

## CHAD (Tier 2 Watch List)

Chad is a source, destination, and transit country for children subjected to forced labor and sex trafficking. The country's trafficking problem is primarily internal and frequently involves family members entrusting children to relatives or intermediaries in return for promises of education, apprenticeship, goods, or money. Selling or bartering children into domestic servitude or forced herding is used as a means of survival by families seeking to reduce the number of family members they must feed. During the last year, some children reportedly were sold in markets, a practice that had not been documented previously. Child trafficking victims are primarily subjected to forced labor as herders, beggars, domestic servants, or agricultural laborers. Children in some religious schools, *madrassahs*, are forced to beg for long hours for the benefit of unscrupulous teachers and may be denied food or be physically punished if they do not collect enough money. Child cattle herders – some of whom are victims of forced labor – follow traditional routes for grazing cattle and at times cross ill-defined international borders into Cameroon, the Central African Republic (CAR), and Nigeria. There continue to be allegations of child herders being employed by military or local government officials. Underage Chadian girls travel to larger towns in search of work, where some are subsequently subjected to prostitution or are abused in domestic servitude.

During the reporting period, local partners and government officials reported an increase in formal trafficking networks within Chad, though such networks are not documented and most trafficking in Chad remains informal. International observers believe that government campaigns have effectively educated villagers on the perils of human trafficking, thus diminishing the availability of children through informal networks and inadvertently contributing to the ascendancy of formal networks. In past years, Chadian and Sudanese children were unlawfully conscripted, including from refugee camps, by both the Chadian military and rebel forces to engage in armed conflict; they were used as combatants, guards, cooks, and lookouts. According to international observers, the government's conscription of children for military service ceased during mid-2010, and it did not appear that rebel forces were recruiting children within Chad during the reporting period.

The Government of Chad does not fully comply with the minimum standards for the elimination of trafficking. The government did not demonstrate evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Chad is placed on Tier 2 Watch List for a third consecutive year. Chad was granted a waiver of an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute significant efforts to meet the minimum standards for the elimination of human trafficking and is devoting sufficient resources implement that plan. In June 2011, the government signed the joint UN-Government of Chad Action Plan on Children Associated with Armed Forces and Groups in Chad, which called for the establishment of institutional mechanisms to prevent future recruitment of child soldiers. Some government officials continued to coordinate with NGOs to refer child trafficking victims to social services. Despite these modest improvements, the government did not show evidence of overall increasing efforts over the previous year. The government made limited efforts to address the forced labor of children in cattle herding, domestic service, and begging, or to combat the commercial sexual exploitation of Chadian girls. The government previously drafted, but did not yet enact, legislation prohibiting trafficking in persons and pursued only limited anti-trafficking law enforcement and victim protection activities. The country continued to face severe challenges, including lack of communications infrastructure and a rudimentary judicial system that relies largely on traditional forms of justice. Its resources remained constrained following decades of conflict and instability, exacerbated by the large numbers of refugees migrating from neighboring states.

**Recommendations for Chad:** Pass and enact draft penal code revisions that include a prohibition on child trafficking; consider drafting and enacting penal code provisions that would criminalize the trafficking of adults; increase efforts to enhance magistrates' understanding of and capability to prosecute and punish trafficking offenses under existing laws; demonstrate increased anti-trafficking law enforcement efforts, including the investigation and prosecution, when appropriate, of suspected trafficking offenders; adopt and implement the Child Protection Act, which would provide increased labor protections for children; continue collaborating with NGOs and international organizations to increase the provision of protective services to all types of trafficking victims, including children forced into cattle herding, domestic servitude, or prostitution; take steps to raise public awareness of trafficking issues, particularly at the local level among tribal leaders and other members of the traditional justice system; and continue to work with international partners to implement a national action plan to combat trafficking.

