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Human Rights Watch Statement

UPR outcome report of Chad

September 23, 2009

Human Rights Watch welcomes the UPR report on Chad, which includes important recommendations concerning gender-based violence, the use and recruitment of child soldiers and the fight against impunity.

We welcome that the Chadian government has indicated its support for the recommendations that address the use and recruitment of child soldiers, and we urge the Government to keep the Council regularly informed on the steps it is taking in line with those recommendations to ensure the prompt and complete demobilization and reintegration of all child soldiers and to prevent any further recruitment. In this regard, we are concerned that despite the landmark May 2007 demobilization agreement with UNICEF, fewer than 10 percent of the 654 child soldiers demobilized since then came from the government's ranks—most of those demobilized were former rebels who joined the government army under the terms of peace accords. We are also particularly concerned by continued restrictions imposed by the government on UNICEF access to the *Direction General de Services de Sécurité des Institutions de l'État* (DGSSIE), a branch of the military under presidential authority. Members of the DGSSIE informed Human Rights Watch in August 2009 that many soldiers in the DGSSIE were under the age of 15, and one DGSSIE colonel estimated that 5 percent of the soldiers in the DGSSIE were under the age of 18. The DGSSIE deploys mobile units to front-line positions in eastern Chad, and Human Rights Watch is therefore seriously concerned about the welfare of children in these units, and urges Chad to urgently address the question of responsibility for the use of children under the age of 15 as combatants. Chad should promptly implement Austria's recommendation it accepted to release child soldiers from its military and effectively prosecute persons responsible for recruiting children for armed groups.

Human Rights Watch is deeply concerned by the inadequacy of protections afforded to women and girls in Chad and the prevalence of sexual and gender-based violence, which in the context of armed conflict may constitute war crimes. In August 2009, Human Rights Watch documented numerous instances of gender-based violence by members of government security forces, including rapes and attempted rapes

in and around the town of Am Dam in the aftermath of May 2009 fighting with Chadian rebels, and in the town of Guéréda during a June 2009 army mobilization in response to Chadian rebel movements near the border with Sudan.

Existing mechanisms for holding members of the military accountable for gender-based violence have failed. In light of this, Human Rights Watch urges the Chadian government to take all necessary measures to protect women and girls from sexual violence, as recommended by Slovenia and Malaysia. Such measures should ensure that all victims receive adequate medical and psycho-social support and improve access to justice for victims, including by supporting legal assistance programs, and should also include preventative measures as set forth in UN Security Council resolution 1820 (2008), such as enforcing appropriate military disciplinary measures, upholding the principle of command responsibility, training troops on the categorical prohibition of all forms of sexual violence against civilians, debunking myths that fuel sexual violence, and vetting armed and security forces to take into account past actions of rape and other forms of sexual violence. Furthermore, Chad should very promptly submit a report to the Committee on the Elimination of Discrimination against Women, as recommended by the Czech Republic.

Given the persistent failure of the judiciary to ensure accountability for serious crimes committed by members of the government's armed forces, Chad should quickly follow through on its commitment to extend a standing invitation to special procedures of the Human Rights Council, as recommended by Latvia. This would represent the best way of demonstrating Chad's commitment to use the UPR outcome as a roadmap for better human rights protection.

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