

CHAD

Briefing on the status of implementation of the June 2011 Action Plan on children associated with armed forces and groups and its 10-Point Roadmap

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Abstract

In 2013, the deployment of Chadian troops to Mali triggered intense international and national efforts to expedite the implementation of the Action Plan on children associated with armed forces and groups (the Action Plan). As a result, since May 2013 a significant number of reforms to end and prevent child recruitment in Chad have been implemented or initiated, including the criminalisation of child recruitment and use in hostilities in Chadian law.

However, screenings conducted in 2013 revealed that children had been integrated into the armed forces and that adult soldiers had been unlawfully recruited while still under 18. Meanwhile, Chad's armed and security forces – including some deployed abroad – have still not been comprehensively screened, raising the possibility that some children remain in the ranks. In addition, important prevention measures, such as the adoption and implementation of adequate age verification procedures; the creation of a free and accessible birth registration system; the establishment of an effective complaint mechanism; and the initiation of investigations into reports of child recruitment, have yet to be implemented. Furthermore, most recent policy reforms have yet to be operationalised in order to achieve and institutionalise practical and durable prevention. In this, the Chadian government requires the long-term support of the international community.

This briefing provides an assessment of progress in the legal and practical protection of children against military recruitment, and it recommends further actions to achieve full compliance with the Action Plan. It is based on information gathered by Child Soldiers International during a mission to Chad in November 2013 and afterwards through continued dialogue with UN and Chadian government officials.

INTRODUCTION

I. Background

Signed by the Chadian government and the United Nations in June 2011, the Action Plan committed the government to implementing a specific prevention strategy against the recruitment and use of children within an agreed timeframe. However, two years after its adoption, its most crucial provisions had still not been implemented and protection against child recruitment was not in place. As a result approximately 30 children were unlawfully enlisted in 2012, and the Chadian national army (*Armée nationale tchadienne/ANT*) was again ‘listed’ as a party that recruits and uses children in the 2013 UN Secretary-General’s report on children and armed conflict.

II. A new political momentum

The deployment of about 2,000 Chadian troops to Mali in early 2013 galvanised the government and the UN into action – especially from March 2013, when it became apparent that the African-led force (AFISMA), which Chadian soldiers had joined, would be ‘re-hatted’ into a UN peacekeeping force (MINUSMA). Within weeks, Action Plan implementation became a top priority for the UN both at headquarters and at country level, with the objective to secure sufficient progress to lead to the ‘de-listing’ of the Chadian army from the UN Secretary-General’s annual reports. The Special Representative of the Secretary-General (SRSG) on Children and Armed Conflict, as well as senior representatives from UNICEF and the Department for Peacekeeping Operations (DPKO) in New York, took the lead in renewed and intensive diplomatic efforts to bring the country into compliance with the Action Plan as rapidly as possible. Meanwhile in Chad, the UN Country Team, and UNICEF in particular, increased their capacity to support the new impetus to bring about full implementation of the Action Plan.

May 2013 was the pivotal month in this endeavour: during a high-level visit to Chad, SRSG Leila Zerrougui obtained a personal commitment from President Idriss Déby Itno himself to put an end to the recruitment of children in the armed forces.¹ At the same time, a national workshop involving newly-appointed ministry focal points was held to identify existing challenges and design a new strategy for implementation. This resulted in the adoption of a “10-Point Roadmap” detailing specific, time-bound activities and resources needed to screen and train troops deployed to Mali while concurrently speeding up implementation of the Action Plan.

The following month, in June 2013, DPKO’s Military Advisor, accompanied by staff from UNICEF and the Office of the SRSG, undertook a follow-up mission to N’Djamena to discuss implementation modalities with the Chadian authorities, in particular with respect to screening of the military and the establishment of child protection units within the ANT.

Equipped with a new actionable work plan, benefitting from increased support from the UN, and acting under intense international scrutiny but with the incentive of potential participation in a UN peacekeeping force, the Chadian government set about implementing a significant number of initiatives to promptly fulfil its obligations under the Action Plan and its new Roadmap.

The screening and child protection training of the Chadian contingent in Mali was prioritised and the proposed re-hatting went ahead on 1 July 2013, but the Chadian government was given a four-month “grace period” (that is until 31 October 2013) to implement at least five short-term compliance measures of the Roadmap. However, to Child Soldiers International’s knowledge, the consequences for non compliance by the deadline were not publicly specified. Child Soldiers International

¹ See *Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict, Leila Zerrougui*, UN Doc. A/HRC/25/46, 26 December 2013, paragraph 48.

understands that the UN continues to review the implementation of the Roadmap. However, the January 2014 UN Secretary-General report on Mali does not make any specific reference to the status of implementation of these measures.²

III. Progress status by the 31 October deadline

Just after the 31 October 2013 deadline – and as more Chadian troops were deployed to neighbouring Central African Republic (CAR) – Child Soldiers International conducted a mission to N’Djamena. The team met with government and UN officials responsible for the implementation of the Action Plan to measure tangible and durable change in legal and practical protection of children against recruitment and use, and to identify remaining challenges. Since then, Child Soldiers International has also kept abreast of further implementation and follow-up measures taken by the government and found that major steps forward since May 2013 are as follows:

