



## Early to War Child Soldiers in the Chad Conflict

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# Map of Central and Eastern Chad



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## Summary

My son went to join the rebels when he was 14 years old. One day he didn't come home from school. All that night I couldn't sleep. I was thinking, where is he sleeping? Does he have any food? Was he killed on the road? In the morning I sent my daughter to his friends' houses and they told her that he'd gone off with one of his friends to join the rebels.

After the Guéréda battle [December 1, 2006] my son came home. He walked into the house, took off his rifle and his cartridge belt, washed his hands and feet and said his prayers. He thought he was a man but he was still a boy. I asked him where he'd been and he looked down and giggled, like he was ashamed. I asked him, "Why did you leave? I never yelled at you. If you needed something I would have given it to you." He said he left because his family members were being killed, so he was obliged to become a soldier. I said, "Isn't that rifle heavy? You can barely lift it." He said, "It's not heavy." I said, "That rifle's so big it's going to split your chest." Since that day he hasn't been back home. He said I talk too much.

—Aisha, a 38-year-old woman in Guéréda whose 14-year-old son joined the FUC rebels in 2006

When Aisha (not her real name) spoke to Human Rights Watch in March 2007, she might have had reason to believe that her son would soon set aside his rifle and return home. After all, the rebel group her son had joined, the *Front Uni pour le Changement* (United Front for Change, FUC), had signed a peace treaty with the Chadian government in December. Peace, however, did not bring security, and the December 2006 peace accord actually put pressure on FUC rebels to increase recruitment. In January Aisha sent her 20-year-old son to retrieve his younger brother from the FUC ranks, but he too joined the rebels. Now she fears that she may have lost both of her sons to a conflict so greedy for foot soldiers that boys and even girls have come to be considered soldier material.

The Chadian National Army (*Armée Nationale Tchadienne*, ANT) is struggling to defeat a Chadian rebel insurgency. In the fall of 2006 both the government and the rebels turned to the recruitment of children as a matter of military survival. Children as young as eight serve as fighters, guards, cooks, and lookouts on the front lines of the conflict.

In some areas of eastern Chad the political dynamics of the Chad conflict intersect with localized inter-ethnic tensions and violence. Children escaping rampant insecurity sometimes fled directly into the ranks of paramilitary groups such as the FUC (FUC forces are concentrated in Dar Tama, a department in northeastern Chad where a climate of generalized insecurity has led to violent attacks against civilians). In December 2006, the Chadian government made peace with the FUC, hitherto one of its most formidable rebel opponents. But by agreeing to contribute many more soldiers to the government army than it had under arms, the FUC was obliged to conduct aggressive manpower drives. Insecurity in Dar Tama continued to drive many children to seek safety in the ranks of the FUC, including schoolchildren. But at the same time, active recruitment on the part of the FUC, including promises of money, pulled children into the group. Human Rights Watch does not have evidence of ongoing recruitment of children on the part of the FUC, but girls and boys continue to serve in the FUC, and some children have fought alongside adult soldiers as combatants.

Since May 2007 both the Chadian government and the FUC have been cooperating with the United Nations Children's Fund (UNICEF) to identify and demobilize child soldiers in their ranks. While this is to be applauded, questions remain about the extent to which the government's stated commitment to these efforts is being translated to the field level, and interviews with ANT commanders indicate that Chadian military personnel may attempt to exclude children from the demobilization process. In this light, it is perhaps noteworthy that of the 413 children demobilized from Chadian government military installations since May, all were former FUC fighters. Chad's Ministry of Defense has promised UNICEF access to Chadian military installations, but UNICEF has only been able to visit a single military base since May. Requests by UNICEF for access to two other sites had not been granted at this writing.

Human Rights Watch believes the demobilization underway cannot be considered comprehensive unless it is consistently applied and enforced throughout the

Chadian military apparatus, including in the paramilitary forces that serve as Chadian government proxies, such as village-level self-defense forces and Sudanese rebel groups. Access to all military installations must become a reality, and international child protection officials must be able to make spot inspections on all Chadian military bases and camps, including in frontline areas and among armed groups that are affiliated with the Chadian government, be it formally or informally. Even with rehabilitation and reintegration programs that are specifically tailored to the needs of children, demobilized child soldiers will be at significant risk of re-recruitment as long as the rule of the gun remains unchallenged in eastern Chad.

France has taken the lead on pressuring the government of Chad to demobilize its child soldiers, but other countries with an interest in Chad, particularly those that cooperate militarily with Chad, such as the United States, must make similar efforts to press for the respect of international humanitarian and human rights law in Chad, including the immediate demobilization of child soldiers.

A United Nations protection mission has been proposed by the United Nations Security Council for deployment to eastern Chad, but the proposal has met persistent opposition from Chadian government officials. An international protection mission for civilians in eastern Chad would represent a significant step toward bringing security to violent and volatile areas where children have been recruited into armed groups and where they continue to serve in roles that international law restricts to adults.

## Methodology

This report draws on field work conducted over the course of four Human Rights Watch research missions to conflict zones of eastern Chad since January 2006.<sup>1</sup> Human Rights Watch researchers have noted the use of child soldiers in the Chadian National Army (ANT), ANT-integrated rebel forces (namely the FUC), village-level self-defense forces, and two Sudanese rebel movements: the Justice and Equality Movement (JEM) and the G-19 faction of the Sudanese Liberation Army (SLA). Each of these armed groups acts in defense of the Chadian government, yet this report will focus primarily on the use and recruitment of child soldiers by the ANT and the FUC. It does not encompass Chadian rebel groups actively fighting the Chadian government.

All child soldiers referred to in this report are male unless specifically identified as female. A child is considered to be anyone under the age of 18.

Due to the sensitive nature of the research, Human Rights Watch has withheld the names of most interview subjects, as well as contextual information such as military rank or interview location when such information might compromise a source's identity. Sources inside the Chadian military insisted on strict conditions of confidentiality and secrecy, eschewing mobile phones for fear of surveillance and arranging meetings via third parties. In some cases pseudonyms have been used to conceal the identity of interview subjects.

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<sup>1</sup> See Human Rights Watch, *Darfur Bleeds: Recent Cross-Border Violence in Chad*, no.2, February, 2006, <http://www.hrw.org/backgrounder/africa/chado206/>; Human Rights Watch, *Violence Beyond Borders: The Human Rights Crisis in Eastern Chad*, no. 4, June 2006, <http://www.hrw.org/backgrounder/africa/chado606/>; Human Rights Watch, *They Came Here to Kill Us: Militia Attacks and Ethnic Targeting of Civilians in Eastern Chad*, vol. 19, no. 1(A), January 2007, <http://hrw.org/reports/2007/chado107/>.

## Recommendations

### To the Government of Chad

- Immediately end all recruitment of persons under age 18, whether for use as combatants, cooks, porters, messengers, guards, or for any other military purpose;
- Demobilize all children under age 18 from all Chadian National Army (ANT) forces, including self-defense militias and all other paramilitary groups receiving Chadian government support, and transfer them to their families or to appropriate child protection agencies;
- Ensure that all forces under the control of the Chadian government are reminded that recruitment and use of children as soldiers is illegal, and that recruitment and use of children under the age of 15 as soldiers is a war crime that will be prosecuted;
- Investigate whether war crimes, including the recruitment and use of children under 15 as soldiers, have occurred in Chad since the Rome Statute of the International Criminal Court entered into force in Chad on January 1, 2007;
- Establish appropriate procedures for prosecuting any local or regional commanders who recruit children to act as soldiers or who do not immediately release children;
- Give all adults recruited into the ANT before age 18 the option to leave ANT forces;
- Cooperate with UNICEF and other national and international monitors to ensure compliance with commitments to end the recruitment and deployment of child soldiers;
- Provide international agencies such as the ICRC, UNICEF, OCHA, and OHCHR full and unhindered access to all military camps and installations for verification purposes, including bases and training camps at N'Djamena, Koundoul, Moussouro, Fada, Biltine and Am Timan, and to frontline troops in and around Adré and throughout eastern Ouaddai region;
- Allow international humanitarian observers to conduct spot inspections at all military camps and installations;

- Fully cooperate with all efforts to rehabilitate demobilized child soldiers, including their reintegration back into their home communities;
- Formalize the inclusion of the FUC and paramilitary groups such as self-defense forces into the ANT, and partner with agencies including the ICRC, UNICEF, OCHA, and OHCHR in this process; and
- Immediately release all prisoners of war under age 18 to the care of the appropriate agencies, and allow national and international human rights monitors unhindered access to facilities where children may be detained.

## **To the FUC**

- Immediately end all recruitment of persons under 18, whether for use as combatants, cooks, porters, messengers, guards, or for any other military purpose;
- Demobilize children under age 18 from all armed forces, and transfer them to their families or to appropriate child protection agencies;
- Ensure that all FUC forces are reminded that recruitment and use of children as soldiers is illegal, and that recruitment and use of children under 15 as soldiers is a war crime that will be prosecuted;
- Establish appropriate procedures for reporting for the purpose of investigation and prosecution any local or regional commanders who recruit children or who do not immediately release children;
- Speedily complete the integration of all FUC units into the traditional channels of command and control in the ANT;
- Cooperate with UNICEF and other national and international monitors to ensure compliance with an end to the recruitment and deployment of child soldiers, and provide international agencies such as the ICRC, UNICEF, OCHA, and OHCHR full and unhindered access to all military installations and forces for verification purposes, including permitting observers to make spot inspections;
- Provide international agencies such as the ICRC, UNICEF, OCHA, and OHCHR full and unhindered access to all military camps and installations for verification purposes, including bases and training camps at Guéréda, Aramkolle, Birak, Bali, and Dakhalaka;

- Allow international humanitarian observers to conduct spot inspections at all military camps and installations; and
- Fully cooperate with all efforts to rehabilitate demobilized child soldiers, including their reintegration back into their home communities.

## **To UNICEF**

- Use all available means to enhance cooperation with the government of Chad in identifying all persons under age 18 in armed forces and groups, and in facilitating their transfer to appropriate rehabilitation programs;
- Work with local communities and local nongovernmental organizations in order to effectively monitor child recruitment, put in place effective prevention strategies, and support the reintegration of children into their communities;
- Strengthen appropriate coordination mechanisms including information sharing with other multilateral, international, and local organizations working on this issue;
- Establish a UNICEF field office in Guéréda;
- Take into account the specific needs of girls, former child soldiers who have attained the age of majority, and other vulnerable youth who may be marginalized from existing processes; and
- To reduce risks of re-recruitment of child soldiers, devote resources to reintegration and follow-up activities including psychosocial support, family tracing and reunification, and education and vocational training.

## **To the Government of the United States**

- Make all military assistance and cooperation, including the pending sale of C-130 aircraft, contingent on the Chadian government's continued progress toward demobilizing child soldiers and preventing their re-recruitment, and establish a monitoring mechanism to track progress;
- Pass the bill pending before the US Senate entitled the Child Soldiers Prevention Act of 2007 (S. 1175), making governments involved in the recruitment or use of child soldiers ineligible for some US military financing, training, or arms transfers; and

- Appoint a special envoy to Chad to ensure that US efforts to protect civilians in Darfur neither ignore nor contribute to violations of international humanitarian and human rights law in Chad.

