



NGO: EUROPEAN CENTRE FOR LAW AND JUSTICE (ECLJ)

**UNIVERSAL PERIODIC REVIEW
45TH SESSION
2023**

**STATUS OF HUMAN RIGHTS IN THE REPUBLIC OF CHAD
FOR THE 45TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. The purpose of this report is to discuss the status of human rights in the Republic of Chad (Chad) for the 45th session of the Universal Periodic Review (UPR).

Background

2. Chad is located in Central Africa and has an estimated population of 18.5 million people.¹ The country is majority Muslim with approximately 52.1% of the population identifying as Muslim, 23.9% as Protestant Christian, 20% as Roman Catholic, 0.3% as animist, 0.2% as other Christian, and 2.8% identifying with no religion.² Further, in its 2023 World Watch List, Open Doors ranked Chad as the 60th worst country for Christians to live in.³ In Chad, Boko Haram poses an extreme threat to Christians as Boko Haram seeks to rid the region of Christianity and establish an Islamic caliphate.⁴

3. Chad's previous review was held on November 13, 2018.⁵ As a result of the review, Chad received 204 recommendations, 195 of which Chad accepted.⁶ One recommendation that was made by China, and supported by Chad, was that the government “[c]ontinue to combat terrorism so as to create a peaceful and stable environment for the enjoyment of human rights by the people.”⁷ It was also recommended by Honduras, and supported by Chad, that the government “[a]dopt legislative measures in order to increase equitable access to sexual and reproductive health in development and egalitarian environments.”⁸ While providing and expanding true health services to women is a good thing, it is important to note that the term “sexual and reproductive health” is used as a term synonymous with abortion, which is the deliberate killing of a preborn baby.

Legal Framework

Religious Extremism

4. Following the death of President Idriss Déby in 2021, a transitional council of military leaders quickly and unconstitutionally appointed Mahamat Idriss Déby, the son of President Idriss Déby, as interim president.⁹ Further, this led to the suspension of the country's constitution and the dissolution of the National Assembly.¹⁰ In place of the National Assembly, the transitional military council created a ninety-three member National Transitional Council to serve as an interim legislature.¹¹

5. Chad is also a party to the International Covenant on Civil and Political Rights (ICCPR).¹² Under Article 18 of the ICCPR:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.¹³

6. Moreover, under Article 27 of the ICCPR:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.¹⁴

Abortion

7. Article 14 of the Law on the Promotion of Reproductive Health states:

Therapeutic termination of pregnancy may under no circumstances be considered as a contraceptive method. It is authorized only in the following cases and on prescription by a group of doctors after consulting the judge:

when the continuation of the pregnancy endangers the woman's life and health;

when an unborn child is diagnosed with a particularly serious condition.¹⁵

8. Article 358 of Chad's Criminal Code expands access to abortion in certain cases:

The provisions of the two preceding articles are not applicable if the acts are carried out by an authorized person and are justified by the need to save the mother from a serious danger to her health.

Medical abortion is authorized in cases of sexual assault, rape, incest or when the pregnancy endangers the mental or physical health or the life of the mother or that of the fetus.

The authorization to abort is issued by the Public Ministry after certification by a doctor of the materiality of the facts.¹⁶

9. Additionally, under Article 6 of the ICCPR, "[e]very human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."¹⁷ Chad also has a responsibility to uphold protections for the lives of preborn babies under other international agreements such as the UN Charter, the Universal Declaration of Human Rights (UDHR), and the 1994 Cairo Conference on Population and Development.

