



## Mission to Chad

### I. Introduction

1. Between 10<sup>th</sup> and 16<sup>th</sup> December roving Procap conducted a GPC support mission to the Protection Cluster in the Republic of Chad. This mission followed a request made by the Protection Cluster during a dialogue between the GPC Coordinator and the Protection Cluster Coordinator for Chad in October 2012, where issues were raised in relation to the Protection Cluster exit strategy and transition in Chad. Procap SPO conducted substantive consultations with Protection Cluster partners and stakeholders, which include UN agencies, international and national NGOs, government representatives and donors.

### II. Political and security context

2. In 2010, the improvement of relations between Chad and Sudan enabled the deployment of a joint border security force and the establishment of a security office to facilitate humanitarian operations after UN peacekeeping operation known as MINURCAT withdrew from the country. In 2011, the government ratified the Kampala Convention and signed an action plan with the UN to end the recruitment and use of children by the country's security forces. Yet, despite these engagements by December 2012 the government of Chad had not enacted national legislation to protect IDPs. In addition, Chad is currently facing an institutional and political crisis that constitutes an obstacle for sustainable development and results in endemic corruption and nepotism from the presidential clan. Civil society and unions are reported to be facing pressure and threats by the executive power. In November 2012 a presidential decision suspended union's right to demonstrate or meet publicly and human rights activists were reported facing threats including arbitrary arrests and detentions. Moreover, Chad is being surrounded by unstable neighbouring countries (Central African Republic, Nigeria, Libya and Sudan) and emerging regional dynamics threaten peace with increased proliferation of weapons and reinvigoration of rebel group.

### III. Humanitarian situation

3. For the past eight years the country has been affected by a set of crisis in relation to insecurity affecting its neighbouring countries, internal political crisis and natural disaster. In eastern Chad some 366,000 refugees arrived between 2004 and 2009 (288,000 from Darfur and 77,000 from Central African Republic). Between 2005 and 2010 internal political and security crisis resulted into the displacement of 170,000 peoples by a wave of inter-communal violence between Arab and non-Arab ethnic groups.
4. Climatic changes in the Sahel region and seasonal natural disasters resulted in chronicle humanitarian crisis (3.6 million peoples affected by draught and 500,000 by flood). Late onset and erratic rainfall registered across the Sahel belt of Chad during 2011 (50% of average rainfall) has impacted agricultural production and affected millions of Chadians<sup>1</sup>. In West and Central Chad, the combined effects of severe, cyclical natural shocks, high dependence on agro-pastoral production for subsistence and income, and a lack of access to basic services have sustained a humanitarian crisis characterized by high levels of food insecurity and chronic malnutrition. This climatic situation emphasized tribal conflict over natural resources between pastoral nomadic population and farmers, especially during the dry season from January to September.
5. In 2012 heavy rainfall resulted in floods that affected 500,000 peoples in the southern and central region of the country. In addition the lack of institutional capacity resulted in Chad being affected by chronicle epidemics (Cholera, meningitis and polio)<sup>2</sup>.

### IV. Protection situation

6. Despite the ratification by the Republic of Chad of various human rights instruments, national legislative reforms are still incomplete and supportive policies are not yet integrated into national institutions, especially with regard to IDP policy, Child Protection and SGBV. The government has no

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<sup>1</sup> According to FAO, 3.6 million peoples were affected by the food crisis in 2012. Across the Sahel belt, malnutrition rates chronically at the WHO emergency threshold of 15% global acute malnutrition (GAM) (UNICEF 24/02).

<sup>2</sup> In 2011 over 17,200 recorded cases of cholera and 459 deaths affected 17 of the 22 regions of the country.



legislation in place to protect IDPs, even though its responsibilities to do so<sup>3</sup>. The state has also failed to investigate allegations human rights violations by its own security forces, which include 286 alleged cases of sexual violence. In addition, parallel customary and religious system embeds state authority and human rights protection, especially in the eastern part of the country where sporadic conflict oppose civil authorities and traditional leaders. The outdated Civil Code, established by the French in 1958 has not been revised accordingly and grants almost no protection to women and children.

