

15.5.1 CIVICUS/REDHAC report July 2023 noted:

'... on 6 June 2022, four [human rights defenders] HRDs – Gounoung Vaima Ganfare, Youssouf Korom, Max Loalngar and Kounde Mbainaissem – were fined 10 million FCFA (approx. US\$16,626) and given a suspended 12month prison sentence. They were arrested during protests denouncing

¹⁵⁰ HRW, 'Chad: Closing political space ahead of referendum', 13 October 2023

¹⁵¹ UNCAT, 'Concluding observations on the second periodic ...' (paragraph 8), 7 December 2022 ¹⁵² CIVICUS/REDHAC, 'Joint submission to the UN universal...' (paragraphs 4.4 to 4.6),18 July 2023

¹⁵³ FH, 'Freedom in the world 2023 - Chad' (section B2), 2023

¹⁵⁴ USSD, '2022 Country Report on Human Rights' (sections 1b and 1d), 20 March 2023
155 CIVICUS/REDHAC, 'Joint submission to the UN universal...' (paragraphs 4.3 to 4.5), 18 July 2023
156 CIVICUS Monitor, '261 people sentenced to prison for participation for "Black ...' 9 January 2022
157 RFI, 'Who are we?', no date
158 RFI, 'October 20 protests in Chad: the CNDH has...', (google translate) 23 February 2023
159 CIVICUS Marrier (No accounts billing and year after deadly 'Black Thursday', 31 October 2023

¹⁵⁹ CIVICUS Monitor, 'No accountability one year after deadly 'Black Thursday', 31 October 2023

human rights violations and the lack of consultations with and inclusion of HRDs and civil society in the political transition. At the time of their arrest, they were accused of disturbing public order and attacking the 'physical integrity of people'. They embarked on a hunger strike on 20 May to protest against their transfer from Klessom prison in N'Djamena to Mossoro prison, more than 300 km away. Gounoung Ganfare is the Secretary General of the Union des Syndicats du Tchad, Youssouf Korom is the Secretary General of the Syndicat des Commercircants Fournisseurs and Kounde Mbainaissem is the President of the Association for Freedom of Expression.'160

15.5.2 On 9 January 2023 CIVICUS Monitor reported:

- "... Between 29th November and 4th December 2022, a mass trial of 401 of those arrested [following the October 2022 demonstrations] took place at the correctional chamber of Koro Toro, a trial the Chadian Bar Association called "a parody of justice". A total of 261 people were sentenced to prison sentences ranging from two to three years on several charges including taking part in an unauthorised gathering, destroying belongings, arson and disturbing public order. 80 people were given a suspended prison sentence, while 59 were acquitted...'161
- 15.5.3 On 12 December 2022, Al Jazeera reported: 'At least 139 people have been released in Chad after being arrested during a bloody crackdown on antigovernment protests in October that killed dozens of people.'162
- 15.5.4 On 28 March 2023, France 24, an international news channel broadcasting in French, Arabic, English and Spanish, 163 reported that Chad's president "...pardoned 259 of the 262 protesters jailed" in relation to the 20 October protests. According to the report the beneficiaries of the presidential pardon were: "Persons convicted on December 2 2022 for unauthorised assembly, destruction of property, arson, violence and assault, assault and battery, and public order offences."164 On 10 April 2023 Africa News reported the release of the 259 pardoned protesters¹⁶⁵.
- 15.5.5 BAMF reported on 24 July 2023 that President Mahamat Idriss Déby pardoned 75 detainees in May 2023 and another 110 detainees on 17 July 2023 who had been convicted in mass trials in connection with the 20 October protests¹⁶⁶.

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15.6 Treatment in detention

15.6.1 USSD HR report for 2022 observed:

'Conditions in the country's 41 prisons were harsh and potentially lifethreatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care ... In addition to official prisons, there were reports that the National Security Agency held prisoners

CIVICUS/REDHAC, 'Joint submission to the UN universal ...' (paragraph 2.3), 18 July 2023
 CIVICUS Monitor, '261 people sentenced to prison for "Black Thursday" ... '9 January 2023

¹⁶² Al Jazeera, 'Chad releases 139 detainees from protest crackdown in October', 12 December 2022

¹⁶³ France 24, 'About us', no date

¹⁶⁴ France 24, 'Chad's President Deby pardons 259 protesters jailed last year', 28 March 2023

¹⁶⁵ Africa News, 'Chad: 259 pardoned protesters released', 10 April 2023

¹⁶⁶ BAMF, 'Briefing Notes' (Chad), 24 July 2023

in unofficial detention centers...

