

# CHAD 2022 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Chad was by year's end controlled by a transitional president who had previously presided over a 15-member transitional military council until October 10. An August-October national dialogue disbanded the transitional military council and gave the former transitional military council president the title of transitional president with a mandate to govern and prepare for elections by October 2024. The transitional military council previously held power under an 18-month mandate that ended in October. The Transitional President, General Mahamat Idriss Deby Itno, son of former President Idriss Deby Itno, appointed a new civilian prime minister on October 12 and a new government of ministers on October 14. The most recent national elections were held in April 2021. The National Independent Electoral Commission announced Idriss Deby won a sixth presidential term. Observers considered the 2021 election neither free nor fair due to bans of public gatherings, abuses by security forces against the opposition, disqualification of opposition candidates, and numerous irregularities on election day.

The National Army of Chad, National Gendarmerie, Chadian National Police, Chadian National Nomadic Guard, and National Security Agency are responsible for internal security. The armed forces report to the minister delegate to the president in charge of armed forces, veterans, and war victims. The National Police, National Nomadic Guard, and a specialized gendarmerie unit (the Detachment for the Protection of Humanitarian Workers and Refugees) report to the Ministry of Public Security and Immigration. The National Security Agency reports directly to the transitional president. Executive authorities at times did not maintain effective control of the security forces. There were reports that members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; forced disappearance; torture and cases of cruel, inhuman, or degrading treatment or punishment by the government or on behalf of the government; harsh and life-threatening prison conditions; arbitrary

arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses by a relative; unlawful recruitment or use of child soldiers by Boko Haram and the Islamic State West Africa Province; serious restrictions on freedom of expression and media, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, and censorship; serious restrictions on internet freedom; 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; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; lack of investigation of and accountability for gender-based violence, including domestic or intimate partner violence, sexual violence, child, early, and forced marriage, and female genital mutilation/cutting; crimes involving violence or threats of violence targeting members of ethnic groups, including violent conflicts between herding and farming communities; trafficking in persons; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and laws criminalizing consensual same-sex sexual conduct between adults that authorities enforced.

Despite government rhetoric to the contrary, there were no reports that authorities sought to combat widespread impunity by prosecuting or punishing some government officials who committed human rights abuses or participated in corruption.

Boko Haram and ISIS-West Africa killed numerous civilians and military personnel. Authorities investigated some incidents but initiated no prosecutions as of year's end.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were several reports the government or its agents committed arbitrary and

unlawful killings. Human rights groups credibly accused security forces of killing with impunity. The Ministry of Justice and the National Commission on Human Rights (CNDH) occasionally investigated allegations of security force killings.

Members of the army, as well as Chadian members of the Mixed Force, a Chadian/Sudanese military unit, killed at least 13 persons, including a child aged 12, and injured more than 80 others in Abeche, Ouaddai Province. According to Human Rights Watch (HRW) and the civil society organization Chadian Convention for the Defense of Human Rights, these abuses occurred on January 24-25 during protests and a funeral that some attendees characterized as being peaceful. During the January 24 protests, soldiers also arrested 212 persons, beat some of them, and held some of the detainees without formal charges in substandard conditions for up to five days. The government took steps to launch an investigation of these incidents, compensate victims, and address local grievances that contributed to these protests. Authorities did not make public any report of the investigation, and there were no reports authorities held security force members to account.

Security forces, using live ammunition, violently repressed demonstrations protesting the two-year extension of the country's original 18-month transition on October 20, killing an unknown number of persons in N'Djamena and several southern cities, most notably Moundou. One week after the October 20 repression, sources independently verified 46 deaths reported by three hospitals in N'Djamena. Official government figures cited approximately 50 deaths, while human rights associations estimated numbers between 100 and 200.

Interethnic violence resulted in deaths (see section 6, Other Societal Violence or Discrimination).

## **b. Disappearance**

There were reports of disappearances by or on behalf of government authorities. The government made no efforts to prevent, investigate, and punish such acts.

In May the Libya-based Front for Change and Concord in Chad group accused government security forces of killing one of its rebels while in custody. The government had not reported any investigation into the allegations at year's end.

Security forces carried out mass arrests for weeks following violent government repression of demonstrations protesting the two-year extension of the country's original 18-month transition on October 20. In neighborhoods where demonstrations took place, local human rights organizations reported arbitrary searches, arrests, and detention of predominantly young men whose conditions and whereabouts remained unknown. Family members and legal counsel of those detained were denied access to detention sites.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

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 (see section 1.a.).

In June two prisoners in two separate incidents died in police custody. In the first case, a child aged 13 who had been in police custody for a month was found to have had marks consistent with torture. In the other, a man in police custody was found to have a broken neck upon his death. Autopsies in both cases contradicted police claims that the victims had died of illness.

Following October 20 protests, security forces detained several dozen young men in a N'Djamena school, which served as a makeshift prison. Authorities had not conducted an independent investigation by year's end, but HRW attested to credible allegations of torture in Koro Toro prison in the northern part of the country, where the government transferred more than 600 prisoners in the days following October 20.

Impunity was a significant problem in the security forces due to corruption, poor discipline, and general impunity for wrongdoers able to leverage basic political connections. Institutions that investigated abuses included the Ministry of Justice and the CNDH. Authorities offered training in human rights to its security forces through international partners, such as the United Nations and individual countries. The International Committee on the Red Cross (ICRC) stated in its 2020 annual

report, the latest available, that the national army took steps to strengthen the integration of international humanitarian law principles into its doctrine, training, and operations.

Impunity in cases of intercommunal violence was widespread, predominantly in the country's central and southern regions. Armed herders acting with de facto government support often used deadly force against farmers following disputes over grazing rights and wildlife corridors.

### **Prison and Detention Center Conditions**

Conditions in the country's 41 prisons were harsh and potentially life-threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care. Such conditions presented major problems for juveniles or persons with disabilities. In addition to official prisons, there were reports that the National Security Agency held prisoners in unofficial detention centers.