### **To the Government of France**

- Partner with the Chadian military as observers, specifically to monitor violations of international humanitarian and human rights law.

### **To the European Union**

- Approve the deployment of an international protection mission to eastern Chad, as set forth in Human Rights Watch's February 21, 2007 briefing paper "Ensuring Civilian Protection in Chad: The Proposed UN Mission."

### **To the United Nations Security Council**

- Urge the Chadian government and the FUC to immediately end all child recruitment and to demobilize all children from their forces;
- Ensure that the Security Council Working Group on Children and Armed Conflict closely monitors the recruitment and use of child soldiers in Chad, and recommends appropriate steps if adequate progress is not achieved;
- Have local N'Djamena missions of Security Council members meet with the Chadian government to insist on progress in the demobilization of children, in accordance with Security Council resolutions on children and armed conflict; and
- Approve the deployment of an international protection mission to eastern Chad, as set forth in Human Rights Watch's February 21, 2007 briefing paper "Ensuring Civilian Protection in Chad: The Proposed UN Mission."

### **To the Donor Community**

- Ensure that financial commitments for demobilization, rehabilitation, and reintegration programming for child soldiers in Chad are adequate and sustained.

## Background

### The Chad conflict

Chad has never seen a peaceful transfer of power, and nearly 50 years after gaining independence from France, coup d'état remains the primary means of changing governments in the country. Anti-government armed opposition in its current iteration was catalyzed by a June 2005 act of parliament that allowed Chadian president Idriss Déby Itno, an unpopular autocrat, to stand for a third consecutive term in office<sup>2</sup> despite repeated promises to step down.<sup>3</sup>

Since he seized power in a 1989 coup, President Déby has maintained a measure of control over Chad's volatile political environment in part by appointing members of his Zaghawa ethnic group<sup>4</sup> to key positions in government and the armed forces. However, Déby's handling of the state apparatus, in particular his jealous control of Chad's newfound oil wealth,<sup>5</sup> increasingly alienated him from his Zaghawa support base, to say nothing of the wider public. In May 2004 an attempted palace coup was engineered by members of Déby's Bideyat Zaghawa subclan, and beginning in

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<sup>2</sup> On June 6, 2005, voters approved changes to Article 61 of the 1996 Constitution, which held that "the president of the republic is elected for a mandate of five years by direct universal suffrage. He is only re-eligible once" [translated from French]. Constitution de la République de Tchad 1996, <http://www.cefod.org/Fichiers%20web/Constitution%20Tchadienne.html> (accessed June 22, 2007). See also, "Tchad: adoption de la réforme de la constitution," Xinhua, June 22, 2005, [http://www.french.xinhuanet.com/french/2005-06/22/content\\_130736.htm](http://www.french.xinhuanet.com/french/2005-06/22/content_130736.htm) (accessed June 22, 2007). Déby won presidential elections in 1996 and 2001.

<sup>3</sup> In a June 4, 2001 interview with *Le Monde Online*, President Déby said, "I will not be a candidate at the 2006 presidential election. I will not change the Constitution even if I were to have a 100% majority" [translated from French]. "Idriss Déby, président de la République du Tchad – 'Il me reste à préparer le Tchad à l'alternance,'" *Le Monde*, June 5, 2001. Déby was elected to a third term in elections held in May 2006. "Chad leader's victory confirmed," *BBC News Online*, May 14, 2006, <http://news.bbc.co.uk/1/hi/world/africa/4771383.stm> (accessed December 26, 2006).

<sup>4</sup> Nomadic and semi-nomadic non-Arab ethnic group from Dar Zaghawa, which spans eastern Chad and North Darfur. Although a minority in Chad (Zaghawa constitute only 1 percent of the country's population) and in Darfur, Zaghawa are prominent in the Darfur rebel movements and in the Chadian government and armed forces. Approximately 100,000 Sudanese Zaghawa live in Sudanese refugee camps in eastern Chad. The Office of the United Nations High Commissioner for Refugees (UNHCR), "Ethnicity of Sudanese refugees – Eastern Chad," January 2006; UNHCR, "Registered Refugee Camps Populations: Eastern Chad," May 31, 2007, [http://www.reliefweb.int/rw/fullMaps\\_Af.nsf/luFullMap/3804677265314192852572FF004F1BA9/\\$File/unhcr\\_IDP\\_tcd070616.c.pdf?OpenElement](http://www.reliefweb.int/rw/fullMaps_Af.nsf/luFullMap/3804677265314192852572FF004F1BA9/$File/unhcr_IDP_tcd070616.c.pdf?OpenElement) (accessed July 11, 2007).

<sup>5</sup> Chad's oil exports generated US\$1.7 billion in total revenue between 2003 and the first quarter of 2007—a heady period for the price of oil that was reflected in Chad's GDP growth, from \$1.4 billion in 2000 to \$5.5 billion in 2005. World Bank, "Chad Data Profile," <http://devdata.worldbank.org/external/CPPProfile.asp?PTYPE=CP&CCODE=TCD> (accessed June 29, 2007); World Bank, "Chad Oil Revenues and Allocations," May 1, 2007, <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/EXTREGINI/EXTCHADCAMPIPELINE/o,,contentMDK:21350674~pagePK:64168445~piPK:64168309~theSitePK:843238,00.html> (accessed June 29, 2007).

October 2005 previously loyal members of the president's inner circle defected en masse to armed opposition movements based in Darfur, Sudan.

In late 2005 and early 2006, Chadian rebel groups gathered strength in Darfur, where they enjoyed the sponsorship of the Sudanese government, which has a history of backing Chadian insurgent groups at levels that fluctuate over time and according to strategic exigencies.<sup>6</sup> The Chadian rebellion coalesced around powerful clan leaders, often along ethnic lines, and rebel groups variously entered into and broke a series of military alliances that resulted in a dizzying succession of groupings (and acronyms). At the outset of the rebellion the two strongest rebel groups were the *Front Uni pour le Changement* (United Front for Change, FUC), made up primarily of ethnic Tama<sup>7</sup> fighters, and the *Socle pour le Changement, l'Unité et la Démocratie* (Platform for Change, Unity and Democracy, SCUD) and its offshoot the *Rassemblement des Forces Démocratiques* (Rally of Democratic Forces, RaFD), both made up of mostly Zaghawa deserters from the Chadian government and armed forces, including Bideyat Zaghawa subclan leaders and members of Déby's immediate family.<sup>8</sup>

Beginning in December 2005, FUC leader Mahamat Nour Abdelkarim<sup>9</sup> propelled his forces into a series of daring but unsuccessful raids against Chadian government positions, culminating in a disastrous attempt to seize N'Djamena, the capital, in April 2006. In November Khartoum withdrew its support for the FUC in favor of the *Union des Forces pour la Démocratie et le Développement* (Union of Forces for Democracy and Development, UFDD), a rebel faction under the leadership of Mahamat Nouri (no relation to Mahamat Nour).<sup>10</sup> While Nouri's UFDD was laying

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<sup>6</sup> Chadian rebels backed by Khartoum seized power in Chad in 1982, bringing Hissène Habré to power, and again in 1989, when Habré was deposed by Idriss Déby. Human Rights Watch, *They Came Here to Kill Us*, pp. 13, 15.

<sup>7</sup> Non-Arab tribe in Dar Tama in northeastern Chad and in West Darfur. Chadian Tama have historical ties with Chad's Arab tribes. They are sedentary farmers who cultivate millet, beans, cucumbers, gumbo, and sesame. Some Tama raise livestock.

<sup>8</sup> The RaFD is an influential Zaghawa splinter group led by two of President Déby's Bideyat Zaghawa nephews, Tom Erdimi (formerly Déby's head of cabinet and coordinator of Chad's oil development), and his brother Timan Erdimi (former director of Cotontchad, Chad's cotton parastatal).

<sup>9</sup> Nour helped bring Idriss Déby to power in a 1989 coup but entered armed opposition to Déby's rule shortly thereafter.

<sup>10</sup> Mahamat Nouri, an ethnic Goran from the Anakaza subclan, formerly served as Chad's minister of defense and then ambassador in Saudi Arabia until defecting following the May 2006 elections. Roy May and Simon Massey, "Chad: Politics and Security," *Writenet Independent*, May 2007, <http://www.unhcr.org/home/RSDCOI/46384cde2.pdf> (accessed June 29, 2007), p. 10.

siege to strategic towns in eastern Chad in late 2006,<sup>11</sup> the FUC's Nour was suing for peace at talks in Libya.<sup>12</sup>

By January 2006 the Sudanese government's support of the Chadian rebels, and the Chadian government's reciprocal sponsorship of Sudanese rebels, had tilted the two countries into a dangerous proxy conflict. Despite subsequent gestures toward detente, Chad and Sudan continue to back proxy forces at this writing.<sup>13</sup> The government of Chad has been attending peace talks brokered by Libya in a bid to end the insurgency, but on July 2, 2007, Chadian rebels threatened to return to all-out hostilities due to a lack of progress.<sup>14</sup>

## The December 24, 2006 Peace Agreement

On December 24, 2006, the FUC and the Chadian government signed a peace accord, which extended general amnesty to all FUC soldiers and called for the "creation of the conditions" for the integration of FUC soldiers into the Chadian National Army (*Armée Nationale Tchadienne*, ANT) within three months of the effective date of the agreement. The accord also ensured the participation of FUC officials in the management of the business of the Chadian state.<sup>15</sup> On March 4, 2007, FUC leader Mahamat Nour Abdelkarim was named Chad's minister of defense<sup>16</sup> and on March 29, 2007, Gen. Abdullah Gok, a FUC field commander who had served alongside Mahamat Nour in Sudanese-government sponsored counterinsurgency operations in

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<sup>11</sup> The UFDD attacked and temporarily held Goz Beida on October 23, Am Timan on October 24, Abéché on November 25, and Biltine on December 8.

<sup>12</sup> Libyan president Mu`ammar al-Qadhafi offered \$5.5 million in cash as incentive for Nour to reach an accommodation. Human Rights Watch interviews with FUC officers and western intelligence officials, January and March 2007. Qadhafi's son and heir apparent, Saif al-Islam al-Qadhafi, is said to maintain close ties with the Sultan of Dar Tama, who is a member of the Oroguk subclan of the Tama, as is FUC leader Mahamat Nour. Human Rights Watch interviews with Tama traditional leaders, February to June, 2007.

<sup>13</sup> Khartoum was actively recruiting Chadian opposition figures into insurgent groups as of June 2007. Human Rights Watch telephone interviews with Chadian rebels in Paris, France, June 19, 2007. Chad has deepened its ties with JEM, which recruits aggressively in majority-Zaghawa refugee camps in eastern Chad, such as Am Nabak and Oure Cassoni. Human Rights Watch telephone interviews with Sudanese rebel in N'Djamena, Chad, June 12 and 27, 2007.

<sup>14</sup> "Chad rebels warn of return to war if Libya talks fail," Reuters, July 2, 2007, [http://www.reuters.com/article/homepageCrisis/idUSLo2113583\\_CH\\_.2400](http://www.reuters.com/article/homepageCrisis/idUSLo2113583_CH_.2400) (accessed July 8, 2007).