- **Child recruitment and use were criminalised** through the adoption of a Presidential Decree (*Ordonnance présidentielle*) on 4 February 2014.
- **A Presidential Directive was adopted** in October 2013 to confirm 18 as the minimum age for recruitment into the armed and security forces, establish age verification procedures, and instruct that “penal and disciplinary sanctions” will be taken against those breaching the orders. The directive was disseminated among commanders of all eight defence and security zones of the country.³
- **The government and the UN jointly conducted large-scale screening** exercises in each of the eight defence and security zones in August-October 2013. Military commanders cooperated in the reviewing of nearly 4,000 members of the armed and security forces.
- **UNICEF initiated a national birth registration initiative**, in collaboration with key government ministries, starting with the late registration of 100,000 births and a survey into the causes of low birth registration in Chad to inform a two-year strategy aiming to promote universal birth registration.
- **Child protection units were created** in each defence and security zone; they are composed of military and civilian staff and tasked with monitoring and protecting children’s rights, as well as conducting training and awareness-raising activities in their zone. A central unit was also established at the Ministry of Defence in N’Djamena.
- **A training of trainers on child protection was given to 40 army and security personnel** in June 2013. The trainers then disseminated the training to 266 recruits in all eight defence and security zones throughout August-September 2013.

These measures constitute major improvements from 2011-2012, not least in the levels of cooperation observed between the government and the UN, and access granted to child protection agencies for the purpose of verifying and training troops.

² *Report of the Secretary-General on the situation in Mali*, UN Doc. S/2014/1, 2 January 2014: http://www.un.org/fr/documents/view_doc.asp?symbol=S/2014/1&TYPE=&referer=http://www.un.org/fr/sc/documents/sgreports/2014.shtml&Lang=E.

³ Chad’s defence and security zones are territorial circumscriptions for the coordination of national security and civil defence between the various armed and security forces. A zone can encompass several administrative regions and its command post is situated in the county town (*chef-lieu*) of one of the regions in the zone.

IV. Remaining challenges

However, Child Soldiers International's research reveals that still more needs to be done to operationalise the prevention agenda of the Action Plan. In particular, Child Soldiers International remains concerned that:

- **Age verification methods as set out in the Presidential Directive rely on physical or medical examinations**, which not only raise ethical concerns but are also unreliable. These fall some way short of best international practices.
- **The screening and training of troops has not been exhaustive**, as only about 10% of the total estimated number of Chad's armed and security forces were targeted. Screening and child protection training to all troops including those deployed abroad and at the borders of the country have yet to be carried out.
- **In April 2013 a small number of children were found to have been integrated or recruited into the ANT, while the August-October 2013 screenings revealed that soldiers had been unlawfully recruited when still under the age of 18.** Further, children continue to be informally associated with the ANT and used for domestic tasks within military barracks. A systematised and ongoing process of screening, including of any former members of armed groups that are integrated to the armed forces has not been established. Similarly, all members of the armed and security forces should be made aware of the prohibition of informal association of children with the armed forces.
- **Child protection agencies and the Ministry of Social Affairs continue to lack the capacity to provide quality interim care and reintegration support to demobilised children.** As a result, children in 2012-2013 were released unofficially, did not benefit from reintegration assistance, and some were integrated or recruited in the ANT. A new transit centre has been identified but sustained and significant support has yet to be provided to the Ministry to manage it. Further, standard procedures for military authorities on the identification, documentation and prompt handover of children to child protection agencies have not been developed.
- **Birth registration is still not free or easily accessible in practice.** According to the new 2013 law, registration is free only within one month of birth but families continue to face logistical challenges to reach registration centres, which makes it costly even within the free period.
- **None of the incidents of child recruitment reported in 2012-2013 have been effectively investigated.** Despite repeated commitments from the government and military authorities there has been no effective investigation of incidents of underage recruitment.

The question of Chadian compliance with the Action Plan and its Roadmap has been thrown into sharper relief by the deployment of more Chadian troops to neighbouring CAR at the end of 2013 to contribute to the African-led International Support Mission in the Central African Republic (MISCA). The fact that this force may yet be re-hatted as a UN peacekeeping operation brings to the fore again the child protection issues raised by the establishment of MINUSMA last year.⁴

There is no doubt that tangible and durable progress towards protection against child recruitment and use has been made since May 2013. However, there are still significant challenges, which need to be addressed. The fact that some children were found in 2013 to have been integrated or recruited into the ANT suggests that the Chadian army should not be de-listed from the next Secretary-General

⁴ See UN Security Council resolution 2127 (2013), paragraphs 46-48.

report on children and armed conflict. Further, the de-listing of the ANT prior to full implementation of the Action Plan and its Roadmap could significantly undermine long-term efforts needed to consolidate recent gains and achieve effective and durable protection against recruitment and participation in hostilities for all children in Chad.

In addition, there have been UN and NGO reports of alleged cross-border recruitment of children by armed groups active in CAR. These reports require independent monitoring and verification. They also point at the risks children face and the protection that must be provided to them by Chadian authorities with the support of the UN and the international community.