7. In 2010/11, Chad government granted priority to the implementation of durable solutions for IDPs, regardless of the decisions to return, integrate or relocate and stated its commitment to create the necessary conditions for return, local integration, or settlement elsewhere in the country so that internal displacement could end by December 2012. The Government agency CNARR estimates that 70,000 IDPs have already returned to their homes and 58,000 decided to remain in Goz Beida where they displaced. However, the structural and security conditions in areas of return or resettlement are being reported insufficient to ensure sustainable livelihood and protection for IDPs. The returnees and resettled population is reported lacking basic social services, the absence of rule of law and a functioning justice in return areas endanger durable solution. In addition, 3,000 individuals are still reported displaced and undecided for their best solution.
8. As mentioned before, climate change and conflict over natural resources between nomads and farmers affect the northern and eastern part of the country, especially around water and land during the dry season between August and January. This situation associated to the lack of governance, law enforcement and conflict mitigation measures by authorities in the affected regions, increased population vulnerability in particular women and children, and often results into sporadic displacement.
9. In addition, the 2011 Libya crisis has had a multidimensional impact on Chad. Over 87,000 migrants have been registered as returned to areas where criminality, food insecurity, poor basic services and unemployment prevail<sup>4</sup>. It is likely that a few more tens of thousands may have returned without having been registered as they are reporting to be part of minority groups living upon the border between the two countries and might face situation of statelessness<sup>5</sup>. The crisis and the closure of border between Libya and Chad in December 2012 led to a sharp decrease in remittances and reduced commercial links and loss of foreign investment in a fragile economy conducted cross border population into illegal and criminal activities.
10. Tension between the population and the executive power was mentioned by civil society agents who reported an increasing favoritism in the nomination of state representatives by the presidential clan and the high level of corruption by senior officials. Progresses that were made within the past three years with regards to civil and political rights have deteriorated for the past six months and civil society activists and union representatives were reported facing threats by civil and military officials especially in the eastern Ouaddaï region where human rights violations that include killings, arbitrary arrests and detentions were reported to be led by the regional Governor or "*Préfet de région*"<sup>6</sup>.

#### ***Mine and ERW***

11. Chad became a State Party to the Anti-Personnel Mine Ban Treaty in November 1999. Since 2004 Chad experienced a great number of conflicts and rebellions on most of its territory and borders, in particular its Northern and Eastern parts. Over 280,000 persons currently live in zones with presence of landmines and explosive remnants of war (ERW) that represent a permanent day-to-day danger. It obstructs the development of humanitarian and socio-economic activities in affected areas, freedom of movement, access to pastures, water-points, roads and economic hubs in areas where access to natural resources is already difficult for the most vulnerable. An important part of the known areas contaminated by mines are located in the *Borkou-Ennedi-Tibesti* (B.E.T) region in the North of the

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<sup>3</sup> In 2011 Chad ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala convention).

<sup>4</sup> IOM 12/2011.

<sup>5</sup> Some 55,000 Tebu tribal members originally from the Aouzou strip faced direct security threat in Libya and reportedly return to Chad since November 2011.

<sup>6</sup> Human rights NNGOs reported to the roving Procap the arrest, detention of at least twelve human rights activists ordered by Ouaddaï region Prefet, in addition in October 2012 the killing of two union representatives by members of the national army was not investigated by the state.



country where millions of square meters of mine-contaminated areas (minefields and sub-munitions strikes) exist. The contamination in the North is primarily a result of the Chadian-Libyan conflict and the 2011 Libyan crisis; whereas contamination in the East is related to the conflict in Darfur and internal insurrection and western Chad has been affected by attacks during the various rebellions. The nature of the contamination emanates from mixed minefields (with both anti-personnel and anti-tank mines) as well as significant UXOs contamination throughout the country. Victim surveillance systems are reported inadequate in all regions of Chad, the best available evidence indicates that the landmine problem in Chad has certainly been understated.