**Abusive Physical Conditions:** Regional prisons were in states of disrepair, overcrowded, and without adequate protection for women and juveniles. While the government constructed some new facilities in the past decade, major increases in the prison population meant that overcrowding continued to be a problem. Authorities did not separate juveniles from adult male prisoners and sometimes held children with their inmate mothers. Authorities held pretrial detainees with convicted prisoners and did not always separate male and female prisoners. Prison guards, who were not regularly paid, sometimes released prisoners if bribed.

Local nongovernmental organizations (NGOs) and the ICRC reported potable water, food, sanitation, and health care were inadequate. Provisions for heating, ventilation, and lighting were inadequate or nonexistent. Inmates were vulnerable to diseases such as tuberculosis, COVID-19, and malaria. The law stipulates a doctor must visit each prison three times a week, but authorities did not permit this level of access. In some cases, authorities denied detainees visits from doctors. The few prisons that had doctors lacked medical supplies. Detainees frequently relied upon family members for food, soap, medicine, and other supplies. No estimate of deaths in prisons or detention centers was available.

In its *Freedom in the World 2022* report, Freedom House stated, “Opposition activists risk arrest and severe mistreatment while in detention,” which remained the case during the year. Most unarmed opposition members came from the south and therefore more often faced consequences for political activity, such as protesting, than groups from other areas of the country.

**Administration:** Authorities did not investigate credible allegations of mistreatment. There was no mechanism for prisoners to submit complaints. After arrests following May and October demonstrations, local human rights organizations reported that authorities sometimes did not allow prisoners and detainees access to visitors.

**Independent Monitoring:** The government permitted the ICRC to visit prisons, and the ICRC conducted such visits. According to its 2020 annual report, the ICRC reported that at least four detention facilities lacked budgetary and human resources and experienced “systemic issues” in prison administration. The CNDH also conducted visits to detention facilities.

#### **d. Arbitrary Arrest or Detention**

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.

##### **Arrest Procedures and Treatment of Detainees**

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.

The large number of arrests following the October 20 protests overwhelmed local jails and prisons, prompting the transfer of some detainees to prisons in Moussoro and Koro Toro, north of N'Djamena, without formal charges or access to legal counsel.

**Arbitrary Arrest:** According to local media, security forces arbitrarily arrested journalists, demonstrators, critics of the government, and other individuals. Freedom House reported, “Security forces routinely ignore constitutional protections regarding search, seizure, and detention. Detained persons may be denied access to lawyers, notably those detained in connection with their involvement in antigovernment protests or activities. Many people suspected of committing crimes are held for lengthy periods without charge.”

Following demonstrations in N'Djamena and Abeche in May, HRW reported that security forces arrested six civil society leaders and illegally transferred them to a central jurisdiction outside the capital, according to their lawyers. Those detained were Gounoung Vaima Ganfare, head of the country's trade unions; Koudé Mbaïnaïsem, a lawyer at the Chad Bar Association; Hissène Massar Hissène, President of the Group of Civil Society Executives; Allamine Adoudou, former ambassador to Egypt; Youssouf Korom, secretary general of the Union of Chadian Supplier Traders; and Max Loalngar, a lawyer and main spokesperson for Wakit Tama and former president of the Chadian Human Rights League. All six individuals were tried in June and found guilty of disturbing public order. They received a one-year “suspended sentence” and were collectively fined CFA francs 9.22 million (\$15,000) for damages caused prior to their release.

Following the protests on October 20, witness accounts attested to arbitrary arrests in house-to-house security force searches in which young male family members of the intended suspects were arrested if the suspect was not present.

**Pretrial Detention:** Lengthy pretrial detention remained a problem, despite the minister of justice having visited prisons generally suspected of long pretrial detention occurrences early in the year and requested that they speed up the judicial process. According to justice activists, in 2018 at least 20 to 25 percent of inmates were in long-term pretrial detention. According to a Ministry of Justice official, authorities sometimes held detainees without charge for years, particularly

for felonies allegedly committed in the provinces, because the court system only had the capacity to try criminal cases in the capital. The length of detention sometimes equaled or exceeded the possible sentence for the alleged crime. Lengthy pretrial detention was exacerbated by an overworked judiciary susceptible to corruption. There were reports officials held detainees in police cells or in secret detention facilities.

### **e. Denial of Fair Public Trial**

The transitional charter and law provide for an independent judiciary, but the judiciary was overburdened, corrupt, and subject to executive interference. According to representatives of the bar association, members of the judiciary were not always impartial in civil matters, sometimes received death threats, or were demoted for not acquiescing to pressure from officials or otherwise coerced into manipulating decisions. Government personnel, particularly members of the military, often were able to avoid prosecution. Courts were generally weak and, in some areas, nonexistent. Authorities did not always respect court orders. According to local media and civil society organizations, members of the Judicial Police, an office within the Ministry of Justice with arrest authority, did not always enforce domestic court orders against military personnel or members of their own ethnic groups.

A judicial oversight commission known as Inspection Generale du Ministere de la Justice (Inspector General of the Ministry of Justice) has the power to investigate judicial decisions and address suspected injustices.

The constitution provides for a military court system composed of the Military Court and the High Military Court, which acts as an appellate court. There were no reports the government utilized the military court system for anyone other than members of defense and security forces. A military judicial authority also investigates some crimes.

### **Trial Procedures**

The constitution and law provide for the right to a fair and public trial, but the judiciary did not always enforce this right.



The law provides for a presumption of innocence, and for fair, timely, and public trials. Defendants have the right to be informed promptly and in detail of the charges against them and to be provided free interpretation. According to local media, however, these rights were seldom respected. Only criminal trials used juries, but not in politically sensitive cases. While defendants have the right to consult an attorney in a timely manner, this did not always occur. By law indigent persons have the right to legal counsel at public expense in all cases, although according to legal experts this seldom occurred; human rights groups sometimes provided free counsel to indigent clients. Defendants have the right to adequate time and facilities to prepare a defense and to be present at their trial. Defendants and their attorneys have the right to question witnesses and present witnesses and evidence, but the government did not always respect these rights. Defendants have the right not to be compelled to testify or confess guilt, but the government did not always respect these rights, according to lawyers. Defendants have the right to appeal court decisions, but the absence of legal counsel and frequent long delays in judicial processing undermined the right to appeal decisions.