<sup>15</sup> See Annex I.

<sup>16</sup> "Chad ex-rebel leader gets top job," *BBC News Online*, March 5, 2007, <http://news.bbc.co.uk/2/hi/africa/6418743.stm> (accessed May 8, 2007).

Darfur,<sup>17</sup> was named deputy general secretary of the Gendarmerie Nationale.<sup>18</sup> Other FUC officials to take positions in the Chadian government include Ismael Idriss and Longa Gong Raoul, secretary of state for foreign relations and secretary general in charge of the Executive National Assembly, respectively.<sup>19</sup> While Mahamat Nour has taken up residence in a villa in N'Djamena, along with a substantial security detail, Abdullah Gok remains in Guéréda, the FUC's stronghold in northeastern Chad. Both Nour and Gok maintain command of FUC units, in spite of their status as Chadian government officials.

The ongoing use and recruitment of child soldiers in the FUC falls under state responsibility as of March 4, 2007, when the first FUC officials accepted positions in the Chadian government. At the same time, the extent to which FUC soldiers are currently being integrated into the ANT as foreseen by the December 2006 peace accord remains difficult to assess. While a group of FUC soldiers reported to the Chadian government's ANT training center at Mongo in February, the FUC maintains a substantial military presence in Guéréda. Of the FUC units in Guéréda, some have conducted joint operations with ANT units, while others have not. Based on Human Rights Watch's observations in the field, both the former and the latter groups have remained under FUC command and control, well outside of traditional ANT channels.

Shortly after the December 2006 peace accord was signed, FUC units were deployed to the Chad-Sudan border to meet the threat posed by Chadian rebels with the SCUD and the RaFD.<sup>20</sup> President Déby's divide-and-rule strategy, perfected over the course of 18 years of factionalist rule, was in evidence as his former adversaries squared off against one another.

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<sup>17</sup> Human Rights Watch interview, ANR leader, Paris, France, April 3, 2007.

<sup>18</sup> Human Rights Watch interviews with Tama community leaders, Guéréda, Chad, March 2007.

<sup>19</sup> "Chad ex-rebel leader gets top job," *BBC News Online*.

<sup>20</sup> The SCUD operates in Koulbous, Bali, and Djimeza al-Hamra. Though severely compromised as a military force following military defeats in late 2006, the SCUD's mostly Bideyat Zaghawa makeup makes it a serious political threat to Déby. The RaFD, based outside of Geneina in West Darfur, seized Guéréda on December 1, 2006.

## Insecurity in Dar Tama

Dar Tama is one of three administrative departments in Wadi Fira, a region in northeastern Chad. The department capital is Guéréda, 165 kilometers northeast of Abéché. The traditional homeland of the Tama people, Dar Tama is home to a significant minority of ethnic Zaghawa who arrived in the region during the Sahelian drought of the 1980s. The Tama and the Zaghawa are both Muslim, non-Arab ethnic groups that can be found on both sides of the Chad-Sudan border.

Livestock raids by small bands of Zaghawa gunmen mounted on horses or camels led to communal tensions with the Tama, which worsened considerably after Idriss Déby came to power in 1989. Déby installed Zaghawa officials in ranks of local government and police in Dar Tama, and these officials did little to protect Tama civilians or to pursue prosecutions for Zaghawa raids against Tama villages. The climate of impunity helped inspire majority-Tama rebel movements such as the *Alliance Nationale de la Résistance* (National Resistance Alliance, ANR) in 1994<sup>21</sup> and the FUC, which emerged from an ANR splinter group in 2005.

Inter-ethnic tensions between the Tama and the Zaghawa exploded in the second half of 2006, when dozens of Tama civilians were killed and thousands displaced in attacks by Zaghawa militias against Tama villages.<sup>22</sup>

On December 13, 2006, almost two weeks before the FUC agreed to peace terms with the Chadian government, FUC units abandoned their hideouts in West Darfur and eastern Chad and took control of the streets of Guéréda.<sup>23</sup> After nearly 20 years of Zaghawa control over Dar Tama, the power dynamic in the region was suddenly inverted. Almost immediately, civilians in Guéréda were being stopped by FUC rebels

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<sup>21</sup> The ANR was founded by Mahamat Garfa, an ethnic Tama who signed a January 2003 ceasefire and now serves as Chad's minister of mines. The ANR continued to exist under the ANR's former spokesperson, Mahamat Abbo Sileck. In October 2005 the ANR's military commander, Mahamat Nour Abdelkarim, formed the RDL, taking with him many former ANR combatants. See Human Rights Watch, *They Came Here to Kill Us*. On December 28, 2005, the RDL and seven other Chadian anti-government armed groups created the FUC. "Chad: Rebels on Outskirts of Chadian Capital, President Claims Everything 'Under Control,'" *Global Insight*, <http://www.globalinsight.com/SDA/SDADetail3008.htm> (accessed June 21, 2007).

<sup>22</sup> See Human Rights Watch, *They Came Here to Kill Us*, pp. 25-35.

<sup>23</sup> The first FUC units arrived in Guéréda on the afternoon of December 13, 2006. Human Rights Watch interview with Tama man, Guéréda, Chad, March 21, 2007.

and asked to reveal their ethnic identity; Zaghawa civilians accused of anti-Tama sentiment were subject to arrest; and local authorities received death threats.<sup>24</sup>

By January 2007, between 1,200 and 1,500 FUC rebels had taken up position in and around Guéréda, and FUC vehicles mounted with heavy weapons and overflowing with rebel combatants ruled the roads. At the same time, Zaghawa militias continued to raid Tama villages in the eastern reaches of Dar Tama. On January 28, seven Tama civilians were killed and 200 homes were burned when Zaghawa militias attacked a cluster of predominantly Tama villages between Am Zoer and Biltine. The next day a FUC convoy was ambushed by Zaghawa militias southeast of Guéréda, resulting in more than 30 FUC soldiers killed and 41 wounded, along with at least 20 civilians,<sup>25</sup> part of a pattern of operations by SCUD rebels that inflicted appalling casualties on ANT and FUC forces.

The FUC's decision to establish a military camp 5 kilometers south of Kounoungo camp, a United Nations (UN)-supervised refugee camp that is home to 13,315 Sudanese refugees, worsened ethnic tensions inside of Kounoungo. About 50 percent of the refugees at Kounoungo are Zaghawa, and nearly 25 percent are Tama. Approximately 100 Chadian Tama families registered as refugees when the camp was originally incorporated, and many have family ties with locally recruited FUC soldiers. One result is that FUC soldiers frequent the camp to visit relatives, often bearing arms and in uniform.<sup>26</sup> Zaghawa refugees at Kounoungo camp complained to Human Rights Watch of intimidation and harassment at the hands of the FUC throughout the first three months of 2007, including attempted rapes.<sup>27</sup> Zaghawa refugees began to leave Kounoungo camp for UN-supervised camps in the Guéréda area such as Mile and others in the wider region such as Touloum and Irdimi.<sup>28</sup> On March 25, 2007, shortly after President Déby visited the camp with promises of

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<sup>24</sup> Human Rights Watch interview with confidential informant, Chad.

<sup>25</sup> Confidential communication on file with Human Rights Watch.

<sup>26</sup> Human Rights Watch interview with confidential informant, Chad, March 2007. Although exact figures are not available, a significant number of Tama from local communities have taken refuge at Kounoungo camp in the past year. Human Rights Watch interviews with Zaghawa camp residents, March 2007.

<sup>27</sup> Confidential communication on file with Human Rights Watch.

<sup>28</sup> Confidential communication on file with Human Rights Watch.

increased security, FUC militants attacked Zaghawa refugees in the camp, beating five so badly that they had to be evacuated to Guéréda hospital.<sup>29</sup>

“It’s dangerous for us here,” said a Zaghawa refugee at Kounoungo camp. “Every market day [FUC soldiers] arrive here in uniform, with their guns.”<sup>30</sup>

Many of the abuses against Zaghawa civilians in Dar Tama have been attributed to dissident factions of the FUC that are not responsive to the command and control of the FUC’s senior leadership, to say nothing of the ANT and the civilian leadership in N’Djamena. Zaghawa community leaders in Dar Tama told Human Rights Watch that militant factions of the FUC have been responsible for the deaths of 15 Zaghawa civilians (none of them inside refugee camps) between December 2006 and February 2007, including one woman.<sup>31</sup> General Gok controls a powerful dissident FUC faction in the Guéréda area. Gok, who has a reputation for volatility even among his fellow FUC soldiers, has been accused of summarily executing three FUC rebels on March 6, 2007, for refusing his orders to disarm.<sup>32</sup>

Many Tama in Guéréda sympathize with dissident factions of the FUC, and their agenda of avenging previous abuses against the Tama by Zaghawa militias.<sup>33</sup> Ethnic animus among the Zaghawa appears to be elevated as well. A Zaghawa resident of Kounoungo camp told Human Rights Watch that Zaghawa rebels from both Chad and Sudan had visited the camp since December, prepared to take up arms against the Tama in defense of their ethnic kin. “They are saying, ‘We must kill the Tama,’” he

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<sup>29</sup> Human Rights Watch interviews, Chad, March 25-27, 2007.

<sup>30</sup> Human Rights Watch interview, Kounoungo camp, Chad, March 18, 2007.

<sup>31</sup> The Zaghawa leaders provided Human Rights Watch with a list of 51 names of Zaghawa people who had been killed by the FUC since December. Upon further questioning by Human Rights Watch, it was revealed that all but 15 of the dead on the list were killed while taking part in attacks against FUC forces. One of the Zaghawa leaders, who described himself as a “Zaghawa Janjaweed,” told Human Rights Watch that Zaghawa militias had received weapons from SCUD leader Isaakha Diar. Human Rights Watch interviews, Mudré, Chad, March 2007. Two other Zaghawa sources with knowledge of the disposition of SCUD forces said that the SCUD possesses sizable stockpiles of weapons but lacks men. Human Rights Watch interviews, Abéché, Chad, March 23, 2007

<sup>32</sup> The same source reported that the next day Gok was wounded and a man standing next to him was killed by a family member of one of the deceased. Human Rights Watch interview with Tama community leader, Dar Tama, Chad, March to April 2007.

<sup>33</sup> Human Rights Watch interview with Tama community leaders, various locations, Chad and France, March to April 2007.

said. “It’s coming time of ethnic war—groups of Zaghawa and Goran<sup>34</sup> against the Tama. There is no safety in Dar Tama.”<sup>35</sup>

## Broader recruitment and use of child soldiers

The FUC is not the only Chadian government-allied paramilitary group that is known to Human Rights Watch to have recruited and used child soldiers. Human Rights Watch has observed the use of child soldiers in village-level self-defense forces and Sudanese rebel groups, both of which have received Chadian government support.