### ***Child Protection***

12. According to a national census conducted in 2009, 6.4 million or 59% of the Chadian population are below 18 year old. Children are particularly exposed to the effects of the chronicles emergencies in the country and vulnerability factors of family separation during displacement, family livelihood and lack of law enforcement reported to be high. Children have also been affected by the lack of governance and state presence in rural areas where birth registration is insufficient<sup>7</sup> and domestic violence reported to be high. Humanitarian agencies reported increased child exploitation, trafficking as well as early and force marriage within the population affected by the 2011 and 2012 food crisis. The lack of contingency measures and emergency preparedness by the state also resulted in high child death rates during natural disaster. Despite the implementation of an action plan to end the recruitment and use of children by the country's security forces, child recruitment and presence are still being reported within national security forces with the extreme population poverty constituting an aggravating factor. Child rights violations and abuses in situation of emergency including by state agents are reported being committed in total impunity and the national monitoring and reporting system reported lacking efficiency and coordination.

### ***SGBV***

13. SGBV affecting women and girls remains an important protection issue in Chad, domestic violence being a major concern with 1/5 women victim of physical violence and 12% by sexual violence and abuse<sup>8</sup>. In the eastern part of the country genital mutilations affect some 30% of the girls under 14 year old and 51% of the girls are forced to be married before 15. These described forms of violence are exacerbated by the lack of state authority and the influence of customary leaders, particularly active in the eastern part of the country.

## **V. Protection Cluster coordination and response**

### **a) Coordination structure**

14. Cluster system was initially established in 2007 in eastern Chad with its central coordination being based in Abeshe, capital city of the Ouaddaï region. Humanitarian coordination focused on the crisis affecting the eastern part of the country until 2009, when cluster's coordination was relocated to Ndjamen and amplified their geographical response to central and western Chad with the exception of the Protection Cluster that kept its focus on the IDP crisis in eastern Chad. Nowadays, five Clusters are activated in the country: Protection, Health, Nutrition, WASH and Early Recovery. The overall humanitarian coordination is co-lead since 2011 by OCHA and the Presidential Office "CONSAHDIS"<sup>9</sup>.
15. Since 2011, the Protection Cluster is co-lead between UNHCR and the National Commission of Assistance for Refugees and Repatriated or CNARR<sup>10</sup> with two active areas of responsibilities: Child Protection co-lead by UNICEF and the Ministry of Social Welfare (MoSW) and SGBV coordinated by UNFPA and co-lead by the MoSW, in addition UNMAS has a focal point within UNDP office who is leading mine action state capacity building with the Centre National de Déminage (National Center of Demining). Two Protection Sub-Clusters are located in Goz Beida, Farchana and Koukou.
16. Protection Cluster capacities are being reported low due to lack of protection mandated NGOs and lack of funding that faces UN agencies since the operational downsizing in 2011. UNHCR as

<sup>7</sup> Only 16% children under 5 have been registered at national for 9% in rural areas.

<sup>8</sup> Ministry of Women and Gender 2011.

<sup>9</sup> Coopération Nationale de Soutien aux Activités Humanitaires et du Détachement Intégré de Sécurité.

<sup>10</sup> Commission Nationale des Réfugiés et Rapatriés under the authority of the « *Ministère de l'Aménagement du Territoire* » (Ministry of Territory Administration).



Protection Cluster lead agency has limited coordination capacity and funding resources due to lack of funding and rotation of protection staffing.

**b) Protection response**

17. Protection Cluster response is relatively restricted due to the facts mentioned earlier (lack of protection mandated agencies and funding for protection sector) and has been limited to monitoring and support to the durable solution process for IDPs in the eastern Ouaddaï region. While other Clusters revised their geographical areas of intervention to humanitarian needs affecting other regions in the country including those affected by the food crisis and the 2012 flood, the Protection Cluster kept its focus on the eastern IDPs population, with the exception of the Child Protection Working Group that adapted its response according to the new emergencies.

