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GLOSSARY

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@Empty promises: human rights violations continue with impunity

1.INTRODUCTION

Repressive governments are especially distinguished by their tendency to turn a blind eye to past crimes and their surprising haste to grant immunity, or even promotion, to suspected perpetrators of human rights violations. This is notably the case with Chad under the presidency of Colonel Idriss Déby, who has continued the practices of his predecessor Hisssein Habré, under whom he served as chief of staff and whom he himself drove from power in December 1990.

When he came to power, Colonel Idriss Déby swore to end human rights violations, which cost over 40,000 lives during Colonel Hisssein Habré's presidency. Two years later, in April 1993, Amnesty International published a report entitled *Chad: Never again? Killings continue into the 1990s* (AI Index: AFR 20/04/93), in which the organization noted that, in spite of these promises, human rights violations were continuing. All opposition was still forcibly suppressed, often by means of the selective elimination of prominent figures. In all cases, the security forces, and in particular the *Garde républicaine*, GR (Republican Guard), had set themselves up as both judges and executioners and were still acting with impunity.

Two years later, in 1995, the human rights situation in the country has deteriorated still further, despite the resolutions adopted by the *Conférence nationale souveraine*, CNS (National Conference) that in early 1993 had brought together members of civil society and representatives of political parties. If these resolutions had all been implemented, they would have allowed effective human rights safeguards to be put in place and violators of these rights to be brought to justice. Quite the reverse has happened: the civilian population has suffered persistently from abuses committed both by the security forces and by armed opposition groups.

In 1994 Amnesty International had already warned the United Nations authorities of the serious human rights situation in Chad. In April 1994 it submitted information on its concerns to the Economic and Social Council (ECOSOC), and during its August 1994 session, the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities strongly condemned the gross and persistent human rights violations committed in Chad by the security forces and in particular by the GR. Replying to Amnesty International's charges in November 1994, on Africa No. 1 radio, Chad's Head of State declared that these were just insidious propaganda designed to undermine the Chadian authorities.

This report examines the role of the *Armée nationale tchadienne*, ANT (Chadian National Army), and in particular the leading part played by one of its units, the GR. It also deals with abuses
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committed by the armed opposition groups, especially those perpetrated by the *Comité de sursaut national pour la paix et le démocratie*, CSNPD (National Revitalization Committee for Peace and Democracy), led by Lieutenant-Colonel Ketté Nodji Moïse, and also contains recommendations for the authorities. It is vital for those in power, and for those who will hold key positions after this year's elections, to act decisively to end this rule of lawlessness under which human rights violations are committed with impunity, and to seize the opportunity to commit themselves to safeguarding human rights in accordance with international standards. Amnesty International also urgently requests other governments, especially the USA and France, to ensure that the military aid and technical assistance that they provide to the Chadian Government are not used to facilitate such violations.

2.HUMAN RIGHTS VIOLATIONS COMMITTED WITH IMPUNITY BY THE SECURITY FORCES SINCE APRIL 1993

Since the publication of Amnesty International's report in April 1993, there has been no let-up in attacks by the security forces on civilians and political opponents.

Reprisals against civilians have increasingly taken the form of "disappearances" or extrajudicial executions. Most of these abuses have occurred away from the capital, N'Djamena. In many cases they have consisted of indiscriminate slaughter of populations regarded as sympathetic to the armed opposition groups. In the past two years, at least 1,500 civilians have been killed by the ANT, and in particular by the GR, in reprisal for attacks by armed opposition groups.

For example, several hundred civilians in Logone Oriental and Occidental or living in the districts of Abéché (Ouaddaï) and Mbarlé (Chari Baguirmi) were massacred by the security forces after the latter had suffered setbacks at the hands of resistance fighters belonging to the CSNPD, the *Front national du Tchad*, FNT (National Front of Chad), and the *Forces armées pour la République fédérale*, FARF (Armed Forces for the Federal Republic).

Journalists have also been threatened with reprisals. In July 1994, a correspondent of the newspaper *Le Progrès* at Moundou, Mahdi Khalil Mahdi, "disappeared" for several hours; a senior army officer and close relative of Mahdi Khalil Mahdi threatened to execute 10 journalists from Radio Moundou and to bring death and destruction to the town of Moundou if the missing man was not found.

Despite a wealth of evidence, publicized by human rights organizations and leaving virtually no doubt about the participation of the army and the GR in abuses or threats against unarmed civilians, no disciplinary action was taken against the troops responsible. The authorities often confine themselves to giving the number of soldiers killed by the armed opposition groups.

Even when public opinion has forced the Chadian authorities to conduct on-the-spot investigations, their conclusions have only occasionally been made public. For example, after

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sending a commission of inquiry to Logone Oriental in 1993, the Chadian Government issued only a verbal, and apparently incomplete, account of events in order to disguise the human rights violations committed by the GR, which was responsible for the killing of civilians at the time the CNS started work in January 1993. Local human rights organizations which carried out an investigation in the Logone region in April 1993 established that at least 246 civilians had been killed and that 45 people had "disappeared"; in their recommendations, these organizations insisted, among other things, on the immediate and complete withdrawal of the GR from this southern area. Their report, which was made public, contradicted the account given verbally by the Civil Service Minister, who minimized the civilian casualties and deliberately avoided establishing responsibility for the abuses. However, according to information received by Amnesty International, these abuses appear to have been carried out as reprisals by the Chadian security forces after the breakdown of negotiations aimed at inducing one of the armed opposition groups, the CSNPD, to take part in the CNS.

The Chadian security forces have made arbitrary arrests and have also been responsible for extrajudicial executions of political opponents. For example, political leaders who have returned to the country after negotiations have been targeted because the authorities feared that they might play too important a political role: among others, this was the case with the president of the *Conseil national de redressement*, CNR (National Council for Recovery), Abbas Koty Yacoub, who was killed in October 1993.

By tolerating such human rights violations by their own security forces and refusing to conduct impartial investigations in order to bring to justice those responsible for these abuses, the Chadian authorities are contributing to the phenomenon of impunity, which creates a vicious circle of violence in Chad.

Amnesty International considers that the phenomenon of impunity is one of the main contributory factors of continuing human rights violations in Chad. Impunity, literally exemption from punishment, has serious implications for the proper administration of justice. International standards¹ clearly require states to prevent such violations, to undertake independent and impartial investigations and to ensure that those responsible are brought to justice. If the Chadian authorities have the political will, they can easily curb the abuses committed by the security forces.