ASSESSMENT OF PRINCIPAL MEASURES ADOPTED TO PREVENT CHILD RECRUITMENT IN CHAD

The analysis below is mostly based on research conducted by Child Soldiers International during a visit to Chad in November 2013. During the mission, Child Soldiers International delegates met with government and UN authorities responsible for implementing the Action Plan in order to measure progress and identify remaining challenges. The present briefing is structured to reflect the layout of the Action Plan itself, using the same headings to recall each government commitment. It also mirrors the structure of Child Soldiers International's April 2013 Briefing on the status of implementation of the Action Plan⁵ and could be read in conjunction with it for a more comprehensive picture of the pace of the reform process.

I. Release and support for rehabilitation and reintegration

(a) Policy directive and military orders to end child recruitment

A Presidential Directive on the prohibition of child recruitment was issued but has yet to be disseminated to the majority of Chad's armed and security forces and to civil society at large. Under the Action Plan, the government committed to issuing "binding policy directives" and "clear military orders" to non-military and military staff respectively, particularly those involved in army recruitment processes, to inform them of the prohibition on child recruitment, specifying appropriate sanctions. Point (1) of the May 2013 Roadmap specifically required the adoption of a "Presidential Directive" for the same purpose and the dissemination of this Directive to troops in all military zones and to civil society in all administrative regions. It also required the government to organise a national awareness-raising campaign on child soldier prevention at the community level.

On 10 October 2013, President Déby signed a Directive aiming "to prevent and end the recruitment of children by armed forces and armed groups."⁶ The Directive confirms the minimum age of 18 for recruitment into the armed and security forces and also establishes specific recruitment procedures and accountability mechanisms to implement this standard [see section II. (c) on age verification, and section III. on sanctions below for more information]. These instructions were disseminated to commanders in Chad's eight security zones during training and verification missions conducted jointly by the UN and the government in August-October 2013. Each regional ANT commander received a copy of the orders and was individually instructed; so were heads of units of the *Gendarmerie* and the Nomadic Guard (*Garde Nationale et Nomade du Tchad/GNNT*).⁷ The Directive was also shared with the Governors of Chad's 23 administrative regions as well as some local civil society representatives. Posters, banners and local radio messages were used to raise awareness in communities in each zone.

Instructions contained in the Presidential Directive should now be disseminated as widely as the Roadmap requires. Child Soldiers International encourages the government to do its utmost to continue disseminating the Presidential Directive to all members of the armed and security forces, including troops deployed outside Chad, as well as to all civilian staff involved in army recruitment, and to civil society at large, including communities.

⁵ See Child Soldiers International, *Briefing on the status of implementation of the June 2011 Action Plan on children associated with armed forces and groups in Chad*, May 2013: http://www.child-soldiers.org/research_report_reader.php?id=661.

⁶ Translation by Child Soldiers International of section 2 of the *Directive présidentielle n°08/PR/EMP/2013 Portant respect des conditions de l'âge au recrutement au sein de l'Armée Nationale Tchadienne*. Original text in French: "Cette directive a pour objet de prévenir et de mettre fin au recrutement des enfants par les forces et groupes armés".

⁷ Security zones are headed by commanders from the Territorial Army (*Armée de Terre*), with units from the *Gendarmerie* and the GNNT under their command.

(b) Screening, identification and release

Chad has yet to carry out a comprehensive screening of its armed and security forces to verify the presence of children. By virtue of the Action Plan, the government must “identify, monitor, record and plan the release of all children associated with armed forces” in a continuous manner. Point (4) of the Roadmap puts an emphasis on the screening of “all troops to be deployed as peacekeeping forces” and of all military sites to be found in each one of Chad’s eight military zones in order “to verify that all troops are 18 years or older”, and in cooperation with the UN.

The government and the UN conducted large-scale screening exercises in each of the eight security zones visited during the above-mentioned missions, from 15 August to 12 October 2013. In each zone, with the cooperation of regional commanders, members of the army, *Gendarmerie* and GNNT were lined up to allow the government-UN delegation to screen them and interview any suspected minor individually to determine their age. Nearly 4,000 troops were thus screened all over the territory and in a period of two months: none of them were certified as minors.

This represents momentous progress and clearly demonstrates serious political will on the part of the government and the armed forces to end the recruitment of under-18s; the level of access granted to the UN, to NGOs and to representatives of government ministries is unprecedented. This also constitutes the most comprehensive joint screening of the armed and security forces attempted for this purpose so far – an exercise which faces considerable logistical challenges considering Chad’s vast territory. However, Child Soldiers International remains concerned that:

- **Only a small percentage of the total estimated number of armed and security forces was screened** during this exercise. Indeed only 3,800 troops were screened by the government-UN delegation – this represents about 45% of troops registered in the zones, and about 10% of the total estimated number of Chad’s armed and security forces,⁸ many of which are deployed to the borders and abroad.
- **Troops deployed to CAR were not screened.** Chadian troops deployed to Mali in 2013 were screened by the UN post-deployment. In December 2013, 864 troops expected to take over from the first contingent were screened pre-deployment. However, the 400 or so troops sent to CAR in September 2013 as part of MISCA were deployed without having been screened.
- **Interviews revealed that over a dozen soldiers had been recruited while still under the age of 18.** Although they had become adults by the time the joint government-UN screening was conducted, they had been recruited and used as children for over a year for some of them. Some commanders had kept these underage recruits despite being aware of their age.
- **Children continued to be used for domestic tasks by members of the armed forces.** During the screening missions, about a dozen children were seen to be used by recruits as domestic helps (to make tea, polish boots, etc), especially in the north of the country. It is suspected that a much larger number of children are thus informally associated with the armed and security forces and regularly enter military barracks. All recruits should know that these children are defined by the UN as children associated with the armed forces and should be prevented from such association.
- **Children continued to join the ANT including through integration of armed groups.** In April 2013 military officials identified 14 children in the training centre of Loumia. Some had been integrated to the ANT (presumably following defective age verification procedures) among a large group of former elements of the Popular Front for Redress (*Front populaire pour le redressement/FPR*) – a Chadian armed group which had surrendered in September 2012. Others had also previously been also associated with the FPR but were reportedly enlisted independently. Once identified, the children were immediately demobilised.

⁸ Official numbers are not public and remain difficult to establish. The government gave the 36,000 figure at the end of 2011. According to Child Soldiers International’s research 8,000 were recruited in 2012 and 700 in 2013.

Child Soldiers International welcomes the transparency and cooperation of the government and the military with the UN and NGOs in the difficult task of screening the armed and security forces. However, the small number of children integrated in the ANT in 2013 and the identification of soldiers who were unlawfully recruited when under 18 years of age suggest that effective prevention against underage recruitment is not yet in place and that there is a need to complete the comprehensive screening of all members of the armed and security forces, both on the Chadian territory and abroad. This is particularly necessary at a time when Chad is participating in two international peacekeeping forces in Mali and CAR with Chadian troops deployed in areas of armed conflict. Military deployment abroad and troop rotation in Mali and CAR must systematically be preceded by screening to ensure that contingents sent to combat abroad do not have any children among them at the time of deployment. In addition, former members of armed groups who are integrated into the armed forces must be systematically and thoroughly screened with the support of child protection agencies. Military training on child protection should include information on what constitutes recruitment and use of children, including in relation to the prohibition of informal association [see section II. (d) on training]. Furthermore, as required by the Action Plan, screening must be an *ongoing* process, especially while birth registration rates remain low and recruitment of under-18s remains a common risk. Military authorities must also imperatively record the release or separation of children from armed forces and groups and document their situation.

(c) Handover, temporary care and assistance to reintegration⁹

Procedures for the identification, handover, temporary care and reintegration of children still require major improvements and permanent infrastructures. In the Action Plan and Point (5) of the Roadmap, the government committed to providing all necessary support to demobilised children for their physical and psychosocial recovery, interim care, family reunification and community reintegration.

Last year, Child Soldiers International had reported that the absence of temporary care centres following the closing of the national child disarmament, demobilisation and reintegration (DDR) program in 2011 resulted in severe child protection failings.¹⁰ This problem has not been resolved. **In 2013, as in 2012, children were released unofficially, did not benefit from rehabilitation and reintegration assistance, and some were integrated or recruited in the ANT:**

Children demobilised from the FPR

At the end of 2012, 26 certified minors and 23 suspected minors were identified among the FPR, which had surrendered in September. At the time, the government, UNICEF and NGOs were trying to establish a small but permanent infrastructure for the temporary care of children. However, they were under considerable pressure from the ANT to urgently certify and care for the children, who were being accommodated in a military training centre in Doyaba, near Sarh. In the end, the children simply “vanished” before a care facility could be set up for them and before suspected minors could be certified. Some were integrated into the ANT and only demobilised in May 2013 [see section I. (b) above], others went home (reportedly receiving monetary compensation), while the rest remained in the area surrounding Sarh (Moyen-Chari). Only a handful of these were located, identified and assisted with family reunification.

Children demobilised from the ANT

When in May 2013 military authorities identified 14 children among new ANT recruits in Loumia, they immediately demobilised and transferred them to N’Djamena to hand them over to child

⁹ This sub-section corresponds to parts (c), (d) and (e) of the section on release and support for rehabilitation of the Action Plan (page 6).

¹⁰ Child Soldiers International, *Briefing on the status of implementation of the June 2011 Action Plan on children associated with armed forces and groups in Chad*, May 2013, page 3.

protection actors. But as no temporary care centre had been set up, the children were housed in tents outside the military headquarters' building. Child Soldiers International has not been able to account for the fate of each child but it appears that about a third were reunified with their families and a third, once again, chose to return home by themselves because assistance was not forthcoming.

Following these incidents, UNICEF and the Ministry of Social Affairs agreed on the location of a permanent transit centre run by the Ministry in N'Djamena with the capacity to host approximately 100 children. However the building still needs to be renovated and furnished before it can be operational. Meanwhile, the last training and social reintegration centre for former child soldiers, which was run by the Jesuit Refugee Service (JRS) in Abéché, had to close in December 2012 for want of funding.

