




Chad 

# National outrage

Violence against internally displaced women and girls in eastern Chad

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Summary and recommendations

## Acknowledgements

This report was researched and written by Laura Perez of the Internal Displacement Monitoring Centre (IDMC). IDMC is very grateful to all those who provided assistance and information, particularly the internally displaced women and girls who were willing to be interviewed for this report.

IDMC would also like to thank Samyra Mahamat Zenabdine for her tireless work as interpreter, and UNHCR, UNICEF and INTERSOS for providing accommodation, transportation and security in eastern Chad.

Special thanks are also due, for the information they shared and the feedback they provided, to Gina Bramucci, Hissein Djaba, Siobhan Foran, Arancha Garcia del Soto, Ettie Higgins, Baiwong Mahamat, Mantai Malloum, Jean Baptiste Mikulu, Guelnoudji Ndjekoukousse, Barbara Nazareth Oliveira, Lucia Pantella, Catherine Poulton, Victoria Rames, Kalip Regonba, Gonzalo Sánchez-Terán and Amanda Weyler.

**Cover photo:** Women from the Aradib IDP camp gather to share concerns about insecurity, violence in the camps and lack of livelihood activities, April 2009. (*Photo: Laura Perez/IDMC*)

Cover design by Laris(s)a Kuchina, [laris-s-a.com](http://laris-s-a.com)

Published by the Internal Displacement Monitoring Centre  
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# National outrage

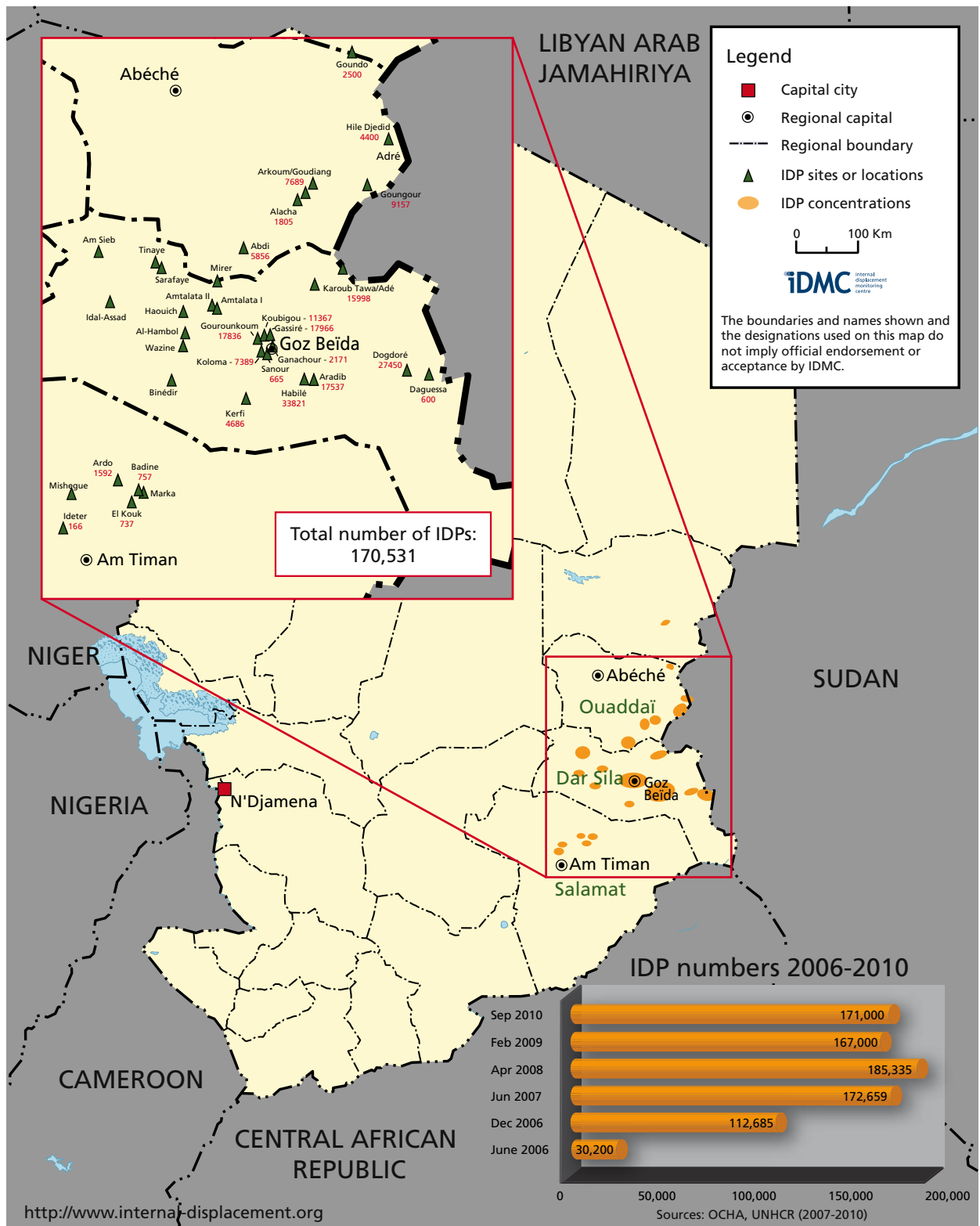
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Summary and recommendations