The adequate investigation of human rights violations is essential if the full truth is to emerge. Victims, their relatives and society at large all have an interest in knowing the truth about past abuses and in the clarification of unresolved human rights crimes. Similarly, bringing the perpetrators to justice would send a clear message that such violations will not be tolerated in the future and that those who commit such acts will be held fully accountable. Amnesty International realizes that the bringing to trial of those responsible for human rights violations will never

¹ These international standards include the *Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions*, the *Declaration on the Protection of All Persons from Enforced Disappearances* and the *Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*.

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cancel the wrong done, but it allows justice to be seen to be done and is indispensable for healing the moral wounds of the victims and their relatives. The absence of disciplinary measures encourages abuses and institutionalises them.

The sense of impunity has been reinforced by the support provided by some foreign countries, including France and the USA, which have continued to authorize and finance the supply of military and security equipment to the Chadian armed forces, but have rarely protested when these forces have killed unarmed civilians.

2.1 HUMAN RIGHTS VIOLATIONS AGAINST THE CIVILIAN POPULATION

In January 1994, one of the armed opposition groups, the FNT - led by Al Harris Bachar, based in the Ouaddaï region on the Sudanese border and claiming at least 4,000 fighters - seized the town of Abéché for several hours. When the security forces, principally the GR, regained control of the town, several civilians, including young people, were arbitrarily killed.

For example, Ahmat Ali, aged 15, was at the house of his uncle, 71-year-old Mahamat Yacoub Dabio, a teacher of Arabic, author of several literary and historical works in Arabic and also imam of a mosque. Both were arrested by the GR and taken several kilometres from Abéché, where the young man was executed in front of his uncle. The latter was ill-treated and held with other civilians; all were released after two weeks.

Abbo Anour, a local headman at Kabartou in Ouaddaï, made the following statement to a delegation of human rights organizations that came to investigate shortly after these attacks:

"After the FNT elements had fled, the soldiers and gendarmes began to search the houses. They came into my house; there were a lot of them. One of them asked me if I hadn't sheltered FNT elements, while the others searched inside my house. Pointing at my two sons who were beside me, they asked: 'Who are these?' Before allowing me to reply, they retorted: 'These are definitely the people we're looking for, you've been hiding them.' I answered that the two young boys were my sons. While we were still arguing, one of them loaded his gun and emptied it into my two children who were killed on the spot."

In March 1994 Abbo Anour still bore visible marks of a heavy blow on his back from a rifle butt.

According to the report published in March 1994 by the human rights organizations after their delegation's visit, in less than a week, over 200 civilians were killed by the security forces, over 100 were tortured and several people "disappeared".

After the recapture of Abéché by government troops, some FNT members were arrested and then released, some of them after a visit to Abéché by President Déby in March 1994 and others under the amnesty decreed by the Chadian President in December 1994. But the FNT maintains that

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other members of the movement are still being held.

First-hand accounts of political killings, "disappearances" and torture are common. The degradation of defenceless victims reaches its nadir when those guilty of these human rights violations know that they are acting with impunity. The recapture of territory invaded by the enemy is marked not only by the execution of civilians regarded as having links with the opposition but also by the humiliation and rape of women. Modesty, shame and social pressures make female rape victims hesitant about seeking hospital treatment. For the same reasons, it is very difficult to get victims to talk about these traumatic events. When questioned by the delegation of human rights organizations, one of the women became virtually speechless and had great difficulty in giving evidence after her rape by elements of the GR.

In June 1994 an encounter between members of the CSNPD and Chadian troops, in the Djour I and Djour II region (not far from Bousso, in Chari Baguirmi), resulted in fatalities on both sides. The CSNPD, based mainly in the south of the country, is demanding the creation of a federal state. The group signed an agreement with the government in August 1994.

A deputation from local human rights organizations, which visited the region in mid-July 1994, found that "government forces have killed, illegally imprisoned and arbitrarily arrested peaceful citizens either because they suspect them of involvement with CSNPD elements, or because the civilians concerned were moving from one village to another, or again because they were giving shelter to strangers". The deputation's investigation, which also implicated elements of the CSNPD, revealed that more than 30 people were killed and at least four wounded in these incidents. Unarmed civilians were arrested and detained for short periods. The operation was headed by the GR. The government did not order the setting-up of any inquiry.

The regions of Logone Oriental and Logone Occidental have often been regarded as hostile to the central authorities. During the past two decades, the population of these two regions has regularly been subjected to exactions by the Chadian army. In October 1984, after the grim episode known as "Black September", during which several hundred civilians were killed, Amnesty International had published a report entitled *Political imprisonment and political killings in southern Chad, August-September 1984* (AI Index: AFR 20/05/84), in which it found that members of the Presidential Guard, which at that time was commanded by Idriss Déby, were believed to be responsible for the new wave of killings in the south of Chad in September 1984. The killings continued after President Déby came to power. And in August 1992 and January 1993, dozens of people suspected of colluding with the CSNPD were shot dead or had their throats cut by the GR.

The security forces have deliberately adopted a policy of intimidation with the aim of executing unarmed civilians. Between 12 and 14 August 1994, after the FARF, an armed opposition group based in the south and led by Laokein Bardé, who had broken away from the CSNPD, had set an ambush for the military, the security forces - principally the GR - forced the inhabitants of

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several villages, including Kaga, Mballa and Heuri (in Logone Occidental), to assemble; they picked out a number of civilians and killed over 31 altogether, including two young men, Helkom Justin (aged 15) and Djekoudjawa Phillippe (aged 16). Several village and district headmen were severely beaten on their village squares by members of the security forces. For example, at Kaga, the main settlement in the district of the same name, the local headman, Djekoubam Golbé, was tied up and given a beating. The victim suffered temporary physical dismemberment as a result of this ill-treatment. The GR left at least 350 burned-out homes in its wake.

Faced with widespread indignation at the extrajudicial executions carried out with impunity by the security forces, the Chadian authorities have shown no determination to end the abuses and bring those responsible to justice. For example, the Civil Service Minister, Mr Salibou Garba, headed a government delegation that was supposed to conduct investigations in the southern regions following the extrajudicial executions that took place in August 1994, but to our knowledge his report has still not been made public.²

2.2EXTRAJUDICIAL EXECUTIONS OF POLITICAL OPPONENTS

Several political opponents have been arrested and extrajudicially executed by the Chadian authorities.

For example, on 22 October 1993 Abbas Koty Yacoub, president of the CNR, was arrested in N'Djaména and executed, despite the fact that he offered no resistance to elements of the GR. After being dragged out of the house where he was staying, he was first shot in the foot, then in the chest, and finally killed by a bullet in the head. This killing took place in front of his associates. Other military and paramilitary units, including the Gendarmerie and the *Agence nationale de sécurité*, ANS (National Security Agency), were present at the time of this pre-planned extrajudicial execution. The entire area around the house where Abbas Koty Yacoub was had been surrounded by the Gendarmerie and the security forces, notably the GR, and a rocket-launcher had been set up in front of the gate.