Child Soldiers International deplores that there continues to be an imperfect understanding on the part of Chadian military authorities of their responsibilities with regard to the demobilisation of children, i.e. identification, documentation and prompt handover to child protection agencies. Officials in the ANT and the Ministry of Defence require further training on these procedures. On the other hand, they have had to contend with the ongoing inability of the government, UN and civil society to promptly identify and certify children among armed forces and armed groups, take them into their care and provide them with the necessary support for their physical and psychosocial recovery, as well as their social reintegration. This is particularly relevant at a time when children formerly associated with the Seleka armed group coalition in CAR are being identified among the displaced in southern Chad. Coordination on the handover of children between the Chadian military and child protection agencies must also be drastically improved. In addition, the government must ensure that the new temporary care centre is fit for purpose: it should be fully renovated and permanently staffed with competent social workers and care professionals to have the capacity to respond rapidly and efficiently to future demobilisations of children.

II. Prevention, outreach and capacity-building

(a) Birth registration

The absence of a free, effective and accessible civil registration system in Chad continues to undermine efforts to prevent child recruitment, as Chad continues to have one of the lowest rates of birth registration in Africa,¹¹ and most individuals do not have birth certificates to prove their age. In the Action Plan, the government committed to strengthening the birth registration system. More specifically, Point (9) of the Roadmap plans for the adoption of the "Civil Registration Law", the training of civil officers, the development of mobile birth registration strategies, as well as the launch of a national campaign in order to achieve free, effective and accessible birth registration.

Some progress has been made, notably with the adoption of the Law on the Organisation of the Civil Registry in May 2013,¹² which had been delayed for years. In addition, UNICEF is coordinating an ambitious national birth registration initiative in collaboration with key government ministries¹³ and a Chadian NGO. The initiative will start with a pilot project to conduct late registration of 100,000 births in N'Djamena and identify factors currently hindering the registration of births. Based on these findings, a planning workshop will develop a long-term strategy for 2014-2015, which is expected to include an awareness-raising campaign, capacity-building of civil registry offices and additional late registrations.

¹¹ According to latest UNICEF figures, the average rate for under-5-year-olds stands between 9-16%. *Multiple Indicator Cluster Surveys* for 2009-2011.

¹² *Loi no. 008/PR/2013 portant organisation de l'état civil en République du Tchad.*

¹³ The Ministries of Interior, Social Affairs, Justice and for the Administration of the Territory.

However, Child Soldiers International has several concerns:

- **The Civil Registration Law sets the free registration period to one month** from the day of birth. This represents a major practical challenge to a large portion of the population living far away from civil registration centres. If the one-month deadline is missed individuals have the option to pay 1,500 CFA Francs (approximately US\$ 3.5) to obtain a court judgment (*jugement supplétif*) in order to apply for late birth registration. This does not constitute an affordable option for many. In practice therefore, birth registration continues to be out of reach for many Chadians for practical and financial reasons.
- **Access to registration centres remains a challenge.** Primary civil registration centres are too far from villages, and secondary or mobile centres remain extremely scarce. Chadians must therefore travel long distances to fulfil their legal obligation to register births – especially in the vast north – which requires considerable resources. Universal birth registration will only be achieved if a decentralised, nation-wide structure is put in place to make it free for all in practice.
- **Insufficient political will risks undermining the reform process.** If Chad is to achieve the systematic registration of all births, the government must prioritise and own the reform of the civil registration system. In this regard, the setting of free registration to only one month sends a worrying message. Further, the printing of new birth registration forms (annexed to the new law) is being delayed because the government insists they include information on the parents' matrimonial status, which UNICEF believes risks leading to discrimination against children born out of wedlock. Another worrying sign is that the government has so far done very little to tackle the widely reported corruption of a number of civil registration officers extorting illegal fees for the issuance of birth certificates.

Universal birth registration can only be achieved if the registration process is made free (in law and practice), accessible and effective. However, the need to travel long distances to reach registration centres combined with the application of registration fees make it unaffordable for much of the population. Until access is improved there should be no time limit on free birth registration. Further, the government should take the lead in an in-depth reform of the national civil registration system to supplement UNICEF's initiative. It should identify remote rural communities and nomadic tribes that face challenges to reach administrative centres and take measures to address these challenges, such as setting up mobile birth registration and/or delegating civil registration powers in these areas.¹⁴

(b) Prohibition and criminalisation of child recruitment/use

Military recruitment and use of children in Chad were recently criminalised by a Presidential Decree which must be widely disseminated and used. On 4 February 2014, a Presidential Decree (*Ordonnance présidentielle*) on the Prohibition and Sanction of the Recruitment and Use of Children in Armed Conflict was adopted by the government¹⁵; it imposes financial penalties and prison terms on individuals found responsible for these crimes. These acts had long ago been prohibited by the 2006 Law on the Reorganisation of Armed and Security Forces, which sets the minimum age for enrolment (voluntary) in the army at 18 and the minimum age for conscription (compulsory) at 20.¹⁶

However, a draft Child Protection Code, prepared by the Ministry of Justice with the support of UNICEF, includes a provision imposing criminal sanctions for the acts of recruiting and using children in hostilities. The drafting and review process of the code has been fraught with difficulties since 2007. The Action Plan required the government to “accelerate the adoption” of the bill and the

¹⁴ According to the new Civil Registry Law, only *communes*, district-level *communes* and county towns can act as primary centres for civil registration, while municipal districts can act as secondary centres (Art. 14-15).