In the fall of 2006, the government of Chad incorporated village-level self-defense militias into the ANT in areas where the ANT presence was particularly weak, such as the volatile Dar Sila department of southeastern Chad.<sup>36</sup> Since January 2006 Human Rights Watch researchers have observed the use of apparently underage soldiers in self-defense forces in Goungour, Borota, and Koloy, and we have documented the use of child soldiers in self-defense forces in Modoina, Tiero, and Dogdoré, all in Dar Sila. The use of children is widespread among paramilitary groups, which make up a growing percentage of Chadian government forces, according to official figures.<sup>37</sup>

Sudanese rebels from the Justice and Equality Movement and the G-19 faction of the Sudanese Liberation Army are also backed by the Chadian government and are also known to incorporate children into their ranks. In March 2006, a Human Rights Watch research mission revealed that Sudanese rebels from the G-19, working in cooperation with Chadian government officials, forcibly recruited 4,700 refugees,

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<sup>34</sup> Non-Arab ethnic group mainly from northern Chad, but also Sudan, Libya, and Niger. Most are nomadic herders; others are semi-nomadic.

<sup>35</sup> Human Rights Watch interview, Kounoungo camp, March 18, 2007.

<sup>36</sup> According to Public Security Minister Gen. Routovans Yoma Golom, the ANT has incorporated self-defense militias from Dar Sila into the ANT, including 200 from Koukoun-Angarana, 700 from Koloy and 200 from Kerfi, all in southeastern Dar Sila department. Golom said the recruits were issued uniforms and weapons, trained in Goz Beida and transferred to Mongo. Audio recording by Sonia Rolley, *Radio France Internationale*, January 7, 2007.

<sup>37</sup> ANT forces numbered 17,000-20,000 by the end of 2006, down from 25,000 for the period 2001-2005, though the ranks of paramilitaries increased from 4,500 to 9,000 over the same period. International Institute for Strategic Studies, *The Military Balance 2007*, January 31, 2007, <http://www.iiss.org/publications/the-military-balance> (accessed June 30, 2007). The actual number of men serving in the Chadian Army is thought to be significantly higher, upwards of 40,000. Human Rights Watch interview, French military sources, Chad, March to April, 2007.

including hundreds of children, from the UN-supervised refugee camps 50 kilometers west of Adré in eastern Chad.<sup>38</sup>

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<sup>38</sup> Human Rights Watch, *Violence Beyond Borders*, p. 15.

## Use and Recruitment of Child Soldiers

The Army arrives in the village and tells the people, “We need this many soldiers.” Boys between the ages of 12 and 15 are obliged to join. They are called *bandios* and their job is to make tea, find water, collect firewood, mind the goats. It is forced recruitment. They don’t want to join, but they are obliged to. Their parents don’t want their children to join the army, because they know they are going to die. But they have no choice.

—Brigadier General, Chadian National Army<sup>39</sup>

### Numbers and identification challenges

UNICEF is undertaking a census of the Chadian National Army (ANT),<sup>40</sup> but any systematic effort to quantify the number of children under arms in Chad is difficult, as the majority of child soldiers come from rural areas where birth certificates are rarely issued.

In some instances apparently underage FUC soldiers seem to have been encouraged to lie about their age. For example, when asked by Human Rights Watch to state their age, four FUC soldiers whom we interviewed from the same unit, who appeared to be underage, said they were 18 years old and added that they were born in 1986 and had been with the FUC for 9 months.<sup>41</sup>

### The Chadian National Army

A brigadier general (*general de brigade*) in the ANT told Human Rights Watch that the recruitment of children into the government army takes place primarily in Salamat and Ouaddai regions in the east and in and around the town of Biltine, in Wadi Fira

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<sup>39</sup> Human Rights Watch interview, location confidential, March 2007.

<sup>40</sup> Human Rights Watch telephone interview with UNICEF official, Chad, June 22, 2007.

<sup>41</sup> This response is all the more bewildering considering that someone born in 1986 would be 21 years old in 2007. Human Rights Watch interviews with FUC soldiers, Guéréda, Chad, March 16, 2007.

region in the northeast, both areas of the country where Chadian rebel activity has been aggressive in the past two years.<sup>42</sup>

According to another ANT officer who has conducted recruitment activities and is currently deployed with his troops in a frontline area of eastern Chad, civilians were recruited en masse from Zaghawa and Goran villages in Borkou-Ennedi-Tibesti region in northern Chad in the fall of 2006,<sup>43</sup> a time when government forces were suffering terrible battlefield losses.<sup>44</sup> Recruits were collected and rapidly organized into units, issued uniforms and weapons, and folded into the concentric circles of defenders arrayed around N'Djamena. Children as young as 14 were incorporated into the armed forces as part of these hasty manpower drives.<sup>45</sup>

In the face of international criticism, the Chadian government denied that children served in the ranks of the ANT; it added emphasis to its denials by jailing a local journalist who made assertions to the contrary.<sup>46</sup> In February 2007 a Chadian government official allowed only that “certain Chadians are very small” and suggested that any supposed child soldiers in the ANT were in fact “dwarves.”<sup>47</sup>

ANT officers contacted by Human Rights Watch were more candid about the presence of children in the Chadian armed forces. According to a senior ANT officer who has deployed to frontline areas of eastern Chad, the ANT depends on a steady supply of child soldiers. “Child soldiers are ideal because they don’t complain, they don’t expect to be paid, and if you tell them to kill, they kill,” the officer said. “[President]

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<sup>42</sup> Human Rights Watch interview, location confidential, March 2007.

<sup>43</sup> Human Rights Watch interviews, March 13 and 24, 2007.

<sup>44</sup> The ANT suffered bloody defeats in Am Timan, Madoyna, and Adé. “Chad: Fighting On Two Fronts in Chaotic East,” *IRIN*, October 30, 2006, <http://allafrica.com/stories/200610301207.html> (accessed June 25, 2007); Human Rights Watch, *They Came Here to Kill Us*, pp. 60, 61.

<sup>45</sup> Human Rights Watch interview with ANT officer involved in September recruitment drive, confidential location, Chad, March 31, 2007.

<sup>46</sup> In October 2006 Evariste Ngaralbaye, a Chadian journalist, was detained for four days by the national section for judicial research (SNR) of the N'Djamena gendarmerie; the state prosecutor explained that Ngaralbaye was detained in conjunction with an article that he had written about child soldiers in Chad. See “Chad: Police Hold Journalist in Custody for Reporting on Child Soldiers in Conflict Zones,” *Reporters sans Frontiers*, October 30, 2006, <http://allafrica.com/stories/200610301338.html> (accessed May 14, 2007).

<sup>47</sup> “Enfants soldats: le sujet n’est plus tabou,” *Radio France Internationale*, May 10, 2007, [http://www.radiofranceinternationale.fr/actufr/articles/089/article\\_51733.asp](http://www.radiofranceinternationale.fr/actufr/articles/089/article_51733.asp) (accessed June 29, 2007).

Déby has trouble finding soldiers who are willing to fight for him, but children will do what they're told."<sup>48</sup>

Yielding to international pressure, particularly from France, the government of Chad signed an agreement with UNICEF on May 9, 2007, to begin the demobilization of child soldiers in ANT and ANT-integrated rebel forces (see below).<sup>49</sup> Despite acknowledged government cooperation with efforts to demobilize child soldiers, three ANT sources told Human Rights Watch that there was a likelihood that many children would not be demobilized despite UNICEF's efforts,<sup>50</sup> and one of these—an ANT officer who is involved in training new recruits—said that Chadian military personnel would seek to actively hold children outside of demobilization efforts. "Some of the child soldiers will be demobilized, but most will be hidden," this source said. "They will be stationed on the front lines and other places that are off-limits."<sup>51</sup>

Human Rights Watch has also learned that the Chadian government has held captured child soldiers suspected of insurgent activity in the same facilities as adult soldiers. FUC combatants freed from Chadian government detention in February and interviewed by Human Rights Watch in Guéréda reported that children as young as 13 had been held in the same facilities as adult detainees.<sup>52</sup> On April 26, 2006, Human Rights Watch researchers noted children among an estimated 250 FUC rebels who were detained in a single walled compound with a dirt courtyard and two cell blocks at the Gendarmerie Nationale in N'Djamena.<sup>53</sup>

## The FUC

In March 2007 Human Rights Watch spoke with eight FUC rebels who said they were under the age of 18, and with another 11 soldiers who appeared to be under the age

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<sup>48</sup> Human Rights Watch interview with ANT officer, Abéché, Chad, April 1, 2007.

<sup>49</sup> "Chad Demobilizes Child Soldiers," *BBC News Online*, May 9, 2007, <http://news.bbc.co.uk/1/hi/world/africa/6640351.stm> (accessed May 14, 2007).

<sup>50</sup> Information on the use and recruitment of child soldiers in the ANT was provided by three confidential ANT sources, a colonel, a major, and a general. The remits of these sources (at the Ministry of Defense, at an ANT training camp, and with frontline troops) put each in a position to have first-hand knowledge of the government's use and recruitment of child soldiers.

<sup>51</sup> Human Rights Watch interview with senior ANT officer, confidential location, Chad, March 10, 2007.

<sup>52</sup> Human Rights Watch interviews, Guéréda, March 15, 2007.

<sup>53</sup> Human Rights Watch, N'Djamena, April 26, 2006.

of 18, but either claimed to be older, declined to state their age, or were not asked to state their age.<sup>54</sup>

Children in the FUC play a direct role in combat operations. A 15-year-old FUC soldier recounted the day in February 2007 when his convoy was ambushed by Zaghawa paramilitary groups. “We came to a narrow passage between two rocky cliffs,” he said. “When our vehicles came through, [the Zaghawa paramilitaries] were ready. A shot went past me. There were gunshots, everyone was shooting, but I didn’t know what to do. My brother was shot in the calf, so I helped him.”<sup>55</sup> Officials at Guéréda hospital reported that they have received FUC casualties who were obviously under the age of 18 and were clearly combatants.<sup>56</sup>

Though some child soldiers appear to join the FUC of their own accord, it is difficult to assert that they made free decisions given the lack of other options. Most child soldiers are poor and uneducated, and many were eager to escape difficult home environments. Above all, the climate of insecurity and armed violence led many children to conclude that it was safer to be with the FUC than in the countryside.

A 12-year-old FUC fighter from a village near Djimeze al-Hamra in eastern Dar Tama explained to us why he decided to become a rebel, in December 2006. “The village is not safe; it is better to go to war,” the boy said. “If my gun jams and I can’t clear it, I’ll give it to my *grand-frere*<sup>57</sup> and he’ll clear it for me. If I go to war and I am killed, it is finished for me. If I kill my enemy, it is finished for him. I won’t wait in the village to die. I’m a man. I want to participate.”<sup>58</sup>

This boy was among several child soldiers in the FUC who told Human Rights Watch that they joined the rebel force to seek revenge after close family members or other civilians were killed by Zaghawa militias. Others have joined the rebels after having

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<sup>54</sup> Usually in situations where Human Rights Watch was speaking to a group of soldiers.

<sup>55</sup> Human Rights Watch interview with FUC soldier, Guéréda, Chad, March 16, 2007.

<sup>56</sup> Human Rights Watch interviews, Guéréda hospital, March 22, 2007. Hospital records are incomplete and do not reflect the age of those admitted beyond the age of five years.

<sup>57</sup> Literally meaning older brother, used figuratively here to mean someone older in age.