The constitution recognizes local customary law in places where it is long established, provided it does not interfere with public order or constitutional provisions for equality of citizens. Courts tended to blend the French legal code with traditional practices. Local customs often superseded the law. Residents of rural areas and refugee and internally displaced persons (IDPs) camps often lacked access to formal judicial institutions, and legal reference texts were unavailable outside the capital or in Arabic. In minor civil cases, the population often relied on traditional courts presided over by village chiefs, canton chiefs, or sultans. Penalties in traditional courts sometimes depended on the clan affiliations of the victim and perpetrator. Decisions of traditional courts may be appealed to a formal court.

In some areas growing Islamic legal tradition influenced local practice and sometimes influenced legal interpretation. For example, local leaders may apply the Islamic concept of *diya*, which involves a payment to the family of a crime victim by the perpetrator or the perpetrator's family, a common practice in Muslim areas. Non-Muslim groups challenged the practice, asserting it was unconstitutional. In 2019 the government issued an interministerial order

regulating the practice of diya, with the criminal code taking precedence in any conflict with diya practices. The national dialogue recommended an ambiguous status for diya throughout the country, saying the practice should only be applied in regions “where it is recognized” according to local cultural traditions while also “respecting laws and rules in effect.”

### **Political Prisoners and Detainees**

The most recent estimate of the number of political prisoners was from 2018; at that time the NGO Citizen Action for the Integral Application of Amnesty in Chad assessed there were at least 72 political detainees. Citizen Action was unable to conduct a more recent study. Human rights organizations were not allowed access to these detainees. April 2021 protests after the seizure of power by the transitional military council and the October 20 protests after the transition’s two-year extension led to large numbers of politically motivated arrests, which meant the 2018 figure underestimated the number of political detainees during the year. HRW reported that many of the arrests in October 2021 were arbitrary.

### **Transnational Repression**

**Bilateral Pressure:** There were reports the government attempted to exert politically motivated pressure on Egypt in 2020. The International Crisis Group reported that the family of Tom Erdimi, coleader of the Union of Resistance Forces rebel group, accused Egyptian authorities of having arrested Erdimi in 2020 at the request of the Chadian government. Egyptian authorities released Tom Erdimi in September prior to his return to N’Djamena and subsequent nomination as minister of higher education.

### **Civil Judicial Procedures and Remedies**

Lawsuits for human rights abuses may be brought before a criminal court, but compensation is addressed by a civil court. Administrative and judicial remedies, such as mediation, are available. Courts and other mechanisms were insufficiently independent to provide effective civil remedies for human rights abuses. Individuals may also submit cases to the African Court on Human and Peoples’ Rights.

## **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

Although the constitution provides for the right to privacy and inviolability of the home, the government did not always respect these rights. It was common practice for authorities to enter homes without judicial authorization and seize private property without due process. There were reports authorities blocked or filtered websites and social media platforms. There were also reports authorities punished family members for offenses allegedly committed by their relatives (see section 1.d.).

A government decree prohibits possession and use of satellite telephones. During politically sensitive times, the government routinely blocked popular messaging applications, such as WhatsApp.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provides for freedom of expression, including for members of the press and other media, but the government severely restricted this right. According to Freedom House, authorities used threats and prosecutions to curb freedom of expression for members of the press and other media.

**Freedom of Expression:** The law prohibits “inciting racial, ethnic, or religious hatred,” which is punishable by up to two years in prison and fines. Space for open and free private discussion existed but tended to be self-censored due to fear of reprisal from the state.

The opposition party Les Transformateurs organized an authorized rally in January with more than 1,000 attendees. Security forces, however, encircled the party headquarters in September following accusations of unauthorized political activity that amounted to party members handing out flyers to residents of different N’Djamena neighborhoods (see section 2.b. and section 3, Political Parties and Political Participation). Security forces used tear gas over several days in

September to disperse party supporters who had gathered outside Les Transformateurs headquarters. Following October protests, security forces reportedly raided the party headquarters and arrested more than two dozen individuals after violently repressing protests in the days prior. The prime minister justified its harsh response by characterizing the October 20 protests as an “armed insurrection.” Credible reports showed that some protestors used rocks, slingshots, and blades in clashes with security forces.

**Violence and Harassment:** Authorities reportedly harassed, threatened, arrested, and assaulted journalists for critical reporting regarding the government. Local media 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.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** Independent media were active and attempted to express a variety of views; however, authorities placed severe restrictions on them. The government subsidized *Le Progres* – the only daily newspaper – and owned the biweekly newspaper *L’Info*. Government and opposition newspapers had limited readership outside the capital due to low literacy rates and lack of

distribution in rural areas. 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.

According to Freedom House, private radio stations faced threat of closure for coverage critical of the government. Radio, however, remained a critical source of information throughout the country. The government owned the Chadian National Radio station. The number of community radio stations that operated outside of government control continued to grow, and radio call-in programs broadcast views of callers that included criticism of the government.

In March the government's media oversight authority accused a local radio station in Sarh of broadcasting programs calling for public disorder, requiring the station to "take the material, technical, and personnel measures" necessary to moderate debates.

**Libel/Slander Laws:** Libel and slander are misdemeanors punishable by fines. Unlike in previous years, there were no reports of authorities having arrested or detained persons on charges of defamation. During the year there were no reports of government or individual public figures using libel or slander laws to restrict public discussion or retaliate against journalists or political opponents.

## **Internet Freedom**

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 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 in specific neighborhoods where demonstrations were occurring. Service was restored several days following both instances of network interruption.

## **Restrictions on Academic Freedom and Cultural Events**

While no government restrictions on academic freedom were known to exist, self-censorship frequently curtailed genuine expression in academic environments.

## **b. Freedoms of Peaceful Assembly and Association**

The government limited freedoms of peaceful assembly and association.

### **Freedom of Peaceful Assembly**

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.