November 2010

# Map of internal displacement in the Republic of Chad



## Executive summary

“In no other area is our collective failure to ensure effective protection for civilians more apparent – and by its very nature more shameful – than in terms of the masses of women and girls, but also boys and men, whose lives are destroyed each year by sexual violence perpetrated in conflict.”

*United Nations Secretary-General Ban Ki-moon*

This report focuses on conflict-related violence against internally displaced women and girls in the department of Dar Sila in eastern Chad. It investigates how the problem has changed over time, analyses the responses of the Chadian government and humanitarian community, and reviews the legal frameworks for protecting the human rights of survivors of violence.

IDMC conducted a mission to eastern Chad in April 2009, and met internally displaced women, men, and girls, displaced women's groups, displaced village leaders, gender-based violence committees, traditional leaders, members of civil society organisations and human rights defenders, as well as national and international aid workers, govern-

ment officials, and UN staff (including peacekeepers and police). All interviews with displaced women and girls were conducted in adherence to the World Health Organization's ethical and safety recommendations for researching, documenting and monitoring sexual violence in emergencies. IDMC also reviewed national laws and international legal instruments that protect the rights of women and girls.

The terms “gender-based violence” and “violence against women” are often used interchangeably. There is a tendency to associate gender with women and to use the term “gender-based violence” only in reference to violence against women and girls; however it includes violence against men and boys that results from gender roles or expectations, such as the forced recruitment of boys into armed forces. This report uses the narrower term “violence against women and girls” because it does not investigate gender-based violence against internally displaced men and boys.

As of October 2010, there were 171,000 internally displaced people (IDPs) living in 38 camps in eastern Chad.

### Chad quick facts

Population	11.2 million
Number of IDPs	171,000
Number of refugees in Chad	from Sudan 280,000
	from CAR 72,000
Number of Chadian refugees abroad	55,000
National average income	\$530
Population living on less than \$1.25 per day	62 per cent
Population without access to potable water	52 per cent
Life expectancy	48 years
Maternal mortality rate	1,500 / 100,000
Child under 5 mortality rate	209 / 1,000
Global acute malnutrition in children under 5	21 per cent in Kanem, 17 per cent in Abéché, 27 per cent in Bahr el Gazal, 19 per cent in Nokou
Female genital mutilation/cutting (FGM)	45 per cent
Male adult illiteracy rate	57 per cent
Female adult illiteracy rate	79 per cent
Global Gender Gap Report	133 of 134
Human development index rank	175 of 182
ECHO vulnerability and crisis index score	3/3 (most severe rank)
IASC early warning / early action rating	Priority 1, Status red

Information compiled from Mo Ibrahim Foundation, UN OCHA, Transparency International, UNDP, UNESCO, UNHCR, UNICEF and World Economic Forum.