The body was taken to the headquarters of the *Renseignements généraux* (General Intelligence Service), where the Public Prosecutor came to make a report. The family lodged a request for release of the body but this was refused by the authorities. The President's office gave out that Abbas Koty Yacoub was intending to take up arms in preparation for a coup, but investigations conducted by Amnesty International show that this conspiracy was organized from start to finish with the aim of removing a potential political adversary. On the day of his extrajudicial execution, Abbas Koty Yacoub was carrying no weapon, and at the time of his arrest he was watching television with friends, among them Bichara Digui, who were all arrested at the same

² Principle 17 of the *Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions* states, among other things, that a written report shall be made within a reasonable period of time on the methods and findings of the inquiry and that it shall be made public immediately and shall include the scope of the inquiry, procedures and methods used to evaluate evidence as well as conclusions and recommendations based on findings of fact and on applicable law.

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time as him and held without trial for more than a year at the *Renseignements généraux*.

Abbas Koty Yacoub had supported Colonel Déby in his struggle against President Hissein Habré and had subsequently been appointed *Chef d'état-major général de l'armée nationale tchadienne*, CEMGA (Armed Forces Chief of Staff). Accused of a coup attempt, he had fled the country in 1992. He had returned to the Chadian capital in August 1993 after an agreement had been concluded between the Chadian Government and the CNR, guaranteeing freedom of movement to members of that organization. In addition, according to the terms of the agreement, the CNR was to be transformed into a political party. In the event of non-implementation, the government was to rely on the mediation of Sudan and Libya.

The day before the killing of Abbas Koty Yacoub, 21 October 1993, one of his close associates, Adoum Acyl, was also killed by the GR who came to his house. When one of the members of the security forces wanted to open fire and his pistol jammed, Adoum Acyl was deliberately run over by a vehicle driven by another GR member. The Chadian Government issued no statement on Adoum Acyl's death. By refusing to explain or investigate these two extrajudicial executions carried out with impunity by elements of the GR, the Chadian authorities are in breach both of their own legislation and of international standards.³

2.3 "DISAPPEARANCES" OF CIVILIANS AND POLITICAL OPPONENTS

When he came to power in December 1990, Colonel Idriss Déby had appointed Mahamat Hassan Abakar First Deputy Public Prosecutor to chair a commission of inquiry whose brief was to expose the human rights violations committed by Colonel Déby's predecessor, Hissein Habré. This commission, whose appointment was welcomed by Amnesty International, found, among other things, that "disappearances" had been widespread, and was able to identify several mass graves, including the one at Hamral-Goz on the northwest outskirts of N'Djaména. The commission made a number of recommendations, but no positive steps were taken and "disappearances" continue.

The object of making people "disappear" is to imprison - or eliminate - people against whom the state cannot bring charges or whom it could charge but against whom it prefers not to take legal action. In Chad, however, the object is also to create a climate of terror. For the victims' families, "disappearance", with its attendant hopes and fears, means suffering that can never be eased.

Unarmed civilians "disappear" regularly during every counter-insurgency action carried out by the security forces against armed opposition groups in the various regions. Investigations conducted by human rights organizations in Logone in April 1993, at Abéché in February 1994 and at Mbarlé in June 1994 identified a number of cases which prove that the practice persists.

³ Principle 9 of the *Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions* states, among other things, that there shall be a thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions, including cases where complaints by relatives or other reliable reports suggest unnatural death in the above circumstances.

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In October 1993, for example, after the extrajudicial execution of Abbas Koty Yacoub by the GR, several people were arrested, including Koché Issaka, one of the CNR leader's close associates. When Koché Issaka gave his personal particulars, the security police chief declared: "This is the fellow who was stirring up trouble." Koché Issaka was separated from the others and has not been seen since.

Although several cases of "disappearance" have been reported, the Chadian authorities have made no attempt to halt the practice or to carry out investigations to identify those responsible. Evidence from human rights organizations, families and judicial officials shows convincingly that the fate of the "disappeared" can be clarified. The arrests often take place in front of witnesses. In addition, former prisoners have often stated that have seen a particular "disappeared" person at a given detention centre, and sometimes add the names of security service officials.

As long as the wall of silence remains unbroken, "disappearances" are highly unlikely to cease - especially while those responsible for these "disappearances" are acting on the orders of the Chadian authorities and enjoy their protection.

Since Colonel Idriss Déby came to power, human rights organizations have, in spite of intimidation, produced regular reports on extrajudicial executions and "disappearances". However, the authorities have given no sign of being prepared to take steps which would result in these cases being referred to the courts. On the rare occasions when the Procuracy has attempted to impose respect for the law, it has received threats from the GR. And yet the GR itself lodged a complaint with the judicial authorities against the *Ligue tchadienne des droits de l'homme*, LTDH (Chad Human Rights League), when that organization denounced the execution of a civilian by the GR in August 1993. The president of the LTDH was given a one-month suspended prison sentence, against which he appealed. Defence counsel deplored the fact that the judge presiding over the case was an army captain on secondment at the Law Courts.

2.4 LONG-TERM DETENTION OF PRISONERS OF CONSCIENCE

Although President Déby and the CNS have declared their opposition to any form of arbitrary detention which does not respect the fundamental rights of the human individual as set out in the *International Covenant on Civil and Political Rights*, the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* and the *African Charter on Human and Peoples' Rights*,⁴ arrests continued to be made outside the framework of judicial control by security officials without warrants.

In October 1993, after the execution of Abbas Koty Yacoub, eight people - including the two

⁴ In October 1994, Chad had not ratified the *International Covenant on Civil and Political Rights* or the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*; but it had ratified the *African Charter on Human and Peoples' Rights*.

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Digui brothers, Bichara and Ahmat, and Hissein Kokap - were arrested in N'Djaména and held for over a year at the *Renseignements généraux* by officers of the ANS. Amnesty International considers that they were prisoners of conscience because there was no proof that they had used or advocated violence. Amnesty International remains convinced that they were arrested because they were friends and followers of the president of the CNR.

After being charged with "plotting to overthrow the existing government", Bichara Digui and his companions were released without trial under the amnesty decreed by President Déby in December 1994. Although the Procuracy announced, shortly after their imprisonment, that the detainees had been handed over to the law, the reality was quite different. With regard to visiting rights, the Public Prosecutor indeed granted them to family members, but the ANS officers, setting themselves above the judicial authorities and acting with impunity, prevented the families from exercising their right to speak to the detainees. Only their lawyers and human rights organizations were permitted to see them.