¹⁵ *Ordonnance n° 001/PR/2014 Portant Interdiction et Répression de l'Enrôlement et de l'utilisation des enfants dans les conflits armés* (4 February 2014).

¹⁶ *Loi n° 12/PR/2006 du 10 mars 2006, portant réorganisation des Forces Armées et de Sécurité.*

draft was expected to be adopted by Parliament in 2013. Unfortunately, by the end of 2013, it had been definitely withdrawn from the agenda of the National Assembly without having been debated. It appears that there is strong resistance to the fact that the bill affords equal rights to children born in and out of wedlock.

Although child recruitment and use were explicitly criminalised through the adoption of the above-mentioned *Ordonnance*, Child Soldiers International recommends that the Child Protection Code be kept on the agenda of the National Assembly and its adoption maintained as a top priority for the government, in order to ensure the rights of children are recognised in Chad. The government should therefore address issues delaying the adoption of the Child Protection Code as a matter of priority.

Meanwhile, the *Ordonnance* should be widely disseminated to all members of the armed and security forces. Training based on the *Ordonnance* should be provided to all relevant judicial authorities, and prosecutors should ensure effective investigations are carried out on credible reports of child recruitment and use.

(c) Enforcement of legal prohibition on child recruitment

More practical measures must be taken concerning age verification and monitoring the minimum recruitment age, in order to prevent children from being enlisted or associated with armed and security forces. The Action Plan commits the government to “strengthening or establishing procedures for determining age in accordance with best international practice”, and to “establishing and training child protection units within the ANT and security forces at national and regional level” for the purpose of monitoring compliance with national and international obligations. Similarly, under Point (2) of the Roadmap, the government is to “establish an age verification mechanism” based on best international practice “for all military and civil personnel at the Ministry of Defence as well as personnel involved in military recruitment”. And under Point (8), it undertakes to establish and train child protection units in all eight military zones and one in military headquarters in N’Djamena, to ensure compliance with national and international obligations.

Age verification procedures

New age verification standards were proposed during an age assessment workshop organised by UNICEF on 2-4 July 2013, and troops in the eight security zones were briefed on the new standards. The objective of the workshop was to review techniques currently used by the Chadian military, understand why they previously failed, and develop new procedures based on best international practice. The event gathered focal points of the Ministries of Defence, Justice, Human Rights and Social Affairs, as well as representatives of military recruitment offices, and UN/NGO child protection experts. Participants agreed on a new age assessment mechanism relying on individual interviews and cross-checking of personal and public information concerning the period surrounding the birth of the individual concerned.

However, age verification methods set out in the Presidential Directive fall short of best international practices and do not reflect what was proposed in the July workshop. They establish that birth certificates are the only valid documentation for the verification of the age of would-be recruits but paradoxically suggest alternative methods by stating that “candidates without birth certificates will only be recruited after the systematic verification of their age through a physical and medical examination and individual interview.”¹⁷ Child Soldiers International holds that methodologies involving medical or physical assessment¹⁸ raise serious ethical concerns and are not sufficiently reliable to be used in military recruitment. Best age determination practices instead

¹⁷ Translation by Child Soldiers International of the following provision of the Presidential Directive: “...*les candidats qui se présenteront sans l’acte de naissance seront recrutés seulement après une vérification systématique de l’âge des candidats à travers l’examen médical, le contrôle physique et l’entretien individuel.*”

¹⁸ For example: bone and dental age or anthropometric measurements such as height and weight, or skin and puberty rating.

depend on more than one form of documentation or approach, all of which should cumulatively provide objective proof of age. These can include a triangulation of documents (such as school or hospital records) combined with interviews with families, local officials and information on historical events surrounding the birth. If a candidate cannot be confirmed as having reached the minimum recruitment age, they should not be recruited. Child Soldiers International understands that all personnel in charge of recruitment will receive a specialised training and be equipped with an age-verification procedures manual, currently being developed. It is imperative that the training and manual reflect best international practice of age verification.

Monitoring the minimum recruitment age

Child protection units were established in all eight military zones and in N'Djamena. They are composed of at least three military and civilian staff (soldiers, *Gendarmes* and local civil society representatives), who were trained during the joint government-UN missions, including in age verification. Units in each zone are supposed to submit quarterly reports to the central unit in the Child Protection Department (*Division de la protection de l'enfance*) of the Ministry of Defence in N'Djamena. Their mandate is to monitor and protect children's rights, report any unlawful child recruitment or association of children with the armed forces, and hand them over to child protection agencies. Units are also mandated to conduct training and awareness-raising activities in their zone to follow-up and build on the work conducted during the August-October 2013 missions.

However, the capacity of the child protection units remains low. They require specialised material and equipment as well as follow up training and long-term support from UNICEF to fulfil their terms of reference and effectively enforce the legal prohibition on child recruitment in their zones. They should also benefit from close support and cooperation from the Ministries of Defence and Social Affairs.