***Transition and exit strategy***

18. Few progresses were made toward transition to national owned protection coordination and response. As mentioned before, the Protection Cluster is co-chaired between UNHCR and the CNARR. However, CNARR is fully dependant to UNHCR for its operational running cost. At the end of December 2012 UNHCR suspended its funding to cover the staffing cost for the National Refugee and Repatriated Assistance Commission (CNARR) for its IDPs related activities and no budget was previsioned by the « *Ministère de l'Aménagement du Territoire* » to take over.
19. UNDP is leading a project for institutional and social rehabilitation in Ouaddaï region with the support of the Human Security Trust fund<sup>11</sup>. Nowadays there is no UN Development Framework for Chad as the Government of the Republic of Chad has taken delay in the provision of its development strategy. However, UNDP is engaged into institutional resilience at national level through a two years interim framework, though, the institutional reforms activities faced difficulties on the governmental side that rejected the international consultants deployed to the country to work on anti-corruption programmes and imposed national consultants selected by the president cabinet.
20. In 2012, the « *Ministère de l'Aménagement du Territoire* » formed the « *Protection Civile* » to respond to emergencies affecting the country. Until now, this agency is not functional due to lack of budget and employees. The Protection Cluster advocated for protection mainstreaming within emergency preparedness and contingency planning, but has not received any positive interest from the agency direction.

***Durable solution for IDPs***

21. The 2011 and 2012 Consolidated Appeal Processes (CAP) integrated activities related to institutional capacity building for protection of IDPs, especially in the aspect of promoting a national legal framework for IDPs, however, the level of engagement by state authorities' remains low and the political and institutional crisis that faces the country affects the effort made by the Protection Cluster and the National Civil Society for building community resilience. INTERSOs INGO is currently conducting a profiling exercise funded by ECHO to analyse the protection situation, available social services and the level of integration for the return and resettled IDPs. Results of the survey are expected by February 2013. UNHCR through its implementing partners "Association pour la Promotion des Libertés Fondamentales au Tchad" (APCLJ)<sup>12</sup> conducts conflict mitigation and resolution programmes for the communities affected by the displacements in eastern Chad (returnees, resettled and host community).

***Protection of Civilian***

22. In 2008 the UN peacekeeping operation known as MINURCAT supported the implementation of the "Détachement Intégré de Sécurité"(DIS), a security force meant to protect Refugee's and internally displaced people in eastern Chad and secure humanitarian corridors. In May 2010, a joint programme UNHCR/UNDP took over from the mission that withdrew from the country and was responsible to select, train, advise and provide support to elements of the Chadian police force and Gendarmerie who take part in the "Détachement Intégré de Sécurité". In 2012 due to UNHCR lack of funding, financial support to this programme was extended to the all UN agencies and will be carried-on until 2015, and

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<sup>11</sup> This allocation of 3 million USD is supported by the Japanese Government.

<sup>12</sup> Association pour la Promotion des Libertés Fondamentales au Tchad



DIS elements progressively integrated within Police and Gendarmerie units, as part of the national Security Sector Reform programme.

### **SGBV**

23. GBV Working Group was implemented in Chad in 2008 with a focus on the eastern IDP crisis. Since 2011, the sub-cluster is co-lead with the Ministry of Women and Gender and has a presence in Ndjamena and in Goz Beida. In eastern Chad a joint programme UNICEF/UNDP/UNFPA supported by the Human Security Trust fund conducts activities of capacity building of police and justice institutions on GBV, psychosocial assistance and support to local protection committees. A five years national strategy was established in December 2011 by the Ministry of Social Affairs jointly with the GBV Working Group for conducting legal and institutional reforms on SGBV, though, no action plan was provided by the Ministry.