Religious Extremism

10. Boko Haram has established a presence in the Lake Chad region in an attempt to establish a Caliphate,¹⁸ an Islamic State that is controlled by a religious leader.¹⁹ This region provides Boko Haram with a strategic advantage as it is difficult to access, and state presence in this region is lacking and inefficient.²⁰ Since 2009, Boko Haram has wreaked havoc in Nigeria targeting and killing civilians and Christians.²¹ In 2018, Boko Haram and affiliated groups began to spread in the Lake Chad region to neighboring countries, such as Cameroon and Chad, and have begun attacking military bases and convoys in order to gain territory.²²

11. In January 2023, government forces from Chad, Nigeria, Cameroon, and Niger attacked jihadist bases in the Lake Chad basin.²³ In addition to destroying an encampment and base camp, thirty-six suspected terrorists were captured.²⁴

12. In November 2022, ten Chadian soldiers were killed and more were wounded as the result of an attack by Boko Haram.²⁵

13. That same month, Boko Haram attacked Chadian soldiers who were stationed at an army outpost to deal with threats from Boko Haram.²⁶ While official death counts vary, it was estimated that up to thirty-five Chadian soldiers were killed in the attack, and four civilians were killed as they tried to flee.²⁷

14. In September 2021, nine people were killed when jihadist insurgents attacked their village.²⁸

15. On April 20, 2021, it was announced that President Idriss Déby died after being wounded by a rebel group when he was visiting Chadian soldiers in battle.²⁹ This led to his son, Mahamat Idriss Déby, being unconstitutionally appointed as interim president by a transitional council of military leaders.³⁰ The constitution was suspended, and the transitional military council dissolved the National Assembly and created a ninety-three member council to serve as an interim legislative body.³¹ This instability is hindering Chad's efforts to effectively combat Boko Haram's insurgency.³² This is because, under President Idriss Déby, Chad's military served as a linchpin in the fight against insurgents and was the most powerful among the G5 Sahel, a military alliance consisting of Burkina Faso, Mali, Mauritania, Niger, and Chad.³³ We are concerned that the instability in Chad will lead to Boko Haram exploiting the situation and begin gaining territory in the country.

16. In February 2021, Chad deployed 1,000 troops to the tri-border region of Niger, Burkina Faso, and Mali in order to fight back against Islamic insurgents.³⁴

17. On July 31, 2020, Boko Haram attacked a village in the Lake Chad region and killed ten civilians and kidnapped seven others.³⁵ Before leaving the area, Boko Haram also proceeded to loot and burn down the village.³⁶

18. In April 2020, the Chadian army reported that it had successfully killed 1,000 fighters as a result of an operation being conducted against Boko Haram in the Lake Chad region.³⁷

19. On March 23, 2020, a faction of Boko Haram consisting of 400 people carried out an attack on Lake Chad's Bohoma Peninsula and engaged Chadian soldiers in a conflict lasting seven hours.³⁸ Nearly 100 Chadian soldiers were killed in the conflict and a further fifty were

injured.³⁹ Following this attack, authorities in N’Djamena declared the Lake Chad region to be a war zone, declared a state of emergency, and ordered civilians to leave the area.⁴⁰ In response to this growing threat, on March 24, 2020, President Idriss Déby declared: “We are going to war, some will die and others will be wounded. This is the price to pay to protect ourselves and maintain our stability.”⁴¹

20. On December 17, 2019, Boko Haram insurgents attacked a village thirty-five miles from the Nigerian border.⁴² The insurgents killed fourteen civilians and injured five more, and a further thirteen went missing.⁴³

21. Boko Haram has shown itself to be a resilient force in the Lake Chad and Sahel regions and has forced more than 50,000 people to leave their homes and villages in this region.⁴⁴ Chad’s military efforts to combat Boko Haram are important to ensure that death and devastation do not spread in Chad. We only have to look to neighboring Nigeria to see the death and destruction Boko Haram is capable of carrying out.

Abortion

22. As stated above, Chad currently permits abortion in cases to protect the physical and mental health of the mother, in cases of rape or incest, and in cases of fetal abnormality.⁴⁵ As a result, between 2015 and 2019 approximately 58,400 pregnancies ended in abortion.⁴⁶ This means that on average, 11,680 preborn babies are killed every year in Chad.