Practical measures taken since May 2013 to enforce the legal prohibition on child recruitment are encouraging. They constitute a solid basis on which to build permanent, effective barriers against child recruitment in Chad. Child Soldiers International strongly recommends that future trainings and training material reflect best international practice on age verification and age determination, and instruct that in case of doubt, the candidate should not be recruited. Child protection units should benefit from close, ongoing support – from the UN and the government – and increased capacity to be able to fulfil their mandates and be sustainable.

d) Child protection training of the armed and security forces

Child protection training of the Chadian armed and security forces needs to be completed and systematised. In the Action Plan, the government committed to continuing child protection training of the ANT, and the Roadmap highlights in particular “the *systematic* delivery of pre-deployment training of all troops on child rights and child protection” (Point (3)) and “the *ongoing* training of Chadian security forces on child rights and child protection in the eight military regions, including the six military training centres” (Point (7)) [Child Soldiers International emphasis]. The Government and the UN have made good progress on these commitments:

Pre- and post-deployment training

Pre- and post-deployment training on child protection and international humanitarian law was given to Chadian troops in Mali. In June 2013, UNICEF and DPKO initiated the training of some Chadian soldiers already in Mali, with long-term plans for comprehensive training of the entire Chadian contingent by the UN Country Team. In addition, 864 members of the armed forces to be deployed to Mali to take over from the first contingent were given a child protection training in Loumia in December 2013.

Regrettably, the contingent that recently left for CAR seems to have missed out on child protection training. Indeed, approximately 400 Chadian troops deployed to CAR in September 2013 to join MISCA left Chad without having been trained [see section I. (b)].

Training of trainers

Efforts have also been made to institutionalise child protection training within the armed and security forces. A training of trainers on child protection was organised and targeted 40 army and security personnel on 17-29 June 2013. The 40 trainers then joined the government-UN missions to Chad's eight security zones in August-September 2013 and disseminated the child protection training to 266 officers, non-commissioned officers and ordinary soldiers among the Territorial Army, *Gendarmerie* and GNNT [see section I. (a)]. Trainings covered basic child rights and child protection issues, the minimum legal age for military recruitment, age verification, etc. In addition, UNICEF, in partnership with the International Bureau of Children's Rights (IBCR), has initiated a pilot project to mainstream child protection training in the curricula of the Chadian security forces (police and *Gendarmerie*). Once developed and successfully tested, the training will be replicated with the armed forces, through integration of a child protection module in the programme of military schools.

These are encouraging measures with a potential long-lasting impact on the capacity of the Chadian armed and security forces to protect children and prevent child rights violations, but more remains to be done. To consolidate these gains, the government should make child protection training “systematic” and “ongoing” as required by the Roadmap. As a matter of urgency, the government should prioritise the training of all military contingents currently serving abroad. In addition, as per the Roadmap, it should systematise in-country child protection trainings to the military by extending them to all army and security personnel without exception, planning refresher trainings for all recruits and trainers in particular, and targeting in particular regional commanders, child protection unit staff and non-military personnel involved in military recruitment. Sufficient resources should be allocated to these activities in the long term.

III. Complaint mechanism and accountability¹⁹

Steps taken by the government to report, investigate and sanction unlawful recruitment of under-18s remain vastly insufficient. Under the Action Plan, it is required to “establish transparent, efficient and accessible complaint procedures for cases of child recruitment and use” and to “investigate, prosecute, and/or take disciplinary action” against those suspected of child recruitment and use. Point (6) of the Roadmap requires the government to “confirm that independent investigations are undertaken in all cases of recruitment or use of children by ANT” and to “establish procedures for independent investigation of all cases of recruitment or use of children by ANT”.

The October 2013 Presidential Directive establishes a disciplinary sanction mechanism. A disciplinary council (*conseil de discipline*) within the military is mandated to study the evidence and mete out disciplinary sanctions ranging from warnings to dismissals. The council is also required to document each case. The Directive notes that these disciplinary measures do not exclude the imposition of penal sanctions against those responsible and “civilian authors and accomplices” of these acts.²⁰ However, such penal sanctions are not specified. Unfortunately, Child Soldiers International remains concerned that:

- **There still has been no attempt to establish an effective complaint mechanism** to report cases of underage recruitment. This measure is frequently dismissed as impracticable and it has been dropped from the Roadmap.

¹⁹ This section corresponds to the section on “Legal procedures and discipline” of the Action Plan (page 8).

²⁰ Translation by Child Soldiers International. See paragraph 4.2.5 of the Presidential Directive : “...ces mesures d'ordre disciplinaires n'excluent en rien les poursuites et sanctions pénales à l'égard des auteurs et complices civils, conformément aux textes en vigueur.”

- **There has been no concrete progress on investigations and disciplinary measures.** Indeed no investigations have been conducted into the multiple reports of child recruitment in 2012 and 2013. This is despite several written requests by Child Soldiers International and face-to-face meetings with Ministry of Defence officials, including the Minister himself.

No member of the national army is known to have been investigated, let alone found responsible for recruiting or using children, a reflection of the general climate of impunity for grave human rights violations in Chad. The peace process and resulting integration of armed opposition groups into the ANT structure has often been accompanied by amnesties and de facto immunities from prosecution for those suspected of recruitment and use of children in hostilities.²¹ Beyond establishing individual responsibility, Child Soldiers International urges the government and military authorities to fulfil their repeated commitment to effectively investigate incidents of underage recruitment, as this would foster understanding of remaining gaps in the protection of children against military use. Further, Chad should establish, with the support of the UN Country Team, an independent, accessible and confidential complaint mechanism for cases of recruitment and use of children.