'The constitution and subsequent transitional charter prohibit torture and other cruel, inhuman, or degrading treatment or punishments, but human rights groups, civil society activists, opposition political parties, and prominent lawyers credibly accused security forces of engaging in torture and other cruel, inhuman, or degrading treatment.'167

15.6.2 The UNCAT Chad report 2022 noted that 'the Committee is deeply concerned about the information it continues to receive from credible sources about unlawful detention and incommunicado detention in unknown location'¹⁶⁸, 'at the numerous allegations that, during the demonstrations ... security forces ... inflicted acts of torture and ill-treatment and committed enforced disappearances' and The same source further observed:

'The Committee expresses its concern about the high number of reports alleging that human rights defenders, political opponents, representatives of civil society and journalists continue to be regularly subjected to intimidation, threats, harassment, physical assault, arbitrary arrest and detention, prosecution, torture and ill-treatment, enforced disappearances and extrajudicial killings. It is also concerned about the insufficient efforts of the State party to provide these people with adequate protection, including by conducting prompt, effective and impartial investigations and punishing perpetrators with appropriate penalties.'170

- 15.6.3 FH report 2021 stated: 'In May [2021] the leader of the opposition Reform Party (PR) was arrested and tortured by the police in May 2021 after participating in an anti-TMC protest march.'171 FH report 2022 noted outspoken political and civil society activists who protested against Déby's continued rule 'faced violence, imprisonment, torture, and intimidation at the hands of security forces.'172
- 15.6.4 The HRW annual report covering events in 2022 noted that among other things security forces '... arbitrarily arrested demonstrators, many of whom reported torture and other ill-treatment in detention.'173 A HRW article of December 2023 stated: 'On October 20, 2022... The authorities arrested hundreds of men and boys and took them to Koro Toro, a high security prison 600 kilometers from N'Djamena, the country's capital. Several detainees died en route, some due to lack of water. At Koro Toro, protesters suffered further abuses, including torture and ill-treatment by other detainees.'174 A 23 January 2023 HRW report stated: 'Human Rights Watch has not yet been able to establish how many people may have died in transit and at Koro Toro.'175
- 15.6.5 A July 2023 report by Reporters Without Borders (RSF) noted that journalist

¹⁶⁷ USSD, '2022 Country Report on human rights practices' (section 1c), 20 March 2023

¹⁶⁸ UNCAT, 'Concluding observations on the second periodic ...' (paragraph 29), 7 December 2022
169 UNCAT, 'Concluding observations on the second periodic ...' (paragraph 8), 7 December 2022
170 UNCAT, 'Concluding observations on the second periodic ...' (paragraph 43), 7 December 2022

¹⁷¹ FH, 'Freedom in the world 2022 – Chad' (section B1), February 2022
172 FH, 'Freedom in the world 2023 – Chad' (overview, section D4), 2023
173 HRW, 'World report 2023 – Chad' 12 January 2023
174 HRW, 'Chad: Amnesty law cheats victims', 21 December 2023

¹⁷⁵ HRW, 'Chad: Justice needed for October crackdown', 23 January 2023

Service Ngardjelaï and 15 others arrested in relation to the 20 October 2022 protests were subjected to severe beatings and torture The report stated that following arrest:

"... He and the other detainees were thrown into a military vehicle "like bags" and were taken to a municipal school in Abena, a village 10 km outside the capital. While held in a classroom, he said he heard the soldiers execute several people in the courtyard, to which he was later taken and beaten. The next evening, he and other detainees were taken to an isolated place on the shores of Lake Chad by soldiers who "stubbed their cigarettes out on the bodies of the prisoners." The soldiers were about to execute them but lowered their weapons when they saw civilians approaching.