There were allegations security forces used lethal force against demonstrators in Abeche in January and in N’Djamena in October. Security forces held many in police custody for up to a week without a judicial hearing (see section 1.c.). Several local attorneys, a human rights organization, and a radio station reported that the demonstrators were all detained beyond the legal period of custody and did not have access to their lawyers or to doctors.

The government arrested six prominent opposition leaders after mid-May anti-France protests that resulted in scattered property damage throughout the capital and the eastern city of Abeche. Police used tear gas to disperse crowds, and the government carried out arbitrary arrests (see section 1.d.).

In September security forces barricaded the headquarters of the opposition party Les Transformateurs for three days following alleged unauthorized distribution of

political pamphlets in neighborhoods throughout the capital. Security forces arrested more than 250 activists in gatherings provoked by the government's decision to barricade the headquarters with Transformateurs leader Succes Masra and several dozen party members inside (see section 3, Political Parties and Political Participation).

### **Freedom of Association**

The constitution and law provide for freedom of association, but the government on occasion did not respect this right. While the law requires the Ministry of Public Security and Immigration to provide prior authorization before an association, including a labor union, may be formed, there were no reports of the state enforcing the law. The law also allows for the immediate administrative dissolution of an association and permits authorities to monitor association funds.

The South Africa-based NGO Civicus listed the country on a watchlist highlighting “serious concerns” regarding civic space. Civicus noted the May arrests of six protest organizers, a history of excessive force against protestors, and harassment and arrests of human rights defenders and journalists.

Authorities revoked recognition of some opposition political groups (see section 3, Political Parties and Political Participation).

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

Although the constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, the government occasionally limited these rights.

**In-country Movement:** Lack of security in the east, primarily due to armed banditry, occasionally hindered the ability of humanitarian organizations to provide services to refugees. In Lake Chad Province, government military operations and attacks by Boko Haram and ISIS-West Africa constrained the

ability of humanitarian organizations to aid IDPs.

Citing security reasons, authorities enacted a daily curfew from 6 p.m. to 6 a.m. from October 20-22 and from 10 p.m. to 5 a.m. from November 3 through year's end.

**Foreign Travel:** In contrast with 2021, the government did not close the country's only international airport during the year.

## **e. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

**Access to Asylum:** The law provides for the granting of asylum or refugee status. Implementation of the country's first asylum law adopted in 2020 was underway, but refugees were reportedly able to access identification documents and work permits.

Clashes between communities of herders, farmers, and fishermen broke out in August 2021 in the Far North Region of Cameroon and again in December 2021, resulting in more than 40,000 refugees fleeing into the country during the year, of whom 89 percent were women and children. UNHCR registered more than 40,000 persons, and UNHCR and the government established two new camps south of N'Djamena for this influx of refugees.

**Abuse of Migrants and Refugees:** Within refugee camps, like much of the country, authorities rarely prosecuted perpetrators of sexual violence. Survivors often chose not to report sexual crimes. The judicial system did not provide consistent and predictable recourse or legal protection.

**Durable Solutions:** As durable solutions became more difficult to achieve, UNHCR supported refugee integration and where appropriate, refugee repatriation, and worked toward securing resettlement for limited numbers of refugees to third countries.



## **f. Status and Treatment of Internally Displaced Persons**

According to UNHCR, more than 391,000 persons were internally displaced in Lake Chad Province in the west. Attacks by armed nonstate groups, including Boko Haram and ISIS-West Africa, were responsible for most internal displacement in the province. As of December, in the south there were also approximately 77,000 displaced citizens who returned from the Central African Republic (CAR) due to attacks by nonstate armed groups in intercommunal tensions in CAR.

The government has policies and protections for IDPs in line with the UN Guiding Principles on Internal Displacement that promote their safe, voluntary, and dignified return, resettlement, or local integration. The government did not deny humanitarian NGOs or international organizations access to IDPs.

## **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage, but the government limited this right. The executive branch dominated the other branches of government.

### **Elections and Political Participation**

**Recent Elections:** 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 next day, President Idriss Deby died on the battlefield while commanding an army unit against Libya-based rebels advancing toward N'Djamena. Shortly after Deby's death, a 15-member transitional military council (CMT) established itself, dissolved the constitution, and issued a transitional charter that outlined an 18-month mandate and transition back to a democratically elected civilian-led government.

Under the 2020 constitution, the Senate president stood to take charge of the country, with the Senate vice president standing next in line. The Senate, however, had not been constituted when Deby died. In this scenario, the constitution provided that the powers of the Senate should have devolved to the National Assembly. The CMT named Deby's son, army general Mahamat Idriss Deby, as CMT president and the de facto leader of the country.

After President Idriss Deby's death, the CMT under General Mahamat Deby appointed a civilian transitional government and committed to an 18-month transition, renewable once. The August-October national dialogue modified the de facto constitution and ruled that the transitional period be extended for an additional 24 months, culminating in presidential elections. CMT President Deby became the transitional president in October. By year's end, Mahamat Deby remained the transitional president with increased executive control to nominate and revoke members of the government in the lead-up to elections anticipated in late 2024. The transitional president retained the right to nominate and revoke members of the transitional parliament under the de facto constitution. In October the government began drafting a new constitution and planning for elections.

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.

**Political Parties and Political Participation:** 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. 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.

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 to 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.

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 (see section 2.b., Freedom of Peaceful Assembly).

**Participation of Women and Members of Minority Groups:** Political disenfranchisement in the country was typically de facto, rather than de jure.

The law mandates that leadership of all political parties must be at least 30 percent women. Women's political participation, however, was limited by many factors, including lack of access to economic resources and cultural norms that discouraged their participation in public and professional life. The government supported nongovernmental initiatives designed to prepare women to meaningfully

participate in the National Dialogue.

Government authorities often awarded political positions and formed alliances based largely on tribal and ethnic affiliations. Political parties and groups generally had readily identifiable regional or ethnic bases. Northerners, particularly members of the transitional president's Zaghawa ethnic group, were overrepresented in key institutions, including the military officer corps, elite military units, and presidential staff.