### **Child Protection**

24. UNICEF ensures the leadership of the Child Protection Working Group that works with seven Ministries at the national level on a four years Governmental Cooperation Programme 2012-2016: (i) Ministry of Social Action (Government focal point on Child Protection and CPWG co-lead), (ii) Ministry of Justice (legal reform, juvenile justice, birth certificates), (iii) Ministry of Territory Administration/CONSHADIS (Humanitarian Coordination), (iv) Ministry of Youth (special events, advocacy campaigns, trainings), (v) Ministry of Human Rights (national legislation, child trafficking, child labour), (vi) Ministry of Labour (child trafficking), (vii) Ministry of Defence (CAFFAG / MRM), (viii) Ministry of Economic Planning/Centre Nationale de Deminage (Mine Risk Education).
25. In May 2012, a Procap SPO was deployed for six months to establish a national Child Protection strategy. The strategy agreed upon by CPWG and governmental counterparts in November 2012 had a principal objective to “develop a 3 years inter-agency Child Protection strategy (2013-2015) with specific objectives to be: (i) Establish a national inter-agency Child Protection coordination under the hospice of the Ministry of Social Action that includes UN agencies, NGOs, civil society, humanitarian and development donors, other ministries, opinion leaders, (ii) Enhance coordination, communication and build capacity of CP actors on CPiE and promote good practices and standards, (iii) Advocate broadly on CP issues and solicit funding and improve resource sharing among partners, (iv) Strengthen Child Protection information management system (gather information, collect data and conduct joint assessments), (v) Create links with CPWG at global level, Protection Cluster and national CPWG, (vi) Strengthen the capacity of the Ministry of Social Action’s role to lead policy reform and CP response.

### **Mine Action**

26. Mine Action response was first established in 2008 as part of the UN Mission in the Central African Republic and Chad (MINURCAT). When MINURCAT withdrew at the request of the Chadian Government in late 2010, and following a series of meetings between the *Centre National de Déminage* (CND) and UNMAS, the Government of Chad formally requested that UNMAS continue providing mine action support in the country. UNMAS works with other UN and NGO partners in support of the priorities and objectives of the Chadian national authorities and with the CPWG on Mine Risk Education. In response UNMAS deployed a Senior Mine Action Specialist within UNDP country office.
27. The main operational objective for UNMAS in 2011 and 2012 was to provide support to facilitate manual clearance operations in Chad (eastern part of the country and the northern region of Tibesti affected by the Libyan crisis), with a view to: (i) provide protection to civilians in danger, (ii) contribute to the creation of a more secure environment, (iii) create favourable conditions for reconstruction and development, (iv) enable trade and the provision of humanitarian assistance, (v) enhance security conditions for the voluntary return of displaced people. In 2011, more than 30,000 square meters have been cleared in north-Eastern Chad, leading to the safe destruction of more than 2,500 landmines and some 1,800 Explosive Remnants of War (ERW). The operation was suspended in early 2012 due to a lack of funds. Currently a survey is being finalised and is due completion. The main activity of UNMAS in Chad is to assist in developing and maintaining a mine action operational capacity, implementing a national mine action work plan, establishing a liaison conduit with all relevant stakeholders in Chad, coordinating all mine action activities within the country with UNDP,



UNICEF and national authorities and assisting UNDP to strengthen the national capacity in order to reduce the risks and constraints affecting people's livelihoods. A three years initial strategy and planning was established with the Government of the Republic of Chad to ensure a sustainable national ownership.