Roughly one in five members of the local population was internally displaced. They had been forcibly displaced as a result of internal armed conflict, inter-ethnic violence over land and natural resources, and attacks by bandits.

Chad also hosts 280,000 Sudanese refugees in 12 camps along the eastern border with Sudan and 72,000 Central African refugees in 11 camps along the southern border with the Central African Republic (CAR).

The majority of IDPs have few means of sustaining themselves, making humanitarian assistance vital. Since 2008, around 30,000 IDPs have returned to their villages of origin, not because of an improvement in security conditions there, but due to the lack of access to agricultural land near IDP camps. However, return is not yet a viable option for the majority, due to ongoing insecurity and the lack of basic services in villages of origin. The UN Mission in the Central African Republic and Chad (MINURCAT) expected significant return movements in 2010, but the scheduled withdrawal of UN peacekeeping troops from Chad by the end of 2010 makes it unlikely that the security conditions needed for the sustainable return of IDPs will be in place in the near future.

Chad is an oil-producing country, but the government has used oil revenues to buy weapons with which to fight insurgent groups, rather than investing in social services, reducing poverty and improving governance. These would be essential components for protecting and assisting IDPs and achieving durable solutions to their displacement.

Meanwhile, the United Nations High Commissioner for Refugees (UNHCR) and partner humanitarian organisations have found the main risks facing IDPs in eastern Chad to be insecurity (increased by the widespread circulation of small arms) and violence against women and girls, including sexual violence, domestic violence, early and forced marriage and female genital mutilation (FGM). MINURCAT has documented cases of women and girls raped by members of the armed forces, armed groups or members of their own communities. However, the lack of comprehensive information makes it difficult to determine whether this is a systematic feature of the conflict in Chad. The Representative of the UN Secretary-General on the human rights of IDPs reported in December 2009 that sexual violence continues to be poorly documented in Chad, and that more attention is needed from the Chadian authorities and the international community so that internally displaced women and girls can be better protected.

There have been three different stages of violence against displaced women and girls since 2005, each with distinct characteristics and perpetrators, and different consequences for survivors.

From 2005 to 2007, residents of Chadian villages along the border with Darfur were attacked by Sudanese Janjaweed militia, and forced to flee to what they thought were safe areas. The militia committed human rights abuses, including massacres, looting and burning of villages and abductions, and used rape as a weapon of war. The consequences for displaced women and girls who were raped were devastating: they were physically wounded and traumatised by the extreme levels of violence they experienced and witnessed.

The second stage took place between 2007 and 2009. The creation of IDP camps resulted in enormous pressure on the area's already scarce natural resources and created tensions between IDPs and local communities. During this stage, displaced women and girls suffered violence when leaving IDP camps to collect firewood or go to local markets. Many were physically attacked and raped. Perpetrators were no longer just Sudanese Janjaweed militia, but also members of the armed forces and rebel groups, and opportunistic armed bandits. Not all of these groups used rape as a weapon of war, but all were taking advantage of the prevailing impunity.

The third stage has been ongoing since 2009. Violence against internally displaced women and girls is now taking place inside IDP camps and perpetrated by members of their own communities, including family members. Types of violence during this stage include sexual violence, domestic violence and early and forced marriages.

The lack of livelihoods available to internally displaced men, and their resulting frustration and disempowerment, has been associated with this increase in domestic violence; while return remains impossible, internally displaced men need support to develop new trades with which they could find work in other parts of the country to support their families.

Chad has made international commitments to protect the rights of women and girls. It has ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the Convention on the Rights of the Child (CRC); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); the International Covenant on Civil and Political Rights (ICCPR) and the Rome Statute of the International Criminal Court.

Nonetheless, the Chadian government has failed to meet its responsibility to address the violence against displaced women and girls, and its various impacts. It has not provided essential services such as accessible health care to victims of violence, nor any form of psychosocial support.