Widespread social discrimination against lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) individuals resulted in all but a tiny percentage choosing to live closeted for personal safety and to enjoy fuller social and political rights. Those choosing to live openly, at great personal risk, were often denied the opportunity to register to vote, which observers noted appeared to contravene the constitution, which affirms that suffrage is universal.

Persons with disabilities, while generally able to vote, faced major hurdles in achieving full political participation. Likewise, some laws prohibited persons with disabilities from serving in elected office. Observers noted these laws appeared in contravention of the constitutional right of all persons to work. In addition, the constitution mandates "good physical and mental health" for presidential candidacy, a provision many observers believed disallowed persons with disabilities from serving as president.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, but authorities did not implement the law effectively. There were numerous reports of government corruption during the year.

According to Freedom House's *Freedom in The World 2022* report, corruption, bribery, and nepotism were "endemic" in the country, and journalists, labor leaders, and religious figures faced harsh reprisals for speaking out concerning corruption, including arrest, prosecution, and exile.

**Corruption:** Freedom House reported that "charges against high-level officials

that did go forward were widely viewed as selective prosecutions meant to discredit those who pose a threat to the government or its allies.” Judicial corruption hindered effective law enforcement and rule of law. Security forces routinely stopped citizens on pretexts of minor traffic violations to extort money or confiscate goods.

While widespread, corruption was most pervasive in government procurement, the awarding of licenses or concessions, dispute settlement, regulation enforcement, customs, and taxation. In June an embezzlement scandal involving CFA francs 13.9 billion (\$23 million) at the state oil company Société des Hydrocarbures du Tchad implicated the company’s deputy director general and the transitional president’s personal secretary. Both individuals were questioned by government intelligence services and investigators, but neither was charged with any crime nor faced any penalty. The personal secretary was relieved of his position and maintained a low profile before publicly attending the transitional president’s October swearing-in. Two months later, the transitional president claimed to have recovered the majority of the embezzled funds.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

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.

**Retribution against Human Rights Defenders (HRDs):** 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.

**Government Human Rights Bodies:** To show solidarity with the human rights community, the Ministry of Justice and Human Rights cosponsored, made remarks at, and attended conferences, training sessions, and launches of campaigns officially hosted by local and international NGOs aimed at protecting human rights. Local NGOs reported the ministry functioned independently yet was of

limited effectiveness, due partially to conflicts of interest with state security forces.

The CNDH entered its second year of operation with a mandate to advise the government on human rights, conduct investigations, assess prison conditions, verify adequate protection against abuse and torture of prisoners, and provide recommendations to the government following investigations. Long-time human rights activist Mahamat Nour Ibedou became the president of the CNDH in March. Observers interpreted this as a positive development for the CNDH but were skeptical that the institution could operate credibly and independently of government control. The CNDH provided numerous written opinions against government abuses of human rights but remained limited in its ability to carry out exhaustive investigations, even though the commission produced reports after deadly incidents in Abeche and Sandana.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** Rape is punishable by eight to 30 years in prison. Nevertheless, rape – including rape of female refugees – was a problem. The law does not specifically address spousal rape, the gender of survivors, or domestic violence. Police often detained alleged perpetrators, but rape cases were rarely tried. Authorities fined and released most rape suspects, according to local media. Communities sometimes compelled rape survivors to marry their attackers.

Although the law prohibits violence against women, gender-based violence was widespread. Police rarely intervened, and women had limited legal recourse. On June 7, the Ministry of Women, Family, and Childhood Protection launched a workshop on gender equality and the leadership of women during the political transition and National Dialogue process. On June 21, the Chadian League for Women's Rights and other women's associations demonstrated in N'Djamena against rape and all forms of violence faced by women.

**Female Genital Mutilation/Cutting (FGM/C):** The law prohibits FGM/C for girls and women, but the practice remained widespread, particularly in rural areas. According to 2019 data from UNICEF, the latest available, approximately 29

percent of girls and women ages 15 to 49 were survivors of FGM/C. The Ministry of Women and Early Childhood Protection is responsible for coordinating activities to combat FGM/C. By law FGM/C may be prosecuted as a form of assault, and charges may be brought against the parents of survivors, medical practitioners, or others involved. Nevertheless, lack of specific penalties hindered prosecution; authorities prosecuted no cases during the year.

NGOs cited enduring local social norms and limited federal authority in rural areas as major impediments to progress. Observers denounced ineffective local officers and ministry officials, saying that despite local NGO efforts, such initiatives would not gain traction without government action. Observers reported that FGM/C continued to have the tacit support of local leaders, with impunity and political influence hindering its eradication.

**Sexual Harassment:** Sexual harassment, both verbal and physical, was widespread at all levels of society and typically targeted women. The law provides penalties for sexual harassment ranging from six months to three years in prison and fines. The government did not effectively enforce the law.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Many persons lacked access to reproductive information or care, particularly in rural areas. Obstacles to contraception use included the lack of education, the limited supply of contraceptive products, and cultural paradigms. The government provided some contraception products for free to the public through NGOs. The UN Population Fund (UNFPA) estimated only 24 percent of live births were attended by skilled health personnel between 2014 and 2019. The country had a severe shortage of health-care providers, including nurses, midwives, hospital staff, and specialists, such as obstetricians. Prenatal care remained limited, particularly in rural areas. The government provided limited access to sexual and reproductive health services for survivors of sexual violence due to capacity constraints. Emergency contraception was officially unavailable, including as part of the clinical management of rape.

UNFPA estimated that in 2017, the latest data available, the maternal mortality rate

was 1,140 deaths per 100,000 live births. Factors contributing to maternal mortality included adolescent pregnancies, multiple closely spaced births, and lack of access to medical care.

UNICEF reported in 2013, the latest data available, the adolescent birth rate was 179 per 1,000 adolescent women ages 15 to 19. The country's high adolescent birth rate was partially attributed to conservative cultural practices, traditional gender norms in both urban and rural areas, lack of birth control, and lack of access to family planning services.

Adolescent women reported barriers to access education due to menstruation or childbirth (see the Discrimination subsection for additional information). Peers and community members often shamed girl students who become pregnant while studying, and some schools did not permit their attendance.