<sup>58</sup> Human Rights Watch interview with FUC soldier, Guéréda, Chad, March 16, 2007.

been displaced by militia violence. One apparently underage FUC rebel<sup>59</sup> told Human Rights Watch that he joined the rebels after an attack on his village near Djimeze al-Hamra forced his family and many others from his village to take up residence in an encampment on the outskirts of Guéréda.

“The Tama were always being attacked, and we have to defend ourselves,” the boy said. “In order to get a rifle I had to join the FUC. If security returns, I’ll leave the FUC and go back to school.”<sup>60</sup>

A 62-year-old man from Barra, near Maraone, told Human Rights Watch that his 15-year-old son, along with three of his nephews ages 12, 15 and 16, had all gone to join the FUC, but that he was not frightened for them. “They’re doing what they want to do,” he said. “My son was studying and doing well at school; it’s not good that he has joined the rebels. But you can’t stop the children from joining. Their [Tama] brothers have been killed, and children’s hearts hurt just like adults’ do.”<sup>61</sup>

While it is clear that insecurity has inspired children to seek protection in the FUC, it is equally clear that the FUC actively recruits children.

Human Rights Watch has documented the forced recruitment by the *Rassemblement pour la Démocratie et la Liberté* (Rally for Democracy and Freedom, RDL), a precursor group to the FUC, in Tama areas of Darfur in late 2005.<sup>62</sup> A FUC colonel who was captured in fighting in N’Djamena on April 13, 2006, told an African Union monitoring team that the FUC recruited children as young as 12 years old, and several other prisoners said they had been forcibly recruited from refugee camps in Darfur.<sup>63</sup> The

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<sup>59</sup> The soldier told Human Rights Watch he was not sure of his exact age—not uncommon in rural areas of eastern Chad, though it is also possible the soldier deliberately withheld this information.

<sup>60</sup> Human Rights Watch interview with FUC soldier, Guéréda, Chad, March 18, 2007.

<sup>61</sup> Human Rights Watch interview, Guéréda, Chad, March 17, 2007.

<sup>62</sup> Six out of seven RDL prisoners interviewed said they had been forcibly recruited in Sudan. The seventh said he had joined the rebels voluntarily. Human Rights Watch interviews with RDL prisoners, Adré hospital, Adré, Chad, January 19, 2006.

<sup>63</sup> “Chad rebel prisoners say Sudan recruited them,” Reuters, April 23, 2006, <http://news.scotsman.com/latest.cfm?id=611362006> (accessed July 9, 2007).

UN reported a May 2006 incident of the forced recruitment of a Tama child in Geneina, West Darfur, although this did not specifically implicate the FUC.<sup>64</sup>

The recruitment risk has apparently been increased by the December 2006 peace accord between the Chadian government and the FUC. Sources in the FUC and the Chadian military report that the FUC was required to contribute between 6,000 and 7,000 soldiers to the ANT under the terms of a confidential annex to the peace accord.<sup>65</sup> However, military analysts familiar with the situation in Chad believe that the FUC numbered no more than 1,200 to 1,500 when the December accord was signed,<sup>66</sup> putting pressure on the FUC to fill out its ranks, and putting children at increased risk of recruitment.

“FUC is doing heavy recruitment,” said an international humanitarian observer with knowledge of the situation in Dar Tama. “Nour moved soldiers from Guéréda to Mongo to decrease his force strength in Dar Tama,<sup>67</sup> but the ones who left have been replaced by others.”<sup>68</sup>

School records examined by Human Rights Watch at the Lycee de Guéréda, the lone secondary school in the Guéréda area, revealed that 80 percent of the boys who completed the 2006 school year did not enroll in school when classes resumed in the spring of 2007.<sup>69</sup> Whereas 300 students completed the 2006 school year, only 180 students showed up for classes at the start of the 2007 school year, the vast majority of them girls and young boys, prompting one parent to describe it as a “girl’s school.”<sup>70</sup> One observer interviewed by Human Rights Watch who asked that

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<sup>64</sup> The UN has documented the abduction of a 17-year-old Tama boy by Chadian rebels from Geneina on May 24, 2006, though this does not necessarily implicate the FUC. United Nations Security Council, “Report of the Secretary-General on children and armed conflict in the Sudan,” S/2006/662, August 17, 2006, <http://www.cfr.org/content/publications/attachments/darfur.pdf> (accessed June 29, 2007), p. 7.

<sup>65</sup> Human Rights Watch interviews with FUC sources and Western intelligence officials, February to June 2007.

<sup>66</sup> Human Rights Watch interviews with Western intelligence officials, Chad and Washington DC, March and June, 2007.

<sup>67</sup> This was likely done under pressure from the Chadian Ministry of Defense, in the interest of neutralizing the FUC as a military threat.

<sup>68</sup> Human Rights Watch interview, March 1, 2007. Approximately 80 percent of the FUC was obliged to leave Dar Tama for training at Mongo in February 2007.

<sup>69</sup> School records inspected by Human Rights Watch on March 23, 2007.

<sup>70</sup> Human Rights Watch interview, Guéréda, Chad, March 17, 2007.

he not be identified for fear of FUC retaliation said the absences were easy to explain: the boys had left to join the rebels.

“Some boys from the 2006 school year came back, but after the holidays most of them didn’t come back,” the man said. “The boys all signed up for the military—they joined their brothers with the FUC.”<sup>71</sup>

One 16-year-old FUC member told Human Rights Watch that he was motivated to join the FUC because of the money promised by a FUC recruiter. “They said that when the FUC came to power, I could make enough money to buy a car,” the boy said.<sup>72</sup>

While insecurity persists in eastern Chad, children may be prone to re-recruitment as soldiers, particularly those older children whose self-conception has been altered by their participation in hostilities. Some child soldiers in Guéréda adopt exaggerated postures of adulthood, smoking cigarettes and drinking millet beer to excess, driving recklessly and pushing the limits of the power that comes with a Kalashnikov. Celebratory gunfire is a regular feature of life in Guéréda,<sup>73</sup> and child soldiers are among the most enthusiastic followers of FUC commanders such as General Gok. One 15-year-old child soldier with the FUC who said he had experienced combat told Human Rights Watch that he had nightmares, but he insisted with bravado that they were not a result of his involvement with the FUC: “Everyone has nightmares, but I am crying because of what the Zaghawa [militias] are doing to my [Tama] people.”

### *Girls in the FUC forces*

Although women and girls are not frequently seen in the ranks of armed groups in Chad, the FUC’s 3<sup>rd</sup> Brigade is entirely female, comprised of 52 women and girls. According to a 17-year-old member from the town of Hille Andjille, near the Chad-Sudan border, training for women and girls in the FUC lasts for two years, while the

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<sup>71</sup> Human Rights Watch interview with confidential source, Chad, March 2007.

<sup>72</sup> Human Rights Watch interviews with FUC fighters, Guéréda, Chad, March 17, 2007. One child soldier at the Koundoul transit camp reported that he had been promised 250,000 CFA (approximately US\$500) for joining the FUC, and others reported that they were induced to join the FUC by the promise of a job, power, and prestige. Human Rights Watch has no information on what, if anything, child soldiers with the FUC were actually paid.

<sup>73</sup> Of the celebratory gunfire, one Zaghawa man in Guéréda said, “The era of the FUC will soon be over, because they are almost out of ammunition.” Human Rights Watch interview, Guéréda, Chad, March 30, 2007.

training for men lasts six months.<sup>74</sup> None of the four 3<sup>rd</sup> Brigade soldiers interviewed by Human Rights Watch were armed. The brigade's commanding officer said that female FUC soldiers had participated in operations against ANT forces in late 2006, though she was not able to provide specifics.<sup>75</sup> Human Rights Watch received no reports of sexual exploitation of 3<sup>rd</sup> Brigade soldiers by male soldiers in other brigades. Many of the women and girls in the 3<sup>rd</sup> Brigade had joined the FUC either because they had been raped or feared that they would be raped.

"The girls come to us because they know they Zaghawa can't come to the FUC base," said the brigade's commanding officer, a 33-year-old colonel who says she joined the rebels after she was tortured by a Zaghawa militia in 2003 and left hanging from a tree, leaving her arms and legs criss-crossed with scars.<sup>76</sup> One 17-year-old soldier from the 3<sup>rd</sup> Brigade said she joined the FUC along with six other girls from her village in late 2006 after members of a Zaghawa militia raped two girls from her village, including her 10-year-old cousin. "Two men raped her and two men were holding her down and her hip came out," she said. "Afterward she didn't say anything to anyone except that the Zaghawa took her and that her leg was dislocated. She got no medical treatment and her leg still falls out to the side when she walks. After they did that she was afraid. She had to wait for a couple of months until she could walk, and then she joined the FUC. She didn't come for revenge, she came purely out of fear."<sup>77</sup>

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<sup>74</sup> Human Rights Watch interview with FUC soldier, March 17, 2007.

<sup>75</sup> Human Rights Watch interview with FUC soldier, March 17, 2007.

<sup>76</sup> Human Rights Watch interview with FUC soldier, March 17, 2007.

<sup>77</sup> Human Rights Watch interview with FUC soldier, March 17, 2007.

## International Response

### The role of UNICEF

UNICEF, the lead UN child protection agency in Chad, coordinates its efforts to demobilize child soldiers in Chad with the Chadian ministries of Social Affairs, Defense, External Relations, and Human Rights. UNICEF also partners with United Nations agencies such as the Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations High Commissioner for Refugees (UNHCR) and the World Food Program (WFP), along with national and international nongovernmental organizations (NGOs).<sup>78</sup>

Forty child soldiers from the FUC in Chadian government custody were released to the care of UNICEF on February 16, 2007, in a “liberation ceremony” at the Police School in N’Djamena that was announced by government officials only one day before. Seemingly an act of good faith, this gesture may have been related to the government’s December 2006 peace accord with FUC leader Mahamat Nour, who insisted that all FUC militants be released from Chadian government lockups. The 40 children were immediately brought to the Transit Centre in Koundoul, 35 kilometers from N’Djamena, which had been opened that same day by the Ministry of Social Action. UNICEF provided technical and financial support for the project.

Boys at the Transit Centre complained that clothes, shoes, and even medical care promised to them by the Ministry of Social Action were wanting. In some instances the boys went without food. Just over one month after the Transit Center was opened, 15 of the 40 original child soldiers had left the site—four had been reunited with their families, seven joined the ANT in Mongo, and the other four’s whereabouts were unknown.<sup>79</sup>

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<sup>78</sup> Human Rights Watch telephone interview with UNICEF official, Chad, June 2007.

<sup>79</sup> Confidential communication on file with Human Rights Watch.