'The soldiers then took them to police headquarters in N'Djamena, where they initially promised to free them but instead set off with them heading north. Several people died from lack of food on the trip, during which the soldiers "forced the prisoners to take the bodies of the dead and throw them in the sand." On 23 October, they finally arrived at Koro Toro, a prison in the middle of the desert, isolated from all means of communication. It is notorious for its constant gratuitous violence, which international organisations have <u>repeatedly denounced</u> ...

'Ngardjelaï was held arbitrarily in inhuman conditions for seven months. "We slept on the floor, and there were between 20 and 30 of us in each cell," he said. He was also subjected to forced labour. "If we refused, the soldiers attached irons weighing 12 to 16 kilos to our feet. They were so tight that they caused sores, which could then become infected." He sustained injuries to his left ribcage, right arm, and spine, and he says he vomited blood.

'He found all sorts of objects in his food, including sand, razor blades and electric battery innards. Out of date flour was used to prepare the food. He was regularly beaten by the soldiers. Some of his jailers were a little more lenient towards him before of his status as a journalist, but others used additional violence against him for the same reason.' 176

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Section updated: 22 January 2024

16. Media workers and bloggers

16.1 Traditional media

16.1.1 The Human Rights Council Working Group on the Universal Periodic Review report on Chad stated: 'UNESCO noted that a freedom of information law had not yet been adopted in Chad. The provisions of the Criminal Code on defamation (arts. 344–346) excluded defamation committed through the press. However, defamation remained punishable under the Law on the Press Regime in Chad, which envisaged more severe penalties than the Criminal Code: up to one year of imprisonment, or a fine, or suspension of publication for six months (art. 47 of the said Law) ...'177

¹⁷⁶ RSF, 'Chadian journalist describes being held arbitrarily, tortured for seven months', 3 July 2023 ¹⁷⁷ HRC, 'Chad: Compilation of information prepared by the ...' (paragraph 23),17 November 2023

16.1.2 CIVICUS/REDHAC report July 2023 noted:

'Article 19 of the ICCPR guarantees the right to freedoms of expression and opinion. Article 28 of the constitution guarantees the right to freedoms of expression, opinion, communication and the press. The Transitional Charter guarantees the right to freedom of the press and publications.

'Although Chad has a vibrant media, restrictions on freedom of expression and online freedoms are common. Journalists have been killed in recent years and others have been regularly subjected to arbitrary arrests and detention.

'The media is regulated by the Haute Autorité des Médias et de l'Audiovisuel (HAMA), a body that has suspended newspapers and other media outlets and sanctioned journalists. For example, on 7 September 2020, HAMA suspended 12 newspapers ... The authorities accused the editors of the papers of failing to adhere to a 2018 Press Law that requires editors in chief and publishers to have gone through training in journalism and have a minimum of three years of higher education. In October 2020 three newspapers ... received letters from HAMA threatening them with suspension if they failed to comply with the same provisions.' ¹⁷⁸

16.1.3 USSD HR report for 2022 noted:

'The constitution provides for freedom of expression, including for members of the press and other media, but the government severely restricted this right ...

'... Space for open and free private discussion existed but tended to be selfcensored due to fear of reprisal from the state.

'Independent media were active and attempted to express a variety of views; however, authorities placed severe restrictions on them ... Some journalists and publishers practiced self-censorship due to concerns regarding intimidation and arrest. The government also penalized those who published reports counter to government guidelines, sometimes by closing media outlets.'179

16.1.4 The RSF Report 2023 noted:

'Since Chad began its democratic process in December 1990, the media landscape has expanded considerably and the media have acquired a certain independence, with the state media ceasing to have a monopoly on information. About ten newspapers ... appear regularly, four privately owned TV channels operate in N'Djamena... and around 60 radio stations operate nationwide. FM/Liberté, a radio station created by human rights activists, has the most listeners in the capital, in part because it has a network of reporters throughout the country.

'Press freedom and the right to information are enshrined in Chad's laws. The 2010 press law abolished prison sentences for most press offences except defamation, which is still punishable by up to three months in prison...