In addition, the prisoners were held at the *Renseignements généraux* by officers of the ANS beyond all control of the Ministry of Justice. The illegality of the conditions of imprisonment in this case was enhanced by the fact that examining magistrates agreed to hear the detainees in the presence of their jailers, and away from the Law Courts. There was no effective judicial control of the legality of the detention as required by paragraph 4 of Article 9 of the *International Covenant on Civil and Political Rights* - which Chad has promised to observe even though it has not ratified it - and Principle 11 of the *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment*. These practices are contrary to the Constitution and a negation of the solemn undertakings made by President Déby when he came to power in December 1990, according to which arbitrary actions would no longer be tolerated.

2.5 SHORT-TERM DETENTION OF PRISONERS OF CONSCIENCE

In July 1994 Dr Abdel Aziz Kadhouk, a doctor at N'Djaména's central hospital, and Mahamat Koty Yacoub, younger brother of Abbas Koty Yacoub who had been extrajudicially executed the previous year, were arrested and held separately and incommunicado for 45 days on ANS premises before being transferred to the *Renseignements généraux*. They were released without being brought to court, under the amnesty decreed by the President of the Republic.

The officers of the ANS accused them of having contacts with foreign diplomatic missions and with human rights organizations; they also accused them of being members of the CNR, the movement of which Abbas Koty Yacoub had been head. However, under the terms of an agreement signed with the Government of Chad in August 1993, the CNR was to be transformed into a political party.

On 22 October 1994, a delegation composed of members of the ruling committee of one of the opposition parties, the *Rassemblement pour la démocratie et le progrès*, RDP (Rally for

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Democracy and Progress) - headed by Lol Mahamat Choua, former president of the transitional body set up by the CNS - went to Mao (in Kanem), near Lake Chad, to parade with their party banners on the arrival of President Idriss Déby who was touring the region. When the members of the delegation introduced themselves at the prefecture, the sub-prefect ordered the arrest of some of them; one of those arrested revealed, after his release, that the sub-prefect had told the security forces that these opponents should be made to "disappear". Some members of the delegation, including Abacihou Taher and Saïd Mahamat Agerey, had been assaulted by the security forces before their arrest. After being held for eight days, they were brought before the Procuracy which ordered their release. The Kanem authorities acknowledged responsibility for these arrests and explained to the press that they had carried out these arrests as "a preventive measure". This is one of the rare instances in which a judicial decision has been called for.

The former prefect of Kanem, Simon Béassingar, had himself been arrested on 27 April 1994. After being held at Sarh police station (in the south of the country), he was released after 16 days without any charges being brought.

In July 1994 Zakaria Garba, a very active member of the *Viva rassemblement national pour la démocratie et le progrès*, Viva RNDP (Viva National Rally for Democracy and Progress), the party of the transitional Prime Minister, was allegedly arrested merely because he was said to be under suspicion of plotting a coup. After being held for 18 days at the *Renseignements généraux*, he was released without charge.

In August 1994 some civilians, including Alain Natimbaye and Joseph Morkobou, were arrested in the south of the country on suspicion of involvement with the CSNPD. After originally being held at the GR barracks at Moundou, they were transferred to the GR barracks in N'Djaména before being sent to a detention centre at Faya-Largeau, in the north of the country, in November 1994. Despite the amnesty law promulgated by President Déby in December 1994, these people are still being held without charge and refused all visits.

Similarly, between October and December 1994, following the departure of Lieutenant-Colonel Mahamat Garfa, Minister of Mines and Oil and former CEMGA, in September 1994, several people, including soldiers, were arrested and are still being held without charge at the Martyrs' Camp in N'Djaména. The Chadian authorities accuse Lieutenant-Colonel Mahamat Garfa of misappropriation of funds, but other sources think that his departure is linked to his demotion in May 1994 from CEMGA to a ministerial post.

Ngarlegy Yorangar le Moiban, director of the satirical magazine *La Roue*, was arrested and held for five days in March 1994. His arrest arose from nothing more than his remarks at a public meeting on the question of federalism in the south of the country.

More generally, press freedom has been flouted by the authorities. Since President Déby came to power, there has certainly been pluralism in print, but certain journalists have been the object of

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numerous threats and the authorities have regularly obstructed their attempts to do their job. On two occasions, in June and August 1993, Guidingar Bérasidé, a journalist on *N'Djaména Hebdo*, was prevented by the N'Djaména Gendarmerie and the Abéché local authorities from photographing the events he was covering.

2.6 TORTURE AND ILL-TREATMENT

When he came to power, Colonel Idriss Déby had formally condemned the torture that had gone on under his predecessor. The commission of inquiry that he appointed to throw light on the incidence of torture, among other things, recommended that those responsible for human rights violations should be brought to justice. In addition, one of the documents drawn up by the CNS forbids torture in any form: "No citizen may be subjected to inhuman treatment or torture." Furthermore, the transitional body voted a law to the effect that Chad should ratify the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, of which Article 12 states: "Each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction." This law voted by the *Conseil supérieur de transition*, CST (Higher Transitional Council), was also signed by President Idriss Déby ; but so far the United Nations has received no notification of Chad's ratification of this convention. What is unfortunately certain is that there have been many instances of torture, and that neither the government nor the transitional body has ever demanded an independent investigation even when victims presented themselves with serious injuries.

However, both before the transitional period and also after the deliberations of the CNS, several cases of torture were brought to the attention of Amnesty International. For the most part the culprits were elements of the GR or the ANS, and neither children, women nor old people were spared.

Whether in the regions noted for the presence of opposition groups or in the detention centres of the capital, the interrogation and torture techniques described by political prisoners when Hissein Habré was President have changed little under Idriss Déby: torture is a routine adjunct of interrogation.

A former prisoner of conscience made the following statement to Amnesty International:

"After arresting me . . . they took me . . . to ANS headquarters where the interrogation took place for two hours. They accused me of belonging to an opposition movement . . . They used various forms of physical violence: they hit me with sticks, stubbed cigarettes out on me and kicked me with their booted feet to make me confess to belonging to this opposition movement and to being in contact with various human rights organizations and with the embassies of various countries. Then they put me in a small, dark, dirty room, very nasty and very hot, with my hands tied behind me day and night. This room was opposite the building that houses the Prime Minister's

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offices. I stayed there for some time. No one was allowed there except the warder who brought me food and water every three or four days."