There is a body of domestic law which should protect women and girls against such violence. However, the lack of implementing decrees for laws that have been passed, taboos surrounding sexual crimes and stigmatisation of women and girls means that perpetrators are rarely, if ever, reported, let alone brought to justice.

The government's most egregious abrogation of its responsibility has been its failure to investigate allegations of sexual violence by members of state security forces and prosecute and punish those responsible, and its unwillingness to provide security in areas of displacement and much needed services for survivors of violence.

There is no functioning legal system in eastern Chad. Residents of rural areas lack access to formal judicial institutions and rely on customary courts headed by local village leaders. The Chadian Constitution allows the application of customary rules, provided they are not in conflict with statutory law and do not promote inequality; however, these courts have often failed to respect statutory law or provide redress to women who have survived violence.

In 1994, Chad created a National Human Rights Commission tasked with submitting opinions to the government concerning human rights issues, including the status of women and the rights of children. However, the Commission is not independent from the legislature, and so is not in a position to submit objective opinions on the human rights of internally displaced women and girls.

The international humanitarian community has established a system allowing internally displaced women and girls who are survivors of violence to seek medical, psychosocial and legal assistance. Free medical services are provided at health centres or posts run by international NGOs inside IDP camps. Survivors of sexual violence are also given information about free legal and psychosocial services and are referred if they are interested.

However, this important protection mechanism has gaps that merit attention. A survivor may need a medical certificate to proceed with a legal case, but doctors interviewed by IDMC reported that certificates could only be issued by the government official in charge of medical services within the region. They added that their short contracts in the area and the possible impact on their neutrality and impartiality as humanitarian workers might also make it hard for them to testify before a Chadian court. The situation deters survivors from pursuing legal remedies.

As of mid-2010, international agencies have provided psychosocial support for IDPs, but only in a few camps. Awareness-raising about sexual violence and available legal and medical services is conducted through displaced

women's committees and committees on gender-based violence in camps. Committees relay information to other IDPs and encourage women who are survivors of violence to seek assistance.

While prevention work is a fundamental component of psychosocial interventions in displacement settings, treatment of survivors of violence is equally important, not only to address the long-term psychological effects of what they have endured, but also for the well-being and development of their communities. In eastern Chad, psychological treatment has not been prioritised for IDPs and funding has not been made available.

The UN has enabled a system of mobile courts in rural areas including areas of displacement. However, the courts only visit each area once a year, and sexual violence cases are rarely addressed in this process. In general, IDPs have preferred to seek redress in customary courts, which at least pass sentences more quickly to provide resolution for the plaintiffs and the community at large.

More than 70 international humanitarian organisations provide assistance to displaced communities in eastern Chad. For 2010, they had appealed for \$544 million and had received half of this sum as of October. However, relevant sectors including protection, health and livelihoods remained severely underfunded.

The cluster system was introduced in Chad in July 2007 to improve the protection and assistance of IDPs by humanitarian agencies. The clusters, GenCap gender advisors and the MINURCAT gender unit have been successful in setting up coordination systems, but this coordination has had a very limited impact on the lives of displaced women and girls who have survived violence.

Internally displaced women and girls in eastern Chad who are survivors of violence face the long-term psychological effects of what they have endured. The failure to protect them today and to provide adequate services presents a huge barrier to their future well-being and to the development of their communities. As international peacekeepers prepare to leave the country, the need for the government to meet its duties in providing effective protection and justice becomes ever more urgent.