On May 9, 2007, UNICEF and the government of Chad signed an agreement for the demobilization of child soldiers in Chad.<sup>80</sup> The terms of the agreement allowed UNICEF more latitude to set up operational procedures for the release of children associated with armed groups. UNICEF officials were granted access to the ANT training facility at Mongo, 400 kilometers east of N'Djamena in south central Chad, and in May they identified 383 child soldiers at Mongo, some of them as young as eight years old.<sup>81</sup> On June 12 and 13, UNICEF organized a demobilization workshop in N'Djamena that brought government officials together with international organizations with child-protection remits (UNICEF, UNHCR, Jesuit Refugee Service, Christian Children's Fund, and CARE) to draft an operational plan for the demobilization of child soldiers. In mid-June, 63 former child soldiers were transferred from Mongo to a transit center in Abéché managed by UNICEF's partner Jesuit Refugee Service.<sup>82</sup> By July 9, a total of 413 children between ages eight and eighteen had been released from Chadian military service in Mongo; 159 of the children were transferred to transit care centers in Abéché and N'Djamena, and the remaining 254 were transferred to a temporary transit center run by the Chadian Red Cross in Mongo, pending their relocation to N'Djamena (the transit care center at Koundoul was closed by the Ministry of Social Affairs in May). All 413 children had formerly been in the ranks of the FUC.<sup>83</sup>

Chad's Ministry of Defense has promised UNICEF access to Chadian military installations, but Mongo is the only Chadian government military installation UNICEF has been able to inspect at this writing. While this has been due in part to programming limitations related to UNICEF's funding constraints, requests by UNICEF for access to two other sites, Guéréda and Goz Beida, in conflict zones in eastern

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<sup>80</sup> See Annex II.

<sup>81</sup> "Chad signs deal to demobilise child soldiers," Reuters, May 9, 2007, <http://www.alertnet.org/thenews/newsdesk/Log132002.htm> (accessed May 14 2007). See also "Enfants soldats: le sujet n'est plus tabou," *Radio France Internationale*.

<sup>82</sup> UNICEF, "UNICEF External Situation Report Eastern Chad - 15-30 Jun 2007," June 30, 2007, <http://unjobs.org/archive/877862266970451410950085021063260968341073> (accessed July 9, 2007).

<sup>83</sup> The 413 FUC soldiers reported the following areas of origin: Goz Beida, Am Zoer, Guéréda, Fada, and N'Djamena. Human Rights Watch e-mail exchange with UNICEF official, N'Djamena, Chad, July 9 and 11, 2007.

Chad, have been met by Chadian government officials with suggestions that visits to those sites be postponed to a later date.<sup>84</sup>

A humanitarian aid worker who is familiar with the child soldiers at the Koundoul Transit Center questioned the wisdom of quartering demobilized child soldiers in or near major population centers such as Abéché and N'Djamena.

“They’re not kids; they’re adolescents who think they’re men,” the humanitarian worker said. “They have alcohol addictions, get into stabbing fights where they need to be hospitalized, and they’re going to disappear into Abéché as soon as they get there.”<sup>85</sup>

## The role of France

France, which provides military cooperation to the ANT and at the same time chairs the United Nations Security Council Working Group on Children and Armed Conflict, has been instrumental in pushing the Chadian government to take action on the problem of child soldiers.

French troops are based in Chad under the framework of a March 6, 1976 military cooperation agreement between Chad and France, plus a protocol to the 1976 agreement adopted on April 7, 1990, as amended on June 16, 1998.<sup>86</sup> A small number of French troops operate in Chad in an ANT-support capacity, but the bulk of the 1,300 French troops currently stationed there are present under the terms of Opération Epervier, a 1976 French deployment to protect Chad from Libyan aggression.<sup>87</sup> France has been a crucial military support for the Chadian government, providing the ANT with military intelligence, logistical assistance, medical services,

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<sup>84</sup> Human Rights Watch telephone interview with UNICEF official, Chad, June 25, 2007; Human Rights Watch e-mail exchange with UNICEF official, July 11, 2007.

<sup>85</sup> Human Rights Watch telephone interview, May 22, 2007.

<sup>86</sup> This amendment reflects the stationing of French troops at the aerial base of chief sergeant Adjii Kossei.

<sup>87</sup> Human Rights Watch interview with Col. Eric Fournier, French Marines and senior French representative at Africa Center for Strategic Studies, National Defense University, Washington DC, March 19, 2007.

and even ammunition.<sup>88</sup> In April 2006 a French F-1 Mirage jet fighter fired warning shots at an advancing rebel column.<sup>89</sup>

Beginning in late August 2006 and continuing in September, the French military encountered ANT units with apparently underage soldiers seeking transport on French military aircraft.<sup>90</sup> France's then-Defense Minister Michèle Alliot-Marie wrote a letter to President Déby on the issue of child soldiers, which Déby reportedly ignored.<sup>91</sup> French officials subsequently threatened to withdraw France's military forces from Chad unless the Chadian government took concrete steps to demobilize child soldiers.<sup>92</sup> Discrete but forceful French government pressure reportedly included personal interventions by French government officials at the highest level.<sup>93</sup>

In spite of the threatened withdrawal, however, the French military has continued to provide steadfast support to the ANT.<sup>94</sup>

On February 5-6, 2007, France hosted an international conference in coordination with UNICEF in Paris, where representatives from 58 states, including the foreign minister of Chad, committed themselves to putting an end to the unlawful recruitment and use of children in armed conflicts. At the conference, states agreed to support and apply new guidelines, known as the "Paris Principles," for protecting children from recruitment and providing assistance to those who have already been involved with armed forces or groups.<sup>95</sup>

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<sup>88</sup> "Foreign fingers," *Africa Confidential*, vol. 47, no. 9, April 28, 2006, p. 5. On May 10, 2006, then-French Defense Minister Michèle Alliot-Marie outlined the actions undertaken by the French forces during the crisis in Chad in a presentation to the parliamentary defense and foreign affairs committee. These included the transportation of government troops and the evacuation of wounded government forces, as well as the supply of munitions to the Chadian army.

<sup>89</sup> Economist Intelligence Unit, "Chad Country Report," June 2006.

<sup>90</sup> Human Rights Watch interviews with French military personnel, various locations, Chad, February 29 to April 2, 2007.

<sup>91</sup> A copy of the letter was also sent to the United Nations in New York. Human Rights Watch interviews with confidential sources.

<sup>92</sup> Human Rights Watch interviews with confidential sources, December 2006 through April 2007.

<sup>93</sup> Human Rights Watch interviews with confidential sources, January to June 2007.

<sup>94</sup> For example, on January 19, 2007, UN and NGO staff at Abéché airport witnessed the French military supplying Chad military helicopter gunships with fuel, while refusing to supply UN World Food Program and Air Serv International planes, leaving all humanitarian flights to eastern Chad suspended. Confidential communication on file with Human Rights Watch.

<sup>95</sup> "The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups" ("The Paris Principles"), February 2007, [http://www.child-soldiers.org/childsoldiers/Paris\\_Principles\\_February\\_2007.pdf](http://www.child-soldiers.org/childsoldiers/Paris_Principles_February_2007.pdf) (accessed June 6, 2007).

## The role of the United States

The United States government is not known to be as actively engaged as France on the issue of child soldiers in Chad. The United States is negotiating increased military support to Chad, with the sale of four C-130 aircraft pending at this writing.<sup>96</sup> On February 15, 2007, the United States reached an agreement with Chad that opens the way for military transfers of surplus defense equipment to Chad<sup>97</sup> and an amendment to the 2007 defense appropriations act called for the US Defense Department to expand Abéché airport in eastern Chad.<sup>98</sup>

US engagement with Chad is mediated primarily by counterterrorism objectives. In 2004 US Marines trained three ANT platoons (170 soldiers) in basic individual infantry skills under the Pan Sahel Initiative (PSI),<sup>99</sup> which was later expanded into the Trans-Sahara Counterterrorism Initiative (TSCTI). Chadian troops received TSCTI training from US Special Forces instructors in 2006.<sup>100</sup> In fiscal year 2007 Chad was projected to receive US\$295,000 under the International Military Education and Training program.<sup>101</sup> In the US 2006 defense budget, Chad was one of roughly a dozen countries to receive at least \$10 million in Section 1206 funding, intended to build counterterrorism capacity in foreign military forces.<sup>102</sup>

At this writing, a bill entitled the Child Soldiers Prevention Act of 2007 (S. 1175) is pending in the United States Senate. Under the terms of the bill, governments involved in the recruitment or use of child soldiers would be ineligible for five

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<sup>96</sup> Human Rights Watch interviews with various US government officials, February to May 2007.

<sup>97</sup> Under the agreement, the ICC will not be authorized to take legal action against US citizens on Chadian soil. "U.S., Chad move toward closer military ties," Associated Press, February 15, 2007.

<sup>98</sup> H.R. 1585, 110<sup>th</sup> Cong., 1<sup>st</sup> Sess. (2007), "National Defense Authorization Act for Fiscal Year 2008," introduced March 20, 2007, <http://thomas.loc.gov/cgi-bin/bdquery/z?d110:HR1585>: (accessed June 5, 2007).

<sup>99</sup> Other countries in this group include Mali, Niger, and Mauritania.

<sup>100</sup> Training is conducted by US forces available to take part, so both US Marines and Special Forces have conducted the training. Human Rights Watch interview with Col. Eric Fournier, March 19, 2007.

<sup>101</sup> United States Department of State, "FY 2008 Congressional Budget Justification for Foreign Operations (Revised)," May 2, 2007, <http://www.state.gov/documents/organization/84462.pdf> (accessed June 30, 2007).

<sup>102</sup> Center for Defense Information, "Chad Country Profile," <http://www.cdi.org/pdfs/Chad.pdf> (accessed July 8, 2007).

categories of US military financing, training, or arms transfers. Chad is one of eight governments that would likely be affected by the legislation.<sup>103</sup>

## International protection force for eastern Chad

In recognition of the deteriorating human rights situation in eastern Chad, the United Nations Security Council sent experts to Chad in November 2006 and January 2007 to study the feasibility of dispatching a UN protection mission to the region.<sup>104</sup>

Chadian government officials first agreed to the UN mission in principle only, and then made clear that the deployment of UN military personnel as part of a UN mission would be unacceptable.<sup>105</sup> Without Chadian government consent, the proposed protection force could not go forward.

With the proposed UN mission stalled, Libya began operationalizing Paragraph 11 of the February 2006 Tripoli Accord between Chad and Sudan, which stipulated a “Peace and Security Force” to secure the Chad-Sudan border. While the Tripoli Accord did not specify which nations would comprise this force, recent military deployments have made it apparent that Libya and Eritrea have put themselves forward.<sup>106</sup> The Peace and Security Force would deploy Libyan, Eritrean, and Chadian forces to five points along the Chad-Sudan border, and Libyan, Eritrean, and Sudanese forces to the Sudan side of the border, with the four nations contributing a

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<sup>103</sup> United States Department of State, “FY 2008 Congressional Budget Justification for Foreign Operations (Revised).”

<sup>104</sup> United Nations Security Council, “Statement by the President of the Security Council,” S/PRST/2007/2, January 16, 2007, <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Sudan%20S%20PRST%202007%202.pdf> (accessed June 30, 2007); “Security Council requests dispatch of advance team to Chad, Central African Republic to explore possible United Nations mission in border areas,” United Nations press release, SC/8941, January 16, 2007, <http://www.un.org/News/Press/docs/2007/sc8941.doc.htm> (accessed June 30, 2007).

<sup>105</sup> Confidential communication on file with Human Rights Watch.