### **Prosecution**

Chad made limited law enforcement efforts against trafficking in persons during the reporting period, due largely to its weak judicial system. Existing laws do not specifically prohibit human trafficking, though forced prostitution and many types of labor exploitation are prohibited. Title 5 of the labor code prohibits forced and bonded labor, prescribing fines equivalent to \$100 to \$1,000 but not imprisonment and, as such, is not sufficiently stringent to deter trafficking crimes or reflect their serious nature. Penal code Articles 279 and 280 prohibit the prostitution of children, prescribing punishments of five to 10 years' imprisonment and fines up to the equivalent of \$2,000, penalties that are sufficiently stringent, but not commensurate with penalties prescribed for other serious crimes, such as rape. Pimping and owning brothels are also prohibited under penal code Articles 281 and 282. The 1991 Chadian National Army Law prohibits recruitment of children younger than 18; punishment for those who violate this provision is conducted at the discretion of military justice officials. Draft revisions to the penal code that, in part, prohibit child trafficking and provide protection for victims have not been enacted for the second consecutive year due to controversy surrounding proposed amendments unrelated to human trafficking. The draft Child Protection Act – which would strengthen Chadian law protecting children from forced labor, while allowing volunteers aged 18 and older – would prohibit the recruitment of individuals younger than 21, was awaiting final review at the ministerial level as of March 2012. Chad continues to lack the capacity to compile data on investigations, prosecutions, convictions, or sentencing for trafficking offenses. The government did not investigate or prosecute military officials for forcing children to work as herders. During the reporting period, the government worked with UNICEF to provide training for security forces on issues pertaining to child soldiers; 91 members of the armed forces and 30 training officers received this instruction.

### **Protection**

The Chadian government did not take adequate steps to ensure that all victims of trafficking received access to protection services during the reporting period. Chronic funding shortages, a largely traditional judicial system, and a lack of reliable infrastructure all hindered efforts to provide victim protection activities. The government maintained in-kind assistance, including providing space and facilities for victim protection activities and for long-term, NGO-operated rehabilitation and reintegration centers that cared for a small number of abused and homeless children. Other victims of trafficking, however, continued to receive few protection services. The government continued its participation in several local-level committees comprised of law enforcement, judicial, and social service officials to identify and refer trafficking victims to protection services where available. Although these committees – located in N'Djamena, Abeche, and southern towns – are tasked with encouraging victims to file charges against and assist in

the investigation and prosecution of their traffickers, it is unknown whether they did so during the year. Chadian authorities did not report identifying victims or referring victims to protection services during the reporting period. Lack of formal victim identification continued to be constrained by limited information-sharing within Chad. To counteract this challenge, the government commenced collaboration with a donor-funded NGO project to create a human trafficking database. The government did not arrest or detain trafficking victims, or prosecute or otherwise penalize identified child victims for unlawful acts committed as a direct result of being trafficked.

## **Prevention**

The government continued to make limited efforts, beyond those related to child soldiering, to prevent human trafficking during the year. The government still lacked an inter-ministerial committee to combat trafficking, which hampered progress in combating trafficking. In conjunction with UNICEF, the Directorate of Children within the Ministry of Justice developed a 2008–2010 Integrated Action Plan to Fight the Worst Forms of Labor, Exploitation, and Trafficking; the document expired without being formally adopted by the government. In February 2012, the government, in collaboration with the UN and NGOs, began drafting a new action plan covering the worst forms of child labor and human trafficking. In June 2011, in partnership with the UN, the government adopted an action plan to prevent the recruitment and use of child soldiers; this action plan calls for the government to adopt the draft Child Protection Act, and provides safeguards to ensure children are not drafted in the Chadian military. In conjunction with UNICEF, the government continued to educate members of the military on issues pertaining to child soldiers. In May 2011, the Government of Chad worked with UNICEF to host a training for 91 members of the armed forces and 30 security forces instructors on issues pertaining to child soldiers. The government also conducted a public outreach poster campaign across the country on the dangers of child herding. The government did not take any steps to reduce demand for commercial sex acts during the reporting period.