## Recommendations

### To the government of Chad

- To fulfil its commitment to protect civilians after the withdrawal of MINURCAT by the end of 2010, invest resources in training, equipping and deploying security forces to protect civilians in eastern Chad, including internally displaced women and girls.
- Invest resources in providing much-needed health and social services for internally displaced women and girls who are survivors of violence.
- Invest resources in improving access to justice in eastern Chad by deploying mobile courts in areas of displacement on a regular basis until permanent courts are established.
- In collaboration with UN agencies working in Chad, train traditional leaders and local authorities who preside over customary courts to adjudicate cases of sexual violence in line with international human rights law and Chadian statutory law. Train the judiciary to review and adjudicate cases of sexual violence.
- In accordance with Security Council Resolution 1820, fight impunity by investigating allegations of sexual violence by members of state security forces, including the Chadian army and the *Détachement intégré de sécurité* (DIS). Prosecute and punish those responsible, including rebel groups, militias and armed bandits.
- In accordance with constitutional obligations, enact a decree to implement the Law on the Promotion of Reproductive Health which prohibits all forms of violence against women and girls.
- Strengthen the National Human Rights Commission by making the necessary changes to its statute and mandate to bring it into line with the Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the Paris Principles). Ensure that the Commission includes the human rights of IDPs, and in particular of internally displaced women and girls, in its work.
- Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol, 1993).
- Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW, 1999).
- Submit a national report to the Committee on the Elimination of Discrimination against Women without further delay.
- Ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention, 2009).

### To the Chadian National Army (ANT)

- Implement disciplinary measures for members of the military and state security forces who commit acts of sexual violence.
- Expand the prohibition against “torture, cruel, inhuman and degrading treatment” within the codes of ethics of the armed forces, national police and gendarmerie to include sexual violence.

### To the UN Security Council

- In accordance with Security Council Resolution 1923, strongly encourage the Chadian government to submit a plan of action for the protection of civilians that will be implemented after the withdrawal of MINURCAT. The plan should include specific provisions for the protection of IDPs, and in particular the protection of internally displaced women and girls.

### To the UN Mission in the Central African Republic and Chad (MINURCAT)

- In view of MINURCAT's withdrawal from Chad by the end of 2010, continue technical support to the Chadian government to train, equip and deploy security forces to protect civilians in eastern Chad, including internally displaced women and girls.
- Continue capacity-building support to the Chadian government and civil society organisations to develop a national strategy on sexual and gender-based violence and to assume MINURCAT's gender responsibilities.

### To donor governments

- Increase much-needed financial support to UN agencies and humanitarian organisations for under-funded sectors of humanitarian assistance to IDPs, including protection, health and livelihoods, which are essential for internally displaced women and girls.



## To the UN country team and humanitarian organisations in Chad

- Improve the referral system for survivors of violence by providing quality psychosocial care from qualified organisations and by resolving obstacles to legal redress such as the unwillingness of NGO doctors to issue medical certificates.
- Train traditional leaders and local authorities in eastern Chad to adjudicate cases of sexual violence in line with international human rights law and Chadian statutory law. Train the judiciary to review and adjudicate cases of sexual violence.
- Given the link between lack of sources of income for internally displaced men and violence against internally displaced women and girls, implement livelihood programmes and vocational training for internally displaced men.

## To the Office of the UN High Commissioner for Human Rights (OHCHR)

- Provide technical support to the government of Chad for strengthening the National Human Rights Commission by bringing it into line with the Paris Principles, and by including the human rights of IDPs, and in particular of internally displaced women and girls, in its work.



## About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre (IDMC) was established by the Norwegian Refugee Council in 1998, upon the request of the United Nations, to set up a global database on internal displacement. A decade later, IDMC remains the leading source of information and analysis on internal displacement caused by conflict and violence worldwide.

IDMC aims to support better international and national responses to situations of internal displacement and respect for the rights of internally displaced people (IDPs), who are often among the world's most vulnerable people. It also aims to promote durable solutions for IDPs, through return, local integration or settlement elsewhere in the country.

IDMC's main activities include:

- Monitoring and reporting on internal displacement caused by conflict, generalised violence and violations of human rights;
- Researching, analysing and advocating for the rights of IDPs;
- Training and strengthening capacities on the protection of IDPs;
- Contributing to the development of standards and guidance on protecting and assisting IDPs.

For more information, visit the Internal Displacement Monitoring Centre website and the database at [www.internal-displacement.org](http://www.internal-displacement.org)

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