<sup>106</sup> According to records examined by Human Rights Watch, a Libyan C-130 transport plane arrived in Abéché from Benghazi, Libya, on March 5 with a cargo of weapons and ammunition, and on March 16 another Libyan C-130 arrived from Benghazi with a cargo of weapons, ammunition, and 40-50 soldiers. According to a Chadian military source, the Libyan soldiers who arrived in March were tasked with conducting assessments in eastern Chad toward the deployment of a larger border force, and were deployed to Bahai, in northeastern Chad. According to Sudanese rebel sources, Eritrean soldiers had deployed a small advance mission to Geneina, the capital of West Darfur, by late February. By late April, 90 Eritrean soldiers had taken up positions outside of Abéché. Human Rights Watch interview with ANT colonel, confidential location, Chad, April 1, interviews with confidential sources, March and May, and confidential communication to Human Rights Watch, March 30, 2007.

total of 2,000 soldiers to the exercise.<sup>107</sup> Chadian President Déby visited Khartoum in June, reportedly to discuss the deployment of joint border monitoring units.<sup>108</sup>

After a June 10 meeting with French Foreign Minister Bernard Kouchner, President Déby softened his opposition to a UN military presence in Chad,<sup>109</sup> and on June 25 Kouchner announced an initiative by France and other European countries to deploy a European Union (EU) military force with significant French presence to eastern Chad.<sup>110</sup> A French proposal for an EU bridging mission, which would subsequently be replaced by a UN mission, was discussed during a high-level meeting in Paris on June 25 attended by the UN, the Arab League, the United States, China, and Russia.<sup>111</sup> On July 23, 2007 the EU Council of Ministers is scheduled to vote on a proposal for an EU deployment to eastern Chad.<sup>112</sup>

An international protection mission for civilians in eastern Chad would represent a significant step toward bringing security to violent and volatile areas where children have been recruited into armed groups and where they continue to serve in roles that international law restricts to adults.

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<sup>107</sup> "Sudan reiterates desire for good relations with neighboring countries," Xinhua, June 8, 2007, [http://english.people.com.cn/200706/08/eng20070608\\_382157.html](http://english.people.com.cn/200706/08/eng20070608_382157.html) (accessed June 29, 2007).

<sup>108</sup> "Monthly Forecast July 2007," *Security Council Report*, June 28, 2007, [http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.1071693/k.CE15/Security\\_Council\\_Report\\_Monthly\\_Forecast\\_March\\_2007.htm](http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.1071693/k.CE15/Security_Council_Report_Monthly_Forecast_March_2007.htm) (accessed July 8, 2007).

<sup>109</sup> "Chad opens door to possible foreign military force," Reuters, June 10, 2007, <http://www.alertnet.org/thenews/newsdesk/L10216984.htm> (accessed July 9, 2007).

<sup>110</sup> "France, others to propose force for eastern Chad," Reuters, June 25, 2007, <http://www.alertnet.org/thenews/newsdesk/B485199.htm> (accessed July 7, 2007).

<sup>111</sup> "Monthly Forecast July 2007," *Security Council Report*.

<sup>112</sup> Confidential communication on file with Human Rights Watch, July 11, 2007.

## International Legal Standards

Both the government of Chad and the FUC are in violation of international law that prohibits the recruitment and use of children as soldiers. The government is also in violation of Article 77 of Protocol I of the Geneva Conventions, which guarantees that children who commit a crime related to an armed conflict shall be held separately from adults.

Protocol II to the Geneva Conventions of 1949, which applies during non-international armed conflicts, prohibits states and non-state armed groups from recruiting or using children under the age of 15 in armed conflict. This standard is also reflected in the Convention on the Rights of the Child (CRC), which Chad ratified in 1990.<sup>113</sup> The prohibition on the recruitment and use of children below the age of 15 is now considered customary international law, and is binding on all parties to armed conflict.

Under the Rome Statute of the International Criminal Court (ICC), adopted in July 1998, the recruitment of children under the age of 15 or their use in hostilities is considered a war crime, whether carried out by members of national armed forces or non-state armed groups.<sup>114</sup> The Rome Statute entered into force for Chad on January 1, 2007. Chad therefore has an obligation to investigate and prosecute members of its forces and other armed groups if they engage in recruitment and use of children under the age of 15 as soldiers.

Chad is a party to the First Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,<sup>115</sup> which establishes 18 as the minimum age for direct participation in hostilities, for compulsory recruitment, and

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<sup>113</sup> Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2, 1990, ratified by Chad October 2, 1990.

<sup>114</sup> Rome Statute of the International Criminal Court, U.N. Doc. A/CONF.183/9, July 17, 1998, entered into force July 1, 2002, arts. 8(2)(b)(xxvi) and 8(2)(e)(vii), ratified by Chad November 1, 2006.

<sup>115</sup> Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted May 25, 2000, G.A. Res. 54/263, Annex I, 54 U.N. GAOR Supp. (No. 49) at 7, U.N. Doc. A/54/49, Vol. III (2000), entered into force February 12, 2002, ratified by Chad August 28, 2002.

for any recruitment or use in hostilities by irregular armed groups.<sup>116</sup> The protocol, which was ratified by Chad in 2002, also places obligations upon non-state armed forces. Article 4 states that “armed groups that are distinct from the armed forces of a state should not, under any circumstances, recruit or use in hostilities persons under the age of eighteen.”<sup>117</sup> It also places obligations on the state to “take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices.”<sup>118</sup>

The Optional Protocol requires governments to deposit a binding declaration establishing their minimum voluntary recruitment age, which cannot be below 16. In the case of Chad, the Chadian government has established a minimum age of 18.<sup>119</sup>

The Optional Protocol also obligates states parties to demobilize children within their jurisdiction who have been recruited or used in hostilities in violation of the protocol, and to provide assistance for their physical and psychological recovery and social reintegration.<sup>120</sup>

Chad is also a party to the African Charter on the Rights and Welfare of the Child, in which states pledge to take all necessary measures to ensure that no child takes part in hostilities and to refrain from recruiting children. The charter defines a child as every human being below the age of 18. It further states that “Parties shall take all feasible measures to ensure the care and protection of children who are affected by armed conflicts.”<sup>121</sup>

International humanitarian law prohibits all parties to armed conflicts from arbitrarily depriving any person of their liberty, including through abductions and forced

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<sup>116</sup> *Ibid.*, art. 4.

<sup>117</sup> *Ibid.*, art. 4.

<sup>118</sup> *Ibid.*, art. 4.

<sup>119</sup> “Pursuant to article 3, paragraph 2 of the Optional Protocol, the minimum age for recruitment into the armed forces is 18 years. Enlistment is entirely and absolutely voluntary and may take place only on a fully informed basis.” See “Chad: CRC Optional Protocol (Armed Conflict) – Reservations and Declarations,” [http://www.bayefsky.com/.html/chad\\_t2\\_crc\\_opt1.php](http://www.bayefsky.com/.html/chad_t2_crc_opt1.php) (accessed June 6, 2007).

<sup>120</sup> Optional Protocol to the Convention on the Rights of the Child, art. 6(3).

<sup>121</sup> African Charter on the Rights and Welfare of the Child, OAU Doc. CAB/LEG/24.9/49 (1990), entered into force November 29, 1999, ratified by Chad March 30, 2000, art. 22.

recruitment. Article 3 common to the four Geneva Conventions of 1949 and applicable to non-international armed conflicts requires that all civilians be treated humanely—arbitrary deprivation of liberty is incompatible with this requirement.<sup>122</sup>

In 1999 the member states of the International Labour Organization (ILO) unanimously adopted the Worst Forms of Child Labour Convention (No. 182). It defines a child as any person under the age of 18 and includes in its definition of the worst forms of child labor “all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.”<sup>123</sup>

Chad ratified the Worst Forms of Child Labour Convention on November 6, 2000.<sup>124</sup> The convention obliges the Chadian government to “take immediate and effective measures to secure the prohibition and elimination of the worst forms of labour as a matter of urgency.”<sup>125</sup> Under the Convention, the government is required to take measures to prevent the engagement of children in the worst forms of child labor, remove them from these circumstances, and assist their rehabilitation and social reintegration.<sup>126</sup> Recommendation 190 accompanying Convention No. 182 encourages states to make recruitment of children under the age of 18 a criminal offense.<sup>127</sup>

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<sup>122</sup> See 1949 Geneva Conventions, article 3; see also International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law* (Cambridge Univ. Press, 2005), rule 99 and accompanying text.

<sup>123</sup> ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Worst Forms of Child Labour Convention), adopted June 17, 1999, 38 I.L.M. 1207 (entered into force November 19, 2000).

<sup>124</sup> See <http://www.ilo.org/ilolex/cgi-lex/ratific.pl?C182> for a list of ratifications of ILO Convention No. 182 (accessed June 6, 2007).

<sup>125</sup> ILO Convention No. 182, art. 1.

<sup>126</sup> *Ibid.*, arts. 6, 7a, 7b.

<sup>127</sup> ILO Recommendation concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, June 17, 1999, ILO No. R190, art. 12.

## Annex I

### **ACCORD DE PAIX ENTRE LE GOUVERNEMENT DE LA REPUBLIQUE DU TCHAD ET LE FRONT UNI POUR LE CHANGEMENT DEMOCRATIQUE ( FUC ).<sup>128</sup>**

#### PREAMBULE

En référence aux dispositions pertinentes de la Charte des Nations Unies et des Traités de l'Union Africaine, de la CEN-SAD relatives au règlement des conflits par la voie pacifique ;

Conscient de la nécessité du dialogue pour l'instauration d'une paix juste et durable sur l'ensemble du territoire national, conditions essentielles à la reconstruction du pays et à l'édification de la démocratie ;

Considérant la volonté manifeste du Gouvernement de la République du TCHAD et le Front Uni pour le Changement Démocratique ( FUC ) de privilégier le dialogue pour résoudre les problèmes du pays ;

Résolus à consolider l'Etat de droit, la bonne gouvernance, ayant pour corollaire le progrès social, le plein exercice des libertés fondamentales sur la base de l'égalité des citoyens;

Répondant à la médiation du frère Guide de la Révolution d'El Fath, Haut Médiateur de l'espace CEN SAD et en présence des représentants des nations unies, de l'Union Africaine, de l'union Européenne ;

Considérant la disponibilité permanente du FUC de résoudre les problèmes Tchadiens par un dialogue franc et sincère ;

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<sup>128</sup> “Le texte de l'Accord de paix entre la République du Tchad et le Front Uni pour le Changement Démocratique (FUC),” *Primature Tchad*, December 26, 2006, <http://www.primature-tchad.org/?2006/12/26/429-le-texte-de-l-accord-de-paix-entre-la-republique-du-tchad-et-le-front-uni-pour-le-changement-democratique-fuc> (accessed July 11, 2007).

Convaincus par la détermination de son Excellence Monsieur IDRISS DEBY ITNO, Président de la République du TCHAD de parachevé] l'œuvre de paix prônée par le Gouvernement ;

Le Gouvernement de la République du TCHAD et le Front Uni pour le Changement Démocratique ( FUC ),  
conviennent de ce qui suit :

#### ARTICLE 1

L'abstention de tout acte militaire ou tout autre forme de violence directe ou indirecte et l'arrêt de toutes campagnes médiatiques entre les deux (2) parties.