Amnesty International has also learned of several cases of torture, including that of Mahamat Koty Yacoub, who was seen by a doctor immediately after his release in December 1994. The medical examination revealed that his right hand was "painful when pressed hard, and incapable of holding or grasping objects, even small ones". The doctor found a "loss of sensation in the ventral and dorsal areas." According to this examination, "there is a round 1 mm scar on the wrist. This resulted from a wound caused by a very sharp object, attached or knotted very tightly."

2.7 DEATH PENALTY

Amnesty International does not dispute the right of governments to fight crime or to take action against those accused of using or advocating violence, but the facts show that the death penalty has no particular deterrent effect in any of these areas. The organization is opposed to the death penalty in all cases because it is the ultimate cruel, inhuman and degrading punishment and violates the right to life.

Many offences carry the death penalty in Chad. The last judicial execution took place in 1991, when three soldiers and a civilian were executed publicly after being found guilty of crimes by a special court-martial from which there was no right of appeal. However, other death sentences have been passed since then. In August 1992, Daoud Ahmat Chérif and Awat Abdou, both members of the Chadian security forces, were condemned to death for murder. Other death sentences were also passed on 20 November 1994, by the Criminal Court sitting at Abéché, on Yacoub Issaka and three other persons *in absentia*. Yacoub Issaka and a dozen other persons were accused of attacking the inhabitants of Gninguilim (near Abéché) in the market-place in August 1993. The attack resulted in 64 deaths.

Chadian legislation provides for no appeal procedures, and three of those sentenced to death are in danger of execution unless President Idriss Déby commutes their sentences by exercising the right of clemency granted to him by the transitional charter.

This lack of an appeal procedure contravenes international instruments, in particular of paragraph 5 of Article 14 of the *International Covenant on Civil and Political Rights*, which states: "Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law."

3. HUMAN RIGHTS ABUSES COMMITTED BY OPPOSITION GROUPS

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In its fight against human rights violations, Amnesty International also now takes into account abuses committed by opposition groups, including hostage-taking, torture, and deliberate and arbitrary killing of civilians.

During the past two decades, several opposition groups have continuously challenged the legitimacy of the central authorities by force of arms. Colonel Idriss Déby, who belonged to one of these groups, fought against the former government headed by Hisssein Habré. When Colonel Idriss Déby came to power, some armed groups joined his government following negotiations. Under the terms of an accord signed in August 1994 between the N'Djaména government and the CSNPD, the two parties agreed on an immediate cease-fire, the withdrawal of the GR from the entire southern zone and a general amnesty for all CSNPD activists and other elements.

Some agreements were not observed, however, and groups such as the FNT, the CNR, the *Mouvement pour la démocratie et le développement*, MDD (Movement for Democracy and Development), and the FARF rose in rebellion and contested the legitimacy of President Idriss Déby. Some of these groups have been responsible for the death of civilians and have often held the rural population hostage.

It is rather difficult to obtain details of abuses committed by the armed opposition groups as the areas of conflict are not easily accessible. In some cases, however, Amnesty International has been able to record abuses committed in particular by Lieutenant-Colonel Ketté Nodji Moïse's CSNPD. In its April 1993 report, Amnesty International deeply regretted that government officials who went to negotiate with the CSNPD in August 1992 had been detained, perhaps as hostages. In June and July 1994, after villagers from the Mbarlé and Ba Illi area (Chari Baguirmi region) had been held to ransom by elements of the CSNPD, a delegation of human rights organizations investigated the incidents and published a report in which it found that "elements of the CSNPD killed, robbed peaceful citizens and set fire to their huts". The same group carried out deliberate and arbitrary killings of a dozen civilians.

In November 1994, at Bedjondo (in Logone Oriental), in a statement addressed to the government and the transitional body, representatives of civil society, including members of political parties, various religious denominations and other associations, denounced rape and systematic plundering by the CSNPD, which had also killed seven people. In December 1994, elements of the CSNPD wounded three civilians in a burst of gunfire at Dedai in the district of Bodo (Logone Oriental).

4.STRUCTURE OF THE ARMED FORCES

There have been civilian members of the various successive governments in Chad during the past 20 years, but since the 1975 coup which toppled a one-party government, the army has become the dominant force in the country's political life. Amnesty International has found that, as a result

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of the omnipresence of the army and in particular of one of its units acting as a militia, the GR, the security forces do not fulfil the role of a traditional army as they intervene regularly in the country's political life and are the cause of widespread human rights violations.

The troops that did not leave the country after the fall of Hissein Habré and the resistance fighters who arrived with Idriss Déby together constitute what the army staff call "the residual army". In 1995 the combined strength of this force and the ANT comes to over 37,000. In other words there is one soldier for every 170 Chadians. Chad is also distinguished by its high proportion of officers and non-commissioned officers (NCOs): the ANT has about 15,000 NCOs and 8,000 officers, and these numbers recently saw an increase when CSNPD fighters were integrated into the ANT following the accords between that movement and the Chadian government in August 1994.

In the course of the CNS, the government had given an undertaking to reduce the strength of the army to 25,000 men and, in a working document, the "Defence and Security" commission of the CNS had proposed "the formation of a special unit for the protection of the chief authorities of the state, to be incorporated into the land army in place of the Republican Guard". However, neither of these aims has yet been achieved. Indeed, there has actually been an increase in the numbers of the GR, which has been directly responsible for human rights violations since the accession of President Déby, supreme head both of the armed forces and of the administration.

4.1 THE REPUBLICAN GUARD (GR)

There are several indications that Chad is heading towards a two-track army: a less well-equipped regular army and a fully resourced GR enjoying the support of the President of the Republic. Better equipped with both heavy and small arms than other ANT units, the GR is assigned to presidential security and enjoys the logistical and financial support of the CEMGA. The GR appears to act as the military arm of the President of the Republic, who keeps it under his authority and who alone is empowered to give it assignments. Its mono-ethnic composition further appears to make it the President's personal instrument. GR members are largely recruited from the Zaghawa ethnic group (closely related to the President's ethnic group) and, in order to consolidate the unit in the service of a single clan, non-Chadians of the same ethnic group have also been recruited. The GR, with an estimated strength of over 10,000 men, is found everywhere on Chadian territory, especially near the areas of conflict in the south, at Abéché and around Lake Chad.

Some of its members were trained in France, among them many officers, including the present President, Idriss Déby, who was trained at the French staff college. Within the context of army reorganization, French military advisers also provide training for the GR as a whole in Chad. This training is given separately at nation-wide training centres.