'... Media outlets can have their own editorial line, but investigative reporting

¹⁷⁸ CIVICUS/REDHAC, '<u>Joint Submission to the UN universal...</u>' (paragraphs 3.2 to 3.4),18 July 2023 ¹⁷⁹ USSD, '<u>2022 Country report on human rights practices</u>' (section 2a), 20 March 2023

that is critical of senior government officials and their close associates is not tolerated. Any media outlet publishing a report of this kind is liable to be suspended and the journalist responsible arrested arbitrarily, while foreign reporters can be expelled. Access to official information remains very difficult.'180

16.1.5 A September 2023 report by HRW stated:

'Chad's High Media and Audiovisual Authority regulator (HAMA) suspended Alwihda Info for eight days following the publication of articles on internal reshuffling in the army and a speech given by the transitional president. Mahamat Déby, about conflict on the country's northern border. HAMA accused the outlet of publishing "insulting remarks" about the president and of "undermining the cohesion and discipline within the army" and warned of more severe sanctions for any repeat offenses.'181

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16.2 **Journalists**

- 16.2.1 The BTI report 2022, commenting on events before January 2021, observed that 'Critical journalists, bloggers and other commentators risk prosecution and imprisonment' and that 'Independent media are under constant political pressure; criticizing Déby can lead to detention. Moreover, arbitrary arrests are a constant threat for any journalist doing their job. 182
- 16.2.2 The FH report on political and civil liberties for 2022 observed: 'Journalists [among others] ... have faced harsh reprisals for speaking out about corruption, including arrest, prosecution, and expulsion from the country.'183 The source added:

'The CMT's transitional charter provides for freedom of the press, but press freedom is restricted in practice. Newspaper editors are legally required to have completed at least three years of higher education; outlets employing editors who do not meet this condition face suspension, constraining the media environment. Although criticism of the government is permitted within certain boundaries, reporters and editors commonly self-censor to avoid reprisals. Journalists can face arrest, detention, and imprisonment on charges including defamation. Several reporters were beaten or temporarily detained while covering opposition demonstrations in 2022; one journalist was fatally shot during the October protests, and another was killed in February as he covered a local conflict in the south.'184

16.2.3 The USSD HR report for 2022 stated:

'... Authorities reportedly harassed, threatened, arrested, and assaulted journalists for critical reporting regarding the government. Local media

¹⁸⁰ RSF, 'Chad', 2023

¹⁸¹ HRW, 'Troubling development for free speech in Chad', 1 September 2023

¹⁸² BTI, 'Chad country report 2022' (political participation), February 2022
183 FH, 'Freedom in the World 2023 - Chad' (section C2), 2023
184 FH, 'Freedom in the World 2023 - Chad' (section D1), 2023

reported that journalists regularly faced arrest after publication of such reporting. Most were released quickly, but others were held in detention for weeks or months, and some severely mistreated, particularly when articles alleged government officials acted with impunity or criticized former president Deby or his associates. Journalists, as well as human rights defenders, reported being the victims of threats, harassment, and intimidation by anonymous individuals.

'Local print and online news reported that on February 9, journalist Evariste Djai-Loramadji reported on an incident of intercommunal violence in Sandana via a local community radio station, after which his body was found with bullet holes later that evening. The status of any investigation or accountability measures remained unclear. On March 7, journalist Adoum Abdelkarder was shot three times and beaten at his home. The minister of communication called for an investigation following the attack, but the status of any investigation or judicial action remained unclear.

'During the October 20 protests, journalist Oredje Narcisse was shot and killed on his way to work in a neighborhood where clashes between protesters and security forces were taking place.'185

16.2.4 The RSF report 2023 stated:

'Assaults against journalists go unpunished, as evidenced by the murder of journalist Orédjé Narcisse who was shot dead in October 2022 and whose killers have never been arrested. In February 2022, a community radio reporter was also shot dead during an attack in southern Chad. Media personnel also face violence from the police while covering anti-government protests, and journalists working in the provinces are often the victims of arbitrary arrests and threats...'186

16.2.5 Citing sources, the CIVICUS/REDHAC Report July 2023 stated:

'On 20 October 2022, Chadian journalist Narcisse Oredje of the private radio station Radio CEFOD was shot and killed outside his home in the Chagoua district of N'Djamena during protests calling for an end to the reign of Mahamat Deby. He was killed by individuals wearing military uniforms and no investigations have been conducted to identify the perpetrators. Lotiko Radio journalist Evariste Djailoramdji was shot and killed in the village of Sandana in similar circumstances. He was killed while he covered community clashes between herders and farmers...