**c) Challenges and gaps**

28. Chad is a challenging country in which to operate, with institutional disconnection on various levels. At the global level, Chad is not prioritised by Medias and donors, and humanitarian agencies acting in Chad feel that the country is simply "not on the map". At the regional level, Chad is targeted for assistance usually when challenges in neighboring countries negatively impact Chad. The country has experienced many phases of political instability and remains susceptible to tensions. Social, religious, and traditional obstacles also further complicate the landscape. Within Chad, there are great disconnects between N'Djamena and the humanitarian zones, the corruption affecting the governmental institution and the threat on civil society activists limited the national capacity for resilience.
29. The Protection Cluster capacity has also been limited lacking protection implementing partners, including in specific technical aspect (Child Protection, SGBV, and Mine Action). The geographical focus to the eastern part of the country for the general protection response diverted the Protection Cluster attention from other remnant protection issues and population affected by protection needs (as example: the central and southern region affected by drought and flood, and the northern part by the Libyan crisis). In addition, the Protection Cluster does not dispose of an effective information management system.
30. Despite effort made to respond to the Food Crisis that affected the country in 2011-2012, durable solutions for Chadian IDPs and refugees from Darfur and CAR have also been limited by a lack of national and international commitment, particularly in areas related to recovery and rehabilitation. The CAP appeal for humanitarian funds for 2012 only received 60 per cent of what was requested. Several sectors of assistance remained seriously underfunded, especially the protection sector that was only funded at ten per cent. The early recovery sector had not received substantial funding by December 2012 despite the intentions of the government and the humanitarian community to shift from relief efforts to recovery. Development actors are still reluctant to intervene in a country affected by corruption at its highest level. In the field of Mine Action response, current funding only allows for technical surveys and clearance in North Western Chad and some risk education amongst affected communities. Additional funding in the amount of US\$600,000 would enable the resumption of clearance in North Eastern Chad (Fada area) and US\$400,000 for coordination for 2013. Further funds will be necessary when the results of the mentioned survey are known. In addition, the position of the Senior Mine Action Officer is not secured to accompany the three years transitional process due to the same problem of funding.

**VI. Follow-up and recommendation**

31. As mentioned earlier, transitional process toward national coordination and response for protection initiated in the Chad between the Humanitarian Country and the Presidential Office CONSHADIS as well as between the Protection Cluster and CNARR. However, efforts must be made for building the national capacity for meeting the minimum required for a sustainable resilience. Based on the consultations conducted with the Protection Cluster and its partners in Chad the following recommendations were identified:
32. **To the Protection Cluster in Chad:** Based on the positive outcomes of the CPWG strategy planning the Protection Cluster must facilitate the establishment of a strategy to transit protection coordination. The process must include the deployment of a Procap SPO to assist the National Protection Cluster for the establishment of a national transition strategy<sup>13</sup> (i) the identification of the national capacity (National institution, civil society and affected communities), (ii) the organisation of a transition strategy planning workshop by March 2013, (iii) ensure cluster coordination remains an independent coordination mechanism and the coordinator a dedicated function that acts as a neutral representative of the cluster, (iv) building of national capacity a priority and provide support to national institutions

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<sup>13</sup> Roving Procap is assisting Chad Protection Cluster Coordinator to establish the Procap ToR.



to identify the key aspects of protection coordination and response (especially engaging more governmental stakeholders, other ministry focal points to participate in the cluster), (v) support the participation of NNGOs to funding processes, (vi) conduct national advocacies with the Humanitarian Country Team and the Government of the Republic of Chad to support the National Civil Society capacity, (vii) with the support of humanitarian donors conduct advocacy with development agencies and donors for the integration of protection environment building into the national development planning.

33. ***To the Global Protection Cluster:*** Based on the protection situation and challenges identified by the field Protection Cluster, the GPC should (i) pinpoint and mobilise adequate resources to support the establishment of transitional strategy and action plan, which include involve competent protection agencies and human resources, (ii) engage with humanitarian and development donors. (iii) raise awareness on Chad humanitarian and protection situation at global level, (iv) conduct lesson learnt on good practice for transition strategy planning and response, (v) identify applicable policies and tools for resilience, which include the establishment of resilience indicators as part of profiling exercise, human rights based approach for institutional and civil society capacity building, monitoring and evaluation, and transition benchmark and calendar. (vi) provide support to the Protection Cluster on information management.