4.2 THE NATIONAL SECURITY AGENCY (ANS)

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Behind the civilian façade of the transitional government, established in April 1993, lurks the shadow of one of the core elements of repression, the ANS, one of the institutions on which the Chadian authorities rely to repress the civilian population and political opponents. However, the law setting up this institution, which is directly responsible to the President of the Republic, states: "The aims and activities of the agency shall be distinct from those of the national police and Gendarmerie, with which it is not to be confused and whose place it may not take." Moreover, the activities of the ANS "shall be in keeping with respect both for the laws and regulations of the Republic and for the international undertakings entered into by the state"; the law further states that this body "shall have no power to carry out arrests or to detain suspects". The reality, however, is quite different: the primary task of the ANS seems to be to seek out, torture or execute political opponents or alleged suspects designated by the Chadian authorities.

Despite this law, the ANS has indulged in practices inherited from the bodies that preceded it. The ANS succeeded the *Centre de recherche et de la coordination des renseignements*, CRCR (Centre for Investigation and Coordination of Intelligence), after the CNS had demanded the latter's dissolution. The CRCR itself replaced the *Direction de la documentation et de la sécurité*, DDS (Directorate for Documentation and Security), which had been dissolved by Colonel Idriss Déby when he came to power. In a report published in 1992, Mahamat Hassan Abakar, appointed to chair a commission on the crimes of Hissein Habré, described the DDS as an oppressive institution and noted that it had distinguished itself by its cruelty and contempt for human life. Pursuing his line of argument, he added that the DDS had "fully accomplished its mission which [was] to terrorize the population in order the better to enslave it". The DDS had a number of functions which included tracking down government opponents within and outside Chadian territory. Hundreds of prisoners succumbed to torture in DDS establishments.

Successive name changes have in no way modified the repressive nature of this body, as certain officials incriminated by the report of the commission of inquiry have remained in their posts without having to answer charges. Furthermore, at the request of the Chadian authorities, former DDS officials suspected of serious human rights violations have been recalled to serve in this body.

In many cases, Amnesty International has noticed close cooperation between different services dealing with security questions, particularly between the ANS, the ANT, the GR and, in some cases, the Gendarmerie. The organization has observed that all these institutions have grown rapidly in the past two years. Concerted action is especially common when certain suspects are arrested or extrajudicial executions are carried out. The extrajudicial execution of Abbas Koty Yacoub and the arrests of Bichara Diguï, Dr Abdel Aziz Kadhouk and Mahamat Koty Yacoub, and also the "disappearance" of Koché Issaka, are perfect illustrations.

5.FOREIGN RELATIONS WITH THE SECURITY FORCES

Immediately after the fall of President Hissein Habré, many foreign governments were disturbed

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at the grave human rights situation; several thousand people had died, some of whom had been tortured and killed in places close to certain foreign missions. In its report published in 1993, Amnesty International expressed its concern in these terms: "For many years governments have armed, equipped, trained and financed Chadian government security forces. The purpose of this assistance has been to support Chad as an ally against Libya, but there was little protest from its suppliers when the security forces they had backed turned their guns on unarmed civilians and laid waste to entire communities."

Chad has received and is still receiving a large amount of military aid. Although it is officially intended for other purposes, Amnesty International remains concerned that the supply by foreign governments of certain military and security equipment and training, as well as logistical support, to the ANT, the GR and the Gendarmerie may be contributing to human rights violations such as extrajudicial executions, "disappearances" and torture. There can be no doubt at the present time that the ANT and the GR are implicated in human rights violations on a very large scale and that they are probably using weapons and equipment supplied by foreign governments to repress the civilian population or government opponents.

Although the Chadian security forces continue to commit gross and systematic human rights violations, the French and US governments continue to authorize and finance the supply of military and security equipment and training to the Chadian security forces. In addition, Amnesty International has received reports that military assistance has been provided by China, Algeria and Sudan, and that six helicopters were delivered by the Netherlands in March 1995; the reports did not state the use to which the helicopters would be put

Amnesty International takes no position on arms embargoes or military sanctions, but opposes the supply of military, security or police equipment, training or logistical support to countries if such transfers can reasonably be assumed to contribute to human rights violations such as political killings, "disappearances" or torture.

China is reported to have supplied military equipment to Chad since 1991. In 1994, Chinese personnel were attending to the maintenance of Russian-made armoured vehicles captured during the war with Libya. In addition, China was reported to have supplied 3,000 Kalashnikov rifles and uniforms to the Chadian armed forces.

The US government has continued to promote direct military sales to the government of Chad since the report on Chad by Amnesty International in 1993. These sales were estimated to total US \$1.2 million in 1994 and were predicted to reach \$3.7 million during 1995, but no details of the equipment sold were available. However, in late 1994, the US government suspended most of the non-sales part of its military assistance program to Chad because of the failure of the Chadian government to bring human rights violators to justice. The US Foreign Assistance Act stipulates that "except under exceptional circumstances", US security assistance is prohibited to "any country the government of which engages in a consistent pattern of gross violations of

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internationally recognized human rights". The US government specifically ceased the training in military aircraft maintenance in Chad, notably of the C130 Hercules transport planes. Some Chadian military officers continued to receive human rights training in the USA,⁵ and the US continued to provide training in demining in Chad.

Although it has no defence agreement with Chad, France is the country with the largest quantity of military cooperation with the N'Djaména government, especially through technical military assistance. There is a large contingent of French troops on Chadian territory. This strong French military presence was established to prevent any Libyan advance after the occupation of the Aozou Strip. In February 1994 the International Court of Justice at The Hague recognized the sovereignty of Chad in this dispute, and in May 1994 Libyan forces withdrew from the area. This did not lead, however, to any reduction in French military strength in the context of this so-called "Operation Sparrowhawk".

French military aid, which began 18 years ago, is continuing, and between 1991 and November 1994 Chad was the leading beneficiary. Out of a budget of 847 million francs spread between 25 continental African countries and Madagascar, Chad takes the lion's share with 30.57 per cent (Operation Sparrowhawk not being included in this budget), or nearly a third of the total aid supplied by France to all these countries. The more specific purpose of this aid is to facilitate the restructuring of the ANT and the Gendarmerie and to provide matériel, including ammunition. Engaged in this work are *détachements d'assistance militaire d'instruction*, DAMI (military training aid detachments), which are separate from the components of the Sparrowhawk force. The French DAMI act as advisers in the eight military regions and provide training in the various military training centres, including those at Mongo, Abéché, Loumia and Koundoul. Training consists of courses in theory and a series of manoeuvres, and is given to all military corps, including the GR.