**Discrimination:** Although property and inheritance laws provide the same legal status and rights for women as for men, the government did not enforce the laws effectively. Inheritance, property, and housing practices frequently discriminated against women due to cultural and religious elements present in many communities. Women often could not inherit property from their father or husband. Additionally, local leaders settled most inheritance disputes in favor of men, according to traditional practice. Women seeking to rent a house often had to prove they were married, while men were able often to rent without a similar burden. Women requesting divorce from men often faced a process that took three times as long as men asking for the same. While access to financial resources typically benefited men in child custody cases, some courts granted child custody to economically disadvantaged women who demonstrated a better ability to care for children over better-resourced men.

Women, who did not enjoy access to the same resources as men, often struggled to qualify for credit based on one's resources. Female entrepreneurs reported perceptions of slowness of administrative paperwork approval relative to male peers. Female entrepreneurs also pointed to a lack of understanding of their needs because longstanding gender norms had also filled the ranks of local administrators with a male-heavy decision chain. There were legal restrictions to women's employment in occupations deemed dangerous, including mining, construction,



and factories.

Among some ethnic groups, when a woman menstruated, she was not permitted to prepare food for men to eat because she was considered “unclean.” Some religious groups prohibited a woman from praying during her menstrual period.

## **Systemic Racial or Ethnic Violence and Discrimination**

Both the constitution and transitional charter provide for the protection of “fundamental rights and freedoms” for all citizens and for legal equality regardless of race, origin, or religion. 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.

## **Indigenous Peoples**

The Mbororo, a subgroup of the pastoral Fulani (Peul) people, are pastoralists who inhabit the central and southern part of the country but lacked official government recognition as an indigenous ethnic group. They constituted approximately 10 percent of the population, according to 2019 data from the International Work Group for Indigenous Affairs, the latest information available. A 2014 pastoral law limits access to transhumance (seasonal livestock grazing movements) and water resources on which Mbororo pastoralists depended, contributing to their social marginalization.

## **Children**

**Birth Registration:** Citizenship is derived from birth within the country’s territory or from at least one parent. The registration process for male and female individuals was the same, and the government provided birth registration on a nondiscriminatory basis. Failure to register a birth via official channels, common in rural areas with low government presence, often resulted in later complications accessing government services and, sometimes, fines upon registration.

**Education:** Although primary education is tuition free, universal, and compulsory between ages six and 16, parents were required to pay for textbooks, except in

some rural areas. Parents often were required to pay tuition for public secondary education. According to a UNESCO Institute for Statistics 2019 report, approximately 65 percent of girls enrolled in primary school, compared with 82 percent of boys. Similar gender disparities persisted through secondary school, where approximately 13 percent of girls enrolled, compared with 23 percent of boys (see section 6, Women, Reproductive Rights).

Human rights organizations cited the *mouhadjirin*, migrant children who attended certain Islamic schools and whose teachers forced them to beg for food and money, as an obstacle to education. There was no reliable estimate of the number of *mouhadjirin*.

Individuals with family and kinship ties to ruling elites from the Zaghawa ethnic group enjoyed disproportionate access to educational opportunities.

**Medical Care:** All children enjoy equal access to medical care before the law, but stigmatization of young pregnancies often dissuaded young women from seeking prenatal and other related care.

**Child Abuse:** There are local laws against child abuse. The U.S. Government has determined that Boko Haram and the Islamic State West Africa Province recruited or used child soldiers in the country. Please see the Department of State's annual Trafficking in Persons Report at: [www.state.gov/trafficking-in-persons-report](http://www.state.gov/trafficking-in-persons-report).

**Child, Early, and Forced Marriage:** The law sets the minimum age for marriage at 18 for men and women. According to UNICEF's 2019 data, approximately 24 percent of women ages 20 to 24 were married or in a union before age 15 and nearly 61 percent were married or in a union before age 18. The law precludes invoking the consent of the minor spouse to justify child marriage and prescribes sentences of five to 10 years' imprisonment and fines for persons convicted of perpetrating child marriage. The practice, however, was widespread, especially in northern areas where there were minimal government efforts to enforce the law and resistance from local religious leaders who condoned the practice. According to the Chadian Women Lawyers' Association, girls sold or forced into child marriages were often forced by their husbands into domestic servitude and agricultural labor.

**Sexual Exploitation of Children:** The law prohibits the commercial sexual exploitation of children. The law specifically addresses the sale, offering, or use of children for commercial sexual exploitation, including child sex trafficking. The law prohibits sexual relations with children younger than age 14, even if married, but authorities rarely enforced the ban. The law criminalizes the use or offering of a child to produce pornography; authorities enforced this law. Refugee children from the Central African Republic were particularly vulnerable to commercial sexual exploitation.

**Displaced Children:** Insecurity in the Lake Chad Basin limited the ability of humanitarian actors to understand this population more precisely. While exact figures were not available, there was no indication that the age distribution of IDPs differed systematically from the broader population distribution and therefore contained a substantial youthful portion (see section 2.f.).

## **Antisemitism**

There was no known Jewish community in the country, and there were no known reports of antisemitic acts.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics**

**Criminalization:** The law criminalizes consensual same-sex sexual conduct between adults, with punishments ranging from three months to two years imprisonment and fines. Local civil society members reported several dozen individuals were imprisoned on the basis of being LGBTQI+ persons but held under the pretext of other charges.

**Violence against LGBTQI+ Persons:** Most LGBTQI+ persons lived closeted lives and married partners of the opposite sex in order to avoid becoming targets

for violence. The few individuals who lived openly regularly reported verbal and physical acts of aggression. They also stated that government authorities who responded to crimes against LGBTQI+ persons noted the reports had no merit due to the legal prohibition on same-sex conduct.