'On 20 October 2022, journalist Service Ngardjelai of public television channel Toumai TV was arrested at his home in N'Djamena by security forces along with 15 other people as the authorities responded violently to protests. Security forces broke into his home, physically assaulted him and detained him at police headquarters in N'Djamena. He was later transferred to Koro Toro prison in the north of Chad, where the authorities detain many people suspected of participating in protests. He was sentenced to two years in prison and regularly subjected to physical and psychological assault. He was also charged with participating in an unauthorised assembly, arson and disturbing public order. On 7 May 2023, he was cleared of all charges and

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¹⁸⁵ USSD, '2022 Country report on human rights practices' (section 2a), 20 March 2023 ¹⁸⁶ RSF, 'Chad', 2023

released.

'On 3 September 2022, journalist Aristide Djimalde was physically assaulted and her press card and phone confiscated as she covered protests by political parties in N'Diamena. She was covering a story for the privately owned Alwihda Info website when she was attacked by police officers as she filmed them attacking protesters...

'On 10 August 2022, Anner Sabartang, journalist and editor of Radio Gaya, was arrested and detained on the orders of Germain Beramgoto, a local government officer in the Kabbia region. He was arrested after broadcasting information about a conflict over the appointment of Beramgoto, with community members having raised concerns that he was not representative of the community in Kabbia ... He was later released without any charges.

'On 8 August 2022, journalist Janvier Mouatanger was arrested and detained by the commander of the gendarmerie in the city of Doba and accused of defaming the commander after he broadcast a report about concerns raised by farmers in the village of Ndoroman ... Mouatanger is a correspondent for La Voix du Paysan radio station.

'On 20 April 2022, Radio Oxygène journalist Olivier Memnguide was arrested by the gendarmerie as he covered clashes in the city of Donia in the southwest of the Logone Occidental region. His phone was confiscated and he was taken to the gendarmerie office and accused of rebellion. He was subsequently presented to the prosecutor before being released later that day.' 187

16.2.6 HRW Report 2023 stated that 'on 3 September 2021, security forces beat 4 Chadian journalists and arrested 3 of them for covering the security forces' crackdown on opposition 188. The RSF Barometer, which lists only cases of iournalists where RSF has established that their death or imprisonment was linked to their journalistic activity and does not include journalists who were killed or imprisoned for reasons unrelated to their work or when the link to their work has not yet been confirmed, listed 3 abuses against journalists in Chad from 2021 to 2023 of which 1 was recorded 1 killed and 2 detained with one of them, Service Ngarledjelaye Toumai TV released in May 2023¹⁸⁹.

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- 16.3 Internet and social media
- The US CIA Factbook 2024 noted that 'fixed, mobile and internet is well 16.3.1 below African averages' and estimated that there were 3.06 million (18% of the population) internet users in Chad as at 2021¹⁹⁰.
- 16.3.2 The FH report 2021 stated: 'Space for open and free private discussion exists but tends to be self-censored due to fears of reprisal from the state. The government throttled internet connectivity speeds across the country multiple times during 2021 in an attempt to limit media coverage of anti-

¹⁸⁷ CIVICUS/REDHAC, 'Joint Submission to the UN ...' (paragraphs 3.5 to 5.10),18 July 2023

 ¹⁸⁸ HRW, 'World report 2023 – Chad' 12 January 2023
 189 RSF, 'World abuses in real time' (filtered by Chad), regular update

¹⁹⁰ US CIA World Factbook, 'Chad' (economy), updated 17 January 2024

government demonstrations and the arrest of an opposition politician. In October, police arrested a political activist for making pro-opposition social media posts.'191

16.3.3 The ICG Report December 2022 noted:

'As Mahamat Déby has himself acknowledged, social media has come to play a major role in Chadian society during the transition ... Government officials, influencers and ordinary users all participate in open online debates in which polarised narratives are developed, promoted and criticised ...

'... [T]he transitional authorities have become an active player in the social media landscape. Instead of banning the use of certain platforms, the junta has emphasised their relevance to the country's economic development ...