#### ARTICLE 2

La libération des prisonniers des deux (2) parties et la proclamation de l'Amnistie générale à l'endroit des militaires et sympathisants du Front Uni pour le Changement Démocratique ( FUC ).

#### ARTICLE 3

Le stationnement des forces du Front Uni pour le Changement Démocratique ( FUC ) dans un endroit à convenir entre les deux parties en attendant leur intégration dans les rangs des forces de défenses et de sécurité.

#### ARTICLE 4

La participation du Front Uni pour le Changement Démocratique (FUC) à la gestion des affaires de l'Etat dans un esprit de concertation et conformément aux dispositions de la Constitution.

#### ARTICLE 5

La mise en place d'un programme urgent et prioritaire de :

1- Réinsertion, intégration et réhabilitation des combattants du Front Uni pour le Changement Démocratique ( FUC ) dans les rangs des forces de défenses et de sécurité et des formations paramilitaires conformément au statut militaire;

2 - Aide du gouvernement et de la communauté internationale au retour, à la réinstallation et à la réinsertion des populations déplacées à cause du conflit;

3 - Création des conditions pour l'intégration des combattants du Front Uni pour le Changement Démocratique ( FUC ) dans les rangs des forces de défenses et de sécurité dans un délai n'excédant pas trois (3) mois à compter de la date de prise d'effet du présent accord;

4 - Réhabilitation dans leurs droits des militaires radiés et des fonctionnaires civils du Front Uni pour le Changement Démocratique (FUC) dans leur cadre d'origine.

#### ARTICLE 6

La mise en place d'une Commission paritaire (Gouvernement, FUC) de concertation et de suivi de l'application du présent accord. Cette Commission peut faire appel à toute personne qu'elle juge nécessaire dans l'accomplissement de sa mission.

#### ARTICLE 7

Le présent accord reste ouvert pendant une durée d'un (1) mois à Mouvement Politico-Militaire allié du Front Uni pour le changement Démocratique ( FUC ) encore en opposition.

#### ARTICLE 8

Le Front Uni pour le Changement Démocratique ( FUC ) renonce à la lutte armée comme forme d'expression.

## ARTICLE 9

En cas de divergence dans l'application du présent accord l'une ou l'autre des parties peut faire recours à la médiation.

## ARTICLE 10

Le présent accord de paix signé en présence des représentants de l'Union Africaine, de la CEN-SAD , de la République du Congo, de la République Centrafricaine, de l'Egypte , du Soudan, de l'Erythrée ,du Burkina Faso entre en vigueur dès la date de sa signature.

Fait à Tripoli, le 24 Décembre 2006

Pour la République du Tchad

ADOUM YOUNOUSMI, Ministre d'Etat, Ministre des Infrastructures

Pour le Front Uni pour le Changement Démocratique

MAHAMAT NOUR ABDELKERIM, Président du FUC

Pour la Grande Jamahiriya Arabe Libyenne Populaire et Socialiste

CHALGAM ABDERAHMAN

## **Annex II**

**PROTOCOLE D'ACCORD SUR LA PROTECTION DES  
ENFANTS VICTIMES DES CONFLITS ARMES ET LEUR  
REINSERTION DURABLE**

**ENTRE**

**LE MINISTERE DES RELATIONS EXTERIEURES**

**ET**

**LE BUREAU DES FONDS DES NATIONS UNIES  
POUR L'ENFANCE AU TCHAD  
(UNICEF)**



# Protocole d'Accord sur la Protection des enfants victimes des conflits armés et leur réinsertion durable

Entre

**Le Ministère des Relations Extérieures**

Et

**Le Bureau des Fonds des Nations Unies  
pour l'Enfance (UNICEF) au Tchad**

## Principes généraux :

Le Ministère des Relations Extérieures et le Bureau des Fonds Nations Unies pour l'Enfance au Tchad ci-après dénommés « les Parties Contractantes » ;

- ayant à l'esprit l'Accord de base type de coopération du 04 septembre 1961, renouvelé le 07 juillet 1994 et du plan cadre des opérations établissant les modalités et conditions générales signé le 20 avril 2001, ainsi que le cadre à moyen terme régissant leur coopération ;

- convaincus que la coopération entre l'UNICEF, le Gouvernement, les organisations de la société civile et les autres partenaires pour faire progresser les droits de l'enfant et ses travaux est guidée par les instruments internationaux relatifs aux droits de l'Homme auxquels le Tchad est partie ;

- Adhérant aux principes de développement participatif durable, d'une assistance impartiale et exempte de toute discrimination, tout en respectant la culture tchadienne et les coutumes locales ;

- Sensibles au renforcement des capacités locales et conscient de leurs responsabilités respectives vis – à – vis de ses partenaires opérationnels et de ceux auxquels ils portent assistance, l'UNICEF et le Gouvernement n'exposeront pas les bénéficiaires de ses actions, y compris les enfants à aucune forme de discrimination, d'abus ou d'exploitation.

Convientent de ce qui suit :

## Article 1 :

Le Gouvernement de la République du Tchad partage l'attachement de l'UNICEF aux Principes énoncés dans la Convention relative aux droits de l'enfant et son Protocole Facultatif concernant l'implication des enfants dans les conflits armés et tous les instruments internationaux



relatifs à la prévention du recrutement ou de l'utilisation d'enfants dans les conflits armés, à leur protection et leur réinsertion.

## **Article II**

Le Bureau de l'UNICEF au Tchad prend acte et se félicite de l'approbation le 06 février 2007 par le Ministre des Affaires Etrangères, de l'Intégration Africaine et de la Coopération Internationale au nom du Gouvernement de la République du Tchad des **ENGAGEMENTS DE PARIS** par lesquels :

. Il reconnaît qu'il incombe au premier chef, aux Etats d'assurer la sécurité et la protection de tous les enfants qui se trouvent sur leur territoire, que la réinsertion des enfants dans la vie civile est l'objectif ultime du processus visant à obtenir leur libération des forces ou groupes armés et qu'une planification en vue d'une réinsertion devrait guider toutes les étapes du processus et débiter le plus tôt possible ;

. Il adhère au principe selon lequel la libération de tous les enfants recrutés ou utilisés en violation du droit international par des forces ou groupes armés doit être recherchée sans conditions à tout moment, y compris durant des conflits armés, et que les actions visant à assurer leur libération, la protection et la réinsertion de ces enfants ne devraient être subordonnées à un accord de cessez-le-feu ou à un accord de paix ou à tout processus de libération ou démobilisation pour les adultes ;

. Il s'engage à utiliser tous les moyens à sa disposition pour soutenir les actions de surveillance et de communication de l'information aux niveaux national, régional et international en ce qui concerne les violations des droits de l'enfant commises durant un conflit armé, notamment dans le cadre de l'utilisation ou du recrutement illégaux d'enfants, et en particulier à appuyer le mécanisme de surveillance et de communication de l'information créé par les résolutions 1539 et 1612 du Conseil de Sécurité des Nations Unies.

## **Article III :**

Appui du Bureau UNICEF au TCHAD

L'UNICEF apporte son soutien au Gouvernement dans la réponse aux besoins des enfants associés aux forces ou aux groupes armés sur l'ensemble du territoire. C'est dans ce cadre que s'inscrit le présent Protocole d'Accord entre l'UNICEF et le Gouvernement de la République du Tchad.



La question des enfants associés aux forces ou aux groupes armés sera abordée d'une façon complète comme faisant partie intégrante du Programme de Coopération pour la période 2007 qui va être signé entre le Gouvernement de la République du Tchad et l'UNICEF.

Les Principes de Paris ou Principes directeurs relatifs aux enfants associés aux forces ou aux groupes armés du 06 février 2007 vont guider les actions de toutes les parties dans le traitement de la question des enfants associés aux forces et groupes armés au Tchad.

L'UNICEF aidera le Gouvernement du Tchad à développer un projet selon les axes suivants :

. Apporter un appui technique au Comité Intersectoriel sur la mise en œuvre des Principes de Paris, que le Gouvernement mettra en place et qui sera constitué des représentants des services de l'Etat – relevant des Ministères qui en ont les attributions et/ou le mandat – qui peuvent s'impliquer dans les activités relatives aux enfants associés aux forces et groupes armés ; Ministère de l'Action Sociale et de la Famille, Ministère de la Défense, Ministère des Droits de l'Homme, Ministère de l'Education et réinsertion Nationale, etc.

. Apporter une assistance technique pour la conception, la production et la dissémination d'un document national sur les principes communs de gestion et de mise en œuvre des opérations visant la prévention du recrutement et la libération et réinsertion des enfants associés aux forces ou aux groupes armés ;

. Organiser un atelier national ainsi que des ateliers décentralisés de formation en collaboration avec le Gouvernement, l'UNICEF et les autres partenaires chargés de la mise en application du cadre opérationnel visant la prévention du recrutement et la libération et réinsertion des enfants associés aux forces ou aux groupes armés au Tchad ;

. Entreprendre une étude qui inclura une analyse des causes fondamentales du recrutement des enfants et des facteurs exposant les enfants au recrutement ainsi des recommandations pour travailler avec toutes les parties prenantes, y compris les communautés, afin de s'attaquer aux causes fondamentales et à la vulnérabilité en tant qu'activité faisant partie du processus de retour, de réinsertion et de stratégie pour éviter de nouveaux recrutements ;

. Formuler des recommandations au Gouvernement pour une vaste campagne de plaidoyer, de sensibilisation et pour un programme de retrait, de prise en charge et de réinsertion à base communautaire en

retrait, de prise en charge et de réinsertion à base communautaire en faveur des enfants associés aux forces ou aux groupes armés au Tchad pour la période 2007-2008.

Dans le cadre de ce Protocole, l'UNICEF bénéficiera de la collaboration des autorités militaires de l'Armée Nationale Tchadienne afin d'établir une cartographie de la situation des enfants pour permettre en coordination avec tous les acteurs concernés la planification et la préparation de l'accueil, l'assistance immédiate et la mise en place des services de réinsertion.

L'UNICEF sera autorisée à avoir des contacts avec les groupes politico-militaires. Dans ses contacts avec toutes les parties, l'UNICEF devra toujours agir avec une neutralité, une impartialité et une transparence complètes ; l'UNICEF devra tenir les parties informés des résultats de ses activités ; données statistiques, formation des acteurs, plaidoyer et la mobilisation sociale.

Comme il est possible qu'il y ait dans les prisons civiles et lieux de détention militaire des enfants qui sont associés ou qui ont été associés aux forces ou aux groupes armés, le Gouvernement de la République du Tchad et l'UNICEF mettront tout en œuvre pour qu'ils soient identifiés immédiatement. Une fois ces enfants identifiés, le Gouvernement et l'UNICEF, en collaboration avec d'autres partenaires dans l'exécution du Projet, devront rechercher les familles et les communautés de ces enfants pour les y réinsérer.

Fait à N'Djamena, le 09 mai 2007 en deux exemplaires originaux en langue française les deux textes faisant également foi.

P. le Bureau des Fonds des Nations Unies pour l'Enfance

le Représentant



**STEPHEN ADKISSON**



P. le Gouvernement de la République du Tchad

le Secrétaire d'Etat aux Relations Extérieures, Chargé de la Coopération Internationale



**DIDDA MOUSSA OUTMAN**