**Discrimination:** The law does not prohibit discrimination against LGBTQI+ persons in housing, employment, nationality laws, and access to government services. LGBTQI+ persons faced steep cultural, social, and legal barriers to equal treatment and public acceptance. Many viewed same-sex sexual conduct as a sin and antithetical to local customs and African values. Acceptance of LGBTQI+ persons was minimal; many individuals hid their identity for self-protection, especially those living outside the capital. LGBTQI+ persons reported that the environment in the country was so intolerant that many of them only believed themselves comfortable publicly engaging on the topic after having made the decision to live outside of the country. LGBTQI+ persons reported police harassment, arbitrary detention, threats, and solicitation of bribery when engaging with authorities.

**Availability of Legal Gender Recognition:** The government does not allow individuals to change their gender identity marker on legal and identifying documents.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** Activists described coercive social and family pressure to change the sexual orientation, gender identity, or expression of LGBTQI+ persons.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** Discrimination and marginalization created de facto restrictions on freedom of expression, association, and peaceful assembly for LGBTQI+ persons and other individuals speaking out regarding LGBTQI+ matters. Freedom House's *2022 Freedom in the World* report stated that LGBTQI+ persons "are severely marginalized, impacting their ability to engage in political processes and advocate for their interests."

## **Persons with Disabilities**

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. There are no specific laws that provide for equal access to public buildings, education, health services, the judicial system, or other state services. Schools, transportation, and other public buildings were overwhelmingly inaccessible to persons with disabilities. The government did not provide government information and communication in accessible formats.

The law prohibits discrimination against persons with disabilities, although it does not define disability. The government did not effectively enforce the law, according to the Chadian Disability Organization. Disability rights activists reported facing discrimination in access to transportation and participation in economic activity. In January, persons with disabilities continued to protest the government prohibition on using tricycles to cross the N'Djamena land border to Cameroon for the transport of goods and other income-generating activities. Government officials claimed they had sought to address smuggling with this prohibition and that those wishing to transit simply needed to comply with uniform border-crossing procedures.

Despite legal protections against discrimination in employment for persons with disabilities, laws were not enforced, and employers discriminated against applicants (see section 7.d.). Additionally, some government schools or positions required certificates of physical aptitude, often refusing employment to anyone whose certificate noted any physical disability.

Children with physical disabilities may attend primary, secondary, and higher education institutions, but most schools lacked accommodations for students with physical disabilities. As a result, children with disabilities often dropped out after primary school, leading to much lower attendance at secondary and higher education institutions, compared with other children. The government supported separate schools for children with vision or mental disabilities, but disability advocates reported such schools were inadequate (see section 3, Participation of Women and Members of Minority Groups).

## **Other Societal Violence or Discrimination**

The encroachment of herders into agricultural areas stoked tensions and led to impunity for those responsible for triggering clashes. Conflict between herders and farmers resulted in dozens of deaths and injuries, with 36 incidents reported during the year, causing an estimated 528 deaths and more than 600 injured according to UN Office for the Coordination of Humanitarian Affairs. Media reported that clashes between herders and farmers killed 12 persons in February in Sandana, 19 persons in September in Kyabe, and 86 persons in Mangalme in October. More than 200 persons were killed and more than 300 injured in clashes between Arab miners and Sudanese militias in the country's northern Tibesti gold mining region. Observers noted that the true number of casualties often far exceeded what news outlets reported.

NGOs stated this conflict persisted due to growing human and cattle populations, competition regarding scarce resources, and judicial impunity for perpetrators of violence with political or economic connections to authorities. Climate change altered the routes and periods of livestock transhumance, since previously dry areas were fertile for fishing and agriculture, increasing the likelihood and incidence of conflict between communities with competing models of land use. In the southern Mayo-Kebbi region, the movement of large-scale livestock holdings by well-connected Zaghawa herders into new areas increased the incidence of armed conflict.

The law provides individuals with HIV and AIDS the same rights as other persons and requires the government to provide information, education, and access to tests and treatment for HIV and AIDS, but authorities rarely complied with the law. According to the Chadian Women Lawyers' Association, women sometimes were accused of passing HIV to their husbands and were threatened by family members with judicial action or banishment. HIV-positive persons also faced social and employment discrimination. Due to the country's relatively low HIV prevalence rate of 1 percent, there were no reports of specific instances of HIV and AIDS-related employment discrimination during the year. Data from UNAIDS, however, suggested stigma against HIV and AIDS was prevalent within the population, with 47 percent of adults saying they would not buy fresh vegetables from a vendor known to have HIV or AIDS.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of all workers, except members of the armed forces, to form and join independent unions of their choice. All unions must be authorized by the Ministry of Public Security and Immigration, which may order the dissolution of a union that does not comply with the law as determined by the ministry. The law provides for the right of workers to organize and bargain collectively. While there are no restrictions on collective bargaining, the law authorizes the government to intervene under certain circumstances.

The law recognizes the right to strike but restricts the right of civil servants and employees of state enterprises to do so. The law requires a 72-hour notification before a strike. By law civil servants and employees of state enterprises must complete a mediation process before initiating a strike, but there is no specified timeline for this process. Employees of several public entities classified as essential services, including postal workers, abattoir employees, and nine other categories, must continue to provide a certain level of services and may be “requisitioned” at the government’s discretion during a strike. The law permits imprisonment with hard labor for participation in an illegal strike.

There were no reports of restrictions on collective bargaining or punishment of workers for participating in illegal strikes. More than 90 percent of employees in the formal sector belonged to unions. In the informal sector, which employed the vast majority of workers, most workers were self-employed and nonunionized, working as farmers or herders. State-owned enterprises dominated many sectors of the formal economy, and the government remained the largest employer. Unions were officially independent of both the government and political parties, although some unions were unofficially linked through members’ affiliation with political parties.

The government effectively allowed for limited freedom of association in labor relations and collective bargaining, but government involvement led to delays, primarily due to administrative difficulties in convening key officials for negotiations.

The law prohibits antiunion discrimination and explicitly covers all workers, including foreign and irregular workers. The law requires reinstatement of workers fired for union activity. Union members reported these protections were not always respected. Penalties for violations of freedom of association and collective bargaining rights were commensurate with those for comparable offenses. Penalties were sometimes applied against violators.