'Since the beginning of the transition, the opposition has used online platforms to organise offline actions. On 14 May 2022, for example, the opposition coalition Wakit Tama held a march in N'Diamena to protest the French military presence in Chad. The organisers used WhatsApp groups, Facebook and other platforms to mobilise participants ...'192

16.3.4 A March 2023 report by the Collaboration on International ICT Policy for East and Southern Africa (CIPESA), a UK DFID funded organisation that promotes the use of ICT in Africa for improved governance and livelihoods 193 stated:

'Laws on surveillance and the interception of communications across the continent, including in ... Chad ... mirror each other and require communication service providers to put in place mechanisms, including the installation of software, to facilitate access and interception of communications by state agencies.

'Another common element in the laws of several countries are legal requirements which undermine encryption. For example, encryption service providers may be required by law to assist on request or on the orders of state agencies, including judicial authorities, law enforcement agencies and regulators, to not only hand over the encrypted data in their custody, but to decrypt such data before handing it over to state authorities. Such requirements are evident in ... articles 19 and 36 of Chad's Law no 009/PR/2015 on Cybersecurity and Cybercrime.'194

- 16.3.5 According to the RSF Report 2023, 'The cybercrime law adopted in 2019 exposes journalists working online to arbitrary arrest and detention.'195
- 16.3.6 The USSD HR report for 2022 observed:

'The government restricted and disrupted access to the internet in many ways. It directly censored online content, such as Facebook; occasionally blocked sites and popular messaging applications, such as WhatsApp; and arrested activists for postings on social media. There was widespread speculation that the government monitored private online communications

¹⁹¹ FH, 'Freedom in the world 2022 - Chad', (section, D4), 24 February 2022

¹⁹² ICG, 'Chad's transition: Easing tensions on line', 13 December 2022

¹⁹³ CIPESA, 'About us', no date
194 CIPESA, 'Compelled service provider assistance for state ...' (page 8), March 2023

¹⁹⁵ RSF, 'Chad', 2023

without appropriate legal authority.

'The government cut internet service on both national mobile providers, Airtel and Moov (formerly Tigo) during protests in May and October [2022] in specific neighborhoods where demonstrations were occurring. Service was restored several days following both instances of network interruption.' 196

16.3.7 A September 2023 report by CIPESA noted that from January 2016 to June 2023, there were 7 incidents of internet shutdowns in Chad. The report explained: 'Across Africa, internet shutdowns are ordered during major national events including elections, protests, and conflicts.' ¹⁹⁷ In Chad authorities in response to the protests imposed restrictions on internet and phone services between 24 and 28 January 2022¹⁹⁸ and during the 20 October 2022 protests¹⁹⁹.

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Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the COI [European Union] Guidelines for Processing Country of Origin Information (COI), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), Researching Country Origin Information - Training Manual, 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

¹⁹⁶ USSD, '2022 Country report on human rights practices' (section 2a), 20 March 2023

¹⁹⁷ CIPESA, 'State of internet freedom in Africa 2023' (page 15), September 2023

¹⁹⁸ CIVICUS/REDHAC, 'Joint submission to the UN universal ...' (paragraph 4.5), 18 July 2023

¹⁹⁹ CIVICUS Monitor, 'Black Thursday: At least 50 killed in protests against ...', 1 November 2022

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.	
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Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the <u>country information</u>.

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Country background
 - Location/demography/economy/politics
 - o Regional security
- Transition government since April 2021
 - Transitional Military Council (TMC)
 - Doha Peace Agreement
 - National Inclusive Dialogue
 - Constitutional referendum (December 2023)
- Elections
- Political opposition
 - Ability to operate
 - o participation in government
 - treatment of opposition groups
- Armed opposition groups
 - Treatment by the state including prosecution, amnesty and release
- Protests
 - Ability to protest
 - treatment of protesters including violence against demonstrators, arbitrary arrest and detention, treatment in detention and release
- Civil society activists and human rights defenders
 - Ability to operate
 - Treatment by the state
- Media
 - Traditional and online
 - Ability to operate
 - Treatment of journalists

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Version control and feedback

Clearance

Below is information on when this note was cleared:

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Official – sensitive: Not for disclosure – Start of section
Official – sensitive: Not for disclosure – End of section

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Changes from last version of this note

None. First version

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Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the <u>Country Policy and Information Team</u>.

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Independent Advisory Group on Country Information

The <u>Independent Advisory Group on Country Information</u> (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the <u>gov.uk website</u>.

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