23. Chad acknowledges that abortion should in no case be used as a method of contraception.⁴⁷ This position is consistent with numerous international documents and agreements. For example, since the 1994 Cairo Conference on Population and Development, U.N. Members States have had an affirmative commitment to “reduce the recourse to abortion”⁴⁸ and to “take appropriate steps to help women avoid abortion, *which in no case should be promoted as a method of family planning.*”⁴⁹ “Family planning” simply means planning when you will have children, as well as how many. However, once a human child is conceived, ending his or her life does not remain in the ambit of “family planning,” it becomes murder. As such, abortion should not be used for, nor is it in fact a part of, “family planning,” as the Cairo Conference correctly affirmed. Additionally, the UDHR states that “recognition of the inherent dignity and of the equal and inalienable rights of *all* members of the human family is the foundation of freedom, justice and peace in the world,” and provides that “[e]veryone has the right to life”⁵⁰ Again, Article 6 of the ICCPR likewise states that “[e]very human being has the inherent right to life. This right shall be protected by law.”⁵¹ Similarly, the preamble to the United Nations Charter states that “the peoples of the United Nations determined . . . to reaffirm faith in fundamental human rights, in the dignity and worth of the human person”⁵² While Chad’s laws generally uphold protections for the preborn, we are concerned about provisions that permit abortion in cases involving the mental health of the mother or “when an unborn child is diagnosed with a particularly serious condition,”⁵³ Chad is clearly not fully recognizing the inherent dignity of the preborn baby.

24. As stated above, Chad permits abortion “when an unborn child is diagnosed with a particularly serious condition.”⁵⁴ This vague and broad language is extremely concerning as it can be interpreted to mean fetal impairment or that there is the chance the baby may be born with physical abnormalities. Human life does not deserve death simply because that baby may be born with physical abnormalities. Medical advances have allowed babies born with physical

abnormalities to live long and healthy lives. For example, in 1983, the average life expectancy of a person born with Down syndrome was twenty-five years old.⁵⁵ Today, that life expectancy is sixty years and continues to increase.⁵⁶ In Chad, babies with Down syndrome could be aborted because it could be considered “particularly serious condition.” The decision of whether a preborn baby is allowed to be born or be killed should not be based on prenatal tests that have been proven to be unreliable.⁵⁷

25. Further, abortion cannot be used to protect the mental health of the mother when abortion has been proven to be detrimental to the mother’s mental health. The American Pregnancy Association has reported that abortion can lead to stress, anxiety, depression, regret, shame, anger, loneliness, poor self-esteem, and even suicidal thoughts.⁵⁸

26. In addition to its adverse effect on the mother’s mental health, it has also been well-documented that abortion can result in the perforation of the uterus or the laceration of the cervix.⁵⁹ Abortion also deprives women of the health benefits that come from continuing pregnancy, such as the elimination of the protective effect a full-term pregnancy has against breast cancer.⁶⁰ Abortion can also mask other dangerous symptoms like an undiagnosed ectopic pregnancy.⁶¹ Interestingly, even the World Health Organization acknowledges the complications of abortion in its pro-abortion guidelines.⁶²

27. Additionally, Chad would not be alone in recognizing the dignity of human life as many U.N. Member States recognize that there is no “international right to abortion.” This can be seen when looking at the abortion laws of U.N. Member States. Currently, out of the 193 U.N. Member States, a majority (109) of them have strict limits on abortion.⁶³

Recommendations

28. We have already seen the type of death and destruction that Boko Haram is capable of carrying out in neighboring Nigeria. If Boko Haram and other splinter groups are not combatted in a meaningful way, Boko Haram’s atrocities will further spread in Chad, resulting in loss of innocent life and the creation of a massive humanitarian crisis. We are encouraged by Chad’s willingness to actively engage to combat Boko Haram’s terrorism and fight back against the insurgency. We hope that Chad will continue these measures and will ultimately be successful in defeating Boko Haram, driving them from the country, and providing safety and security to the people of Chad.

29. While we applaud Chad’s laws that protect human life, Chad must reform the exceptions that currently allow abortion in certain circumstances. The government must recognize the inherent dignity of the human person, from conception to death. We, therefore, ask that Chad reform its laws in order to protect both the life of the mother and the preborn baby, with no exception based on the mental health of the mother or the possibility of a fetal abnormality.

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