The national teacher's union went on strike in October throughout the country to demand payment of salaries, bonuses, and overtime owed to teachers. Magistrates and judicial administrative officials went on strike in November for a period of two months, demanding higher salaries and greater personal protection for the risks faced in the course of their duties. The national trade workers union went on strike in October, and multiweek strikes across a wide range of industries were common throughout the year.

## **b. Prohibition of Forced or Compulsory Labor**

The law criminalizes labor trafficking offenses, including forced labor. The Ministry of Justice's *Action Plan for 2019 Ordinance on Trafficking in Persons* focused on training members of the courts, local authorities, traditional and religious leaders, members of civil society, and members of enforcement agencies.

The law criminalizes "involuntary labor" or servitude using force, fraud, or coercion, although observers noted there are gaps in the law. The government engaged in forced prison labor and may legally compel political prisoners to engage in forced labor. Prison officials subjected prisoners to forced labor on private projects, separate from the penalties provided for by the legal sentence imposed on the prisoners. Human rights NGOs reported that the use of forced prison labor was common.

The government did not effectively enforce the law. The government did not conduct adequate inspections. There were no reports of prosecutions. Forced labor, including forced child labor, occurred in the informal sector (see section 7.c.). Children and some adults in rural areas were exploited in forced labor in agriculture, industry, and services.

The interministerial committee to combat trafficking in persons (TIP), launched in



September 2021, remained largely figurative and did not carry out substantive activities to combat TIP, even as other government anti-TIP efforts continued alongside partners like the International Organization for Migration.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

### **d. Discrimination with Respect to Employment and Occupation**

The law and labor regulations prohibit employment or wage discrimination based on race, color, religion, sex (including pregnancy), age, refugee status, national origin or citizenship, or membership in a union. There are no laws preventing employment discrimination based on disability, sexual orientation, gender identity, HIV-positive status, other communicable diseases, or social origin. There were legal restrictions on women's employment in occupations deemed hazardous, arduous, or "morally inappropriate" and in industries such as mining, construction, and factories. Women generally were not permitted to work at night, more than 12 hours a day, or in jobs that could present "moral or physical danger," which is not defined.

Persons with disabilities frequently experienced employment discrimination. Although the law prohibits discrimination based on citizenship, foreign citizens often had difficulty obtaining work permits, earned lower wages, and had poor working conditions. LGBTQI+ persons and HIV-positive persons reported facing social and employment discrimination in all industries and avoided revealing their sexual orientation or status.

Workers may file discrimination complaints with the Directorate of Labor Inspection, which investigates and subsequently may mediate between workers and employers. If mediation fails, the case is forwarded to the labor court for a public hearing. The government did not effectively enforce these laws and regulations. The penalties by the labor court for discrimination were not commensurate with

those for comparable violations. Penalties were never applied against violators.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The law provides for a national minimum wage for all sectors of the economy, and the minimum wage was greater than the World Bank poverty rate. The law limits most employment to 39 hours per week, with overtime paid for additional hours. Agricultural work is limited to 2,400 hours per year, an average of 46 hours per week. All workers are entitled to uninterrupted rest periods of between 24 and 48 hours per week and paid annual holidays.

Salary arrears remained a problem for some employees, most often in the education and health-care sectors that saw multiple strikes throughout the year. Workers did not always avail themselves of their rights concerning workhour limits, largely because they preferred the additional pay. Pursuant to International Monetary Fund recommendations, the government paid some wage arrears to private-sector contractors.

**Occupational Safety and Health:** The law mandates occupational safety and health (OSH) standards that are up to date and appropriate for main industries. Workers have the right to remove themselves from dangerous working conditions without jeopardy to their employment, but they generally did not do so. The law gives inspectors the authority to enforce the law and explicitly covers all workers, including foreign and informal workers.

Multinational companies generally met the government's OSH standards. The civil service and local private companies occasionally disregarded OSH standards, while artisanal mining in the north remained a sector with scant enforcement of labor protections for juveniles and other vulnerable workers drawn to the region by the prospect of financial gain. Incidents involving worker deaths and injuries occurred several times per year. Governors and relevant ministries sent delegations in the wake of such incidents to encourage compliance with OSH regulations but failed to spur meaningful institutional reform. Local private companies and public offices often had substandard conditions, including a lack of ventilation, fire protection, and OSH protection.

**Wage, Hour, and OSH Enforcement:** The government did not effectively

enforce the law. Penalties for wage, hour, and OSH violations were not commensurate with those for violations of similar laws. Penalties were never applied against violators. The Directorate of Labor Inspection of the Ministry of Labor has responsibility for the enforcement of the wage, hour, and OSH regulations. Labor inspectors may refer cases to the Ministry of Justice and Human Rights for prosecution and have the authority to make unannounced inspections. The government did not provide adequate staffing or training, which, together with corruption, impeded effective enforcement.

Authorities did not always respect legal protections for foreign and irregular workers. Many persons were paid less than the minimum wage, especially in the informal sector. The Ministry of Public Works employed an insufficient number of labor inspectors to enforce the law, especially in the large artisanal gold mining sector in the north. Despite penalties existing for violation of OSH laws, enforcement often depended on the personal connections and financial resources of parties involved.

**Informal Sector:** The World Bank reported that almost 96 percent of workers were in the informal sector, and approximately 46 percent of workers were self-employed with no social security insurance. According to the Household Consumption and Informal Sector survey conducted by the government every five years, most male informal workers were engaged in agriculture, and more than 85 percent of the rural population engaged in crop and livestock production. Informal workers in urban areas engaged in household manufacturing, services, or trade. The country's low population density limited market opportunities in both agriculture and nonagriculture sectors. Security conflicts in the Lake Chad region harmed informal sector livelihoods sustained by fishing and cross-border trade.

Informal workers who obtain work contracts from their employers are protected by the labor code, minimum wage law, and social security. The vast majority, however, who were self-employed and thus worked without a contract, did not benefit from wage, hour, and OSH laws and inspections. Nevertheless, the Ministry of Labor, through its Directorate of Labor Inspection, investigated claims of possible legal violations in both the formal and informal sectors. While they cannot prosecute, they can refer cases for prosecution to the labor division of the Ministry of Justice.