In response to Amnesty International's previous expressions of concern about the use of such transfers, the French Minister of Defence said in 1993: "Rest assured that I share your concerns and that the French Government, with my full support, is playing a very active part in seeing that any lapses that might occur are immediately checked." Since then, however, reports have continued of serious human rights violations by the Chadian security forces, including many political killings carried out by the army and the Gendarmerie. The French Government has not spoken out publicly about these and has continued to supply both these forces with military vehicles, spare parts, ammunition, communications equipment and maintenance and training personnel.

The French Government states that its military assistance to Chad consists of aid for the restructuring of the Chadian army and Gendarmerie. It has never mentioned its direct aid to the GR, but according to Amnesty International's information the GR also receives French military training and uses French military equipment such as AML90 machine-guns.

⁵ AI welcomes the provision of assistance in the form of thorough theoretical and practical training in the promotion and protection of human rights.

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Chadian participants in military training courses provided by French advisers say that human rights are not on the syllabus. This would appear to contradict the pronouncement of the rapporteur of the national commission of the French National Assembly and the armed forces on the 1995 finance bill, who states, in a report published by the French National Assembly in October 1994: "By contributing to the external security of these countries [of sub-Saharan Africa] and to the civic training of their gendarmerie forces, it [the military cooperation policy] is an essential element of support for the strengthening of democracy and for economic development." In the case of Chad, the military aid supplied by foreign governments - notably France - has been put to other uses. In addition, it is a cause for concern that military cooperation personnel, in particular gendarmes, are not permitted to report to their own superiors when they are informed of serious human rights violations in the country. When gendarmes are on secondment from the French Gendarmerie they are placed at the disposal of the Ministry of Cooperation and Development and are no longer answerable to their own chain of command. Amnesty International believes that military cooperation personnel should not be silent witnesses to human rights violations and that they should report these violations to their superior officers who should convey the complaint to the Chadian authorities. If no effective investigation or remedial action is taken, the country providing military cooperation should submit its complaints to the appropriate United Nations (UN) theme mechanism.⁶

French cooperation has been of enormous help in setting up a Chadian Gendarmerie modelled on that which exists in France. In this context, Chadians have been sent to France to undergo training as criminal investigators (*officiers de police judiciaire*) and French gendarmes have trained elements of the residual army so that they can be integrated into the Chadian national Gendarmerie. Some time ago, however, the French-trained commanders of some Gendarmerie units were replaced by soldiers of the land army who have received no training in the maintenance of order in the civilian population.

Furthermore, Amnesty International has found that the Gendarmerie, although responsible to the Ministry of Defence, receives its orders from the Presidency. The image of the French-trained Gendarmerie has thus been considerably tarnished, as it has been implicated along with the ANT and the GR in - among other things - the crack-down on the inhabitants of Ouaddaï in August 1993, the deaths at Abéché in January 1994, and the execution of Abbas Koty Yacoub in October 1993.

6. FAILURE OF THE HIGHER TRANSITIONAL COUNCIL (CST) TO IMPLEMENT THE HUMAN RIGHTS REFORMS ADVOCATED BY THE

⁶ These mechanisms include:

United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions;

United Nations Special Rapporteur on Torture;

United Nations Working Group on Enforced or Involuntary Disappearances;

United Nations Working Group on Arbitrary Detention;

United Nations Special Rapporteur on Violence against Women.

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NATIONAL CONFERENCE (CNS)

In April 1993, at the end of the CNS, the interim legislative body, the CST - composed of 57 members - was entrusted by the government with the task of supervising the implementation of the decisions and political program of the CNS.

Among other things, the CNS stressed the serious human rights situation in the country. A series of recommendations for the promotion and defence of human rights was promulgated with a view to their being put into effect during the transitional period, which was to last for a year and which was extended for a further year in 1994. The transition will come to an end after the legislative elections planned, in theory, for April 1995.

All through the two years of transition, the great objectives of human rights protection set out by the CNS have failed to be realized. The proclaimed intentions have remained a dead letter:

-Illegal detention and extrajudicial executions are still being perpetrated by the security forces without any of those responsible ever being brought to justice.

-The recommendations made by the commission of inquiry chaired by Mahamat Hassan Akbar, with the aim of immediate prosecution of those guilty of crimes against humanity and the removal from their posts of all DDS agents who had been rehabilitated and subsequently enlisted in the directorate of the CRCR, have not been followed up.

On occasion, however, the government and the transitional body have investigated the serious incidents that have taken place in some regions. The CST published a report on the incidents at Abéché and Gninguilim in 1994, but there was no debate in the transitional parliament, and no demand for the matter to be referred to the judicial authorities. Following the two missions led by the members of the cabinet after the incidents that occurred in the south in January 1993 and August 1994, in which several hundred civilians were killed, the government, for its part, has still not filed its report.

In October 1991 the government denounced an attempted coup and ordered the arrest of Colonel Maldoum Bada Abbas, vice-president of the *Mouvement patriotique du salut*, MPS (Patriotic Movement for Salvation), the political party headed by Colonel Idriss Déby. Following these events, the GR attacked civilians of the Hadjarai ethnic group to which Maldoum Bada Abbas belonged. A quantity of evidence, however, seems to indicate that the coup theory allowed the supporters of the President of the Republic to justify the liquidation of Hadjarai who were regarded as rivals in the struggle for power. The Ministry of Justice appointed a commission to "seek out, identify and apprehend the authors and co-authors, and their accomplices, of the offences committed during these incidents" of October 1991. Three years later, the commission has still not produced its report. Colonel Maldoum Bada Abbas, however, was released in January 1992.

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Similarly, in October 1994 the Public Prosecutor ordered an inquiry into the extrajudicial executions of several civilians at Doba and Moundou in 1993. The Procuracy is due to institute proceedings soon. It would seem, however, that the persons held after questioning by criminal investigation officers were able to escape from prison before they could appear before the examining magistrate, but the judicial authorities have still not clarified the circumstances of these escapes.

7. THE ROLE OF HUMAN RIGHTS ORGANIZATIONS

Under President Hissein Habré, there was no freedom of expression or association in Chad. When Colonel Idriss Déby came to power, independent organizations, notably those concerned with the defence of human rights, experienced rapid growth. Today Chadian society has at least seven human rights defence associations.

Certain members of these associations have been subjected to intimidation. For example, Enoch Djondang and Abou Laoukara, two officials of the LTDH, have received threats against their persons. One of the founders of the LTDH, Maître Joseph Béhidi, was murdered in 1991 and so far the exact circumstances of his murder have not been clarified. In spite of this, the associations have continued working towards the establishment of the rule of law and the creation of a genuine human rights culture.

Although each of these associations has its own particular concerns, they regularly combine to carry out joint missions. Thanks to investigations carried out at Doba, Abéché, Mbarlé, Ba Illi and elsewhere, public opinion has been made aware of the scale of the massacres perpetrated in these regions by the security forces. The associations' work is not confined solely to the capital, N'Djaména; cells or contacts have been established in the various regions. Considerable efforts have also been made throughout the country to conduct educational campaigns so that the citizens of Chad may absorb the human rights culture.

We must also stress the important part played by certain journalists who investigate and gather information on exactions in which the security forces are implicated.

8. AMNESTY INTERNATIONAL'S RECOMMENDATIONS

Amnesty International has repeatedly appealed to the transitional body and to Colonel Idriss Déby to take urgent steps to prevent the occurrence of fresh violations at the hands of the security forces, but so far no action has been taken. All members of the security forces, who are responsible for the reign of terror in Chad, enjoy impunity and suffer no interference from the law.

In 1993 Amnesty International launched a long campaign to alert international opinion to the

gross human rights violations that were occurring in Chad and, within the context of this campaign, made several recommendations to the Chadian authorities, among them the ending of impunity. The CNS also made recommendations towards halting human rights violations. As we approach the second anniversary of the creation of the transitional body, which was to implement the recommendations of the CNS, the inescapable conclusion is that, apart from the creation of the *Haut conseil de la communication*, HCC (High Council for Communication) and the *Conseil national des droits de l'homme*, CNDH (National Council for Human Rights), which have not yet come into actual operation, nothing has been done to halt these violations. Neither the President, nor the government nor the CST has taken any initiative in this direction, and the Procuracy itself, in other words the theoretically independent authority responsible for opening criminal investigations and instituting proceedings when crimes are brought to light, has remained idle. This lack of action is due to the fact that the law is in suspension: for many years it has been misused and manipulated by those in power, with the result that institutions like the Procuracy are completely subordinated to political authority.

Civil society in Chad, in particular the human rights associations, are keen that human rights violations should give rise to legal proceedings and that victims should receive compensation, but the authorities are turning a deaf ear. Amnesty International's experience shows that failure to investigate human rights violations and reluctance on the part of the judiciary to take up these cases increase the probability of fresh violations, not only because the torturers and killers remain at liberty and may once again be put in charge of prisoners and be given the power to kill them, but also because the necessary safeguards against fresh violations are neither prescribed nor implemented.

For these reasons, Amnesty International is renewing its demands for reforms aimed at the adoption of safeguards against torture, arbitrary detention and extrajudicial executions. The organization urges the Government of Chad to ensure that all detainees are aware of their rights and that investigations are opened into all cases of death or "disappearance" of prisoners. These reforms are essential if human rights are to be respected in the future. Among these recommendations, eight can be regarded as essential:

1. Official condemnation

The highest authorities in Chad should demonstrate their total opposition to illegal detention and extrajudicial executions. They must make it clearly understood to all members of the security forces that such human rights violations will not be tolerated under any circumstances.

2. Chain-of-command control

Those in charge of the security forces should enforce strict chain-of-command control to ensure that their subordinates do not carry out extrajudicial executions.

Officials exercising responsibility in the chain of command who order or tolerate human rights violations by their subordinates should be held legally accountable for these acts.

3. No secret detention

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Prisoners should be held only in officially acknowledged places of custody; families, lawyers and the courts should be informed promptly and precisely of the circumstances of arrest and of a prisoner's place of custody. No one should be held in secret detention.

4. Access to prisoners

All prisoners should be brought before a judicial authority without delay after their arrest. Families, lawyers and doctors should be allowed to visit them promptly and regularly. All places of custody should be inspected regularly by an independent body whose visits should be unannounced and unrestricted.

5. Legal prohibition of human rights violations

The Chadian authorities should ensure that perpetration of a human rights violation constitutes a criminal offence, carrying penalties proportionate to the seriousness of the act. Prohibition of human rights violations and the essential safeguards against them should not be suspended under any circumstances, even in the event of war or any other emergency.

6. Death penalty

Amnesty International urges the President of the Republic of Chad:

- a) To commute all death sentences immediately;
- b) To ensure that any person sentenced to death is allowed to appeal to a higher court and to enter a plea for clemency.

Amnesty International also appeals to the transitional body and the government to bring forward a bill for the abolition of the death penalty, and for this to be enshrined in the new Constitution.

7. Individual responsibility

Prohibition of human rights violations should be reflected in the training of all officials responsible for the arrest and detention of prisoners and of all officials authorized to use firearms, and also in the directives issued to them. These officials should be informed that they have a right and a duty to refuse to obey orders to take part in human rights violations. Orders from a superior officer or public authority should never be an excuse for participation in torture or an extrajudicial execution.

8. International responsibility

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In view of the fact that fundamental human rights are constantly being flouted with impunity by the Chadian armed forces, foreign governments should use all means at their disposal to intervene with the Chadian authorities, and to ensure that transfers of equipment, skills and personnel in the military, security or police domains for the training of the Chadian security forces and police do not facilitate torture, "disappearances" and political killings. Furthermore, all armed forces and police training should be designed and given with the aim of encouraging respect for and promoting human rights.

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GLOSSARY

ANS - Agence nationale de sécurité
National Security Agency

ANT - Armée nationale tchadienne
Chadian National Army

CEMGA - Chef d'état-major général de l'armée nationale tchadienne
Armed Forces Chief of Staff

CNDH - Conseil national des droits de l'homme
National Council for Human Rights

CNR - Conseil national de redressement
National Council for Recovery

CNS - Conférence nationale souveraine
National Conference

CRCR - Centre de recherche et de la coordination des renseignements
Centre for Investigation and Coordination of Intelligence

CSNPD - Comité de sursaut national pour la paix et le démocratie
National Revitalization Committee for Peace and Democracy

CST - Conseil supérieur de transition
Higher Transitional Council

DDS - Direction de la documentation et de la sécurité
Directorate for Documentation and Security

FARF - Force armées pour la République fédérale
Armed Forces for the Federal Republic

FNT - Front national du Tchad
National Front of Chad

GR - Garde républicaine
Republican Guard

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HCC - Haut conseil de la communication
High Council for Communication

LTDH - Ligue tchadienne des droits de l'homme
Chad Human Rights League

MDD - Mouvement pour la démocratie et le développement
Movement for Democracy and Development

MPS - Mouvement patriotique du salut
Patriotic Movement for Salvation

RDP - Rassemblement pour la démocratie et le progrès
Rally for Democracy and Progress

Viva RNDP - Viva rassemblement national pour la démocratie et le progrès
Viva National Rally for Democracy and Progress