IV. UN access for verification purposes²²

UN access to military facilities has improved dramatically. Under the Action Plan, the government had committed to “allow free and confidential access” and “regular access to recruitment centres and military bases to verify the absence of children.” This had regularly been denied through 2011-2012.²³ By agreeing to Point (4) of the Roadmap, the government renewed this commitment and agreed to organise and conduct the screening of troops in military training centres and in all eight military zones, jointly with the UN. Section I. (b) of this briefing detailed how this commitment was partly fulfilled.

Cooperation with the UN and ongoing access to all military sites for verification purposes is essential to the effective realisation of the Action Plan, and for Chad’s potential delisting. Child Soldiers International encourages the Chadian government and military officials to continue to maintain this level of transparency and cooperation with the UN.

²¹ See Child Soldiers International, *Briefing on the status of implementation of the June 2011 Action Plan on children associated with armed forces and groups in Chad*, May 2013, pages 4-5.

²² This section corresponds to parts (a) and (c) of the section on “Access” of the Action Plan (page 8).

²³ See Child Soldiers International, *Briefing on the status of implementation of the June 2011 Action Plan on children associated with armed forces and groups in Chad*, May 2013, page 5.

CONCLUSION AND RECOMMENDATIONS

During the second half of 2013, the Chadian government, with support from the UN and UNICEF in particular, made some significant progress towards Action Plan compliance. However, Child Soldiers International's research found that important prevention measures, such as the adoption and implementation of adequate age verification procedures; the creation of a free and accessible birth registration system; the comprehensive screening of the armed and security forces; the establishment of an effective complaint mechanism; and the initiation of investigations into reports of child recruitment, have yet to be implemented.

In the short-term, and in view of its participation in international peacekeeping missions, the government should at the very least request help from the UN to ensure that all troops are comprehensively screened and trained in child protection – with priority given to those participating in MINUSMA in Mali and MISCA in CAR. In the longer term, in order to put in place concrete and durable protection against child recruitment and use, all policy reforms must be operationalised, adequately resourced and followed up over a long period of time, and with the support of the international community and the UN, which must maintain its capacity to offer sustained technical expertise at the country level.

On 1 January 2014, Chad for the first time took its seat as a non-permanent member of the UN Security Council: with an enhanced political and military influence at the international level comes increased responsibility to meaningfully uphold and promote human rights, including preventing the recruitment of children and their use in hostilities. The fact that, in 2013, children were still identified in the Chadian armed forces after having been officially integrated or enlisted suggests that the risk of child recruitment has not been fully removed and the ANT is not yet ready to be delisted. The removal of the Chadian armed forces from the Secretary-General's list should not take place until the Action Plan has been fully implemented, recent reforms fully institutionalised and their impact monitored by the UN over a significant period of time. With this aim in view, Child Soldiers International presents the following list of recommendations to the Chadian government and the UN.

To the Chadian government:

I. Release and support for rehabilitation and reintegration

Policy directive and military orders to end child recruitment

- Continue disseminating the Presidential Directive to all members of the armed and security forces – including those deployed along Chad's borders and abroad in peacekeeping forces – as well as to all civilian staff involved in army recruitment;
- Ensure that members of the armed and security forces are aware of what constitutes military recruitment and use of children by clarifying the prohibition on informal association of children with the military.

Screening, identification and release

- With the support of UNICEF and other child protection actors, carry out a screening of all members of the armed and security forces, both on the Chadian territory and abroad, in order to identify and release any under-18s who may have been enlisted unlawfully; screening must be an ongoing process as long as birth registration rates are low and age verification procedures are not strengthened;

- Systematically screen troops prior to deployment, including during troop rotation in Mali and CAR, to ensure that contingents sent to combat abroad do not have any children among them at the time of deployment;
- Issue release papers to all children demobilised or separated from the armed and security forces, document their situation, and hand them over promptly to child protection agencies for interim care; financial compensation for demobilisation should never be offered;
- With the support of UNICEF and other child protection actors, thoroughly and systematically screen all former members of armed groups who are integrated into the armed forces to identify any children associated with them and plan their prompt release and handover to child protection actors;
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- Develop standard operating procedures for the handover of children associated with armed groups to child protection agencies and ensure that all members of the armed forces use them.

Handover, temporary care and assistance to reintegration

- With the support of UNICEF and other child protection actors, establish permanent infrastructures for quality temporary care of children, assistance to their physical and psychosocial recovery, and support to family reunification and social reintegration;
- Conduct further training of the Chadian armed and security forces, including at the level of the Ministry of Defence, on suitable procedures and coordination with child protection agencies for the handover of children.

II. Prevention, outreach and capacity-building

Birth registration

- Remove time limits on free birth registration until access to civil registration services is improved for all;
- Take measures to make birth registration free in law and in practice, in order to strive towards universal birth registration; for example set up mobile birth registration and/or delegate civil registration powers to remote populations facing obstacles to reach administrative centres;
- Increase engagement in and accelerate the reform of the national civil registration system supported by UNICEF, including by