

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **CHAD: GOVERNMENT MUST IMMEDIATELY REPEAL AMNESTY ORDINANCE**

Amnesty international regrets the decision of the Chadian government granting amnesty for crimes committed by members of armed opposition groups in Chad and calls on the authorities to immediately repeal the ordinance signed by President Idriss Deby Itno on 10 January 2011.

The organization calls on the Chadian authorities to ensure that any amnesty law excludes crimes under international law.

Amnesty International recognizes the importance of peace agreements with opposition armed groups, but the organization also believes that a crucial component of such agreements should be a strong commitment to obtaining justice, truth and reparations for victims of human rights violations and abuses.

The Chadian government must ensure that the respect and protection of human rights are at the core of all attempts to resolve the current armed conflict and political crisis, and that any peace or other agreements entered into by the Chadian government and armed opposition groups do not contradict its obligations under international law and, in particular, do not provide any amnesty for human rights violations or any crime under international law.

Amnesty International has documented serious violations of international human rights and international humanitarian law committed by Chadian armed groups and Chadian national security forces in eastern Chad and other parts of the country. These crimes and abuses included unlawful killings, rape and other forms of violence against women, recruitment and use of children as fighters and enforced disappearances. Most of the time these crimes were committed in total impunity.

Instead of benefiting from amnesty, alleged perpetrators should be investigated and, if there is sufficient admissible evidence, prosecuted in national courts in trials that meet international fair trial standards.

International law prohibits national amnesties, pardons and similar national measures of impunity for war crimes, crimes against humanity, genocide, torture, extrajudicial executions and enforced disappearances. The amnesty law should scrupulously comply with international law. In complying with those same rules and principles, it shall not cover or permit exoneration from gross violations of human rights and fundamental freedoms protected under the regional and international instruments that are binding on Chad.

## **Background**

On 10 January 2011, Chadian president Idriss Deby Itno passed ordinance No 001/PR/2011 extending amnesty to crimes committed by members of Chadian opposition armed groups who have been imprisoned. The same day, president Deby passed Decree No 013/PR/MJ/2011 granting pardon to six members of Chadian opposition armed group Union of Forces for Democracy and Development (*Union des forces pour la démocratie et le développement*, UFDD). Some of these six persons had been sentenced, in their absence, to the death penalty and others to life in prison by a Chadian court in August 2008 for allegedly “undermining the constitutional order, the integrity and security of the State” following the February 2008 attack by a coalition of opposition armed groups on the capital N’Djamena. They were arrested on 8 November 2010 in N’Djamena after returning to Chad as part of the implementation of a peace agreement signed with the Chadian government. The two presidential decisions followed Law N° 032/PR/2010, passed on 27 December 2010, authorizing the Chadian government to decide on matters that are the responsibility of the Chadian National Assembly, between 6 January and 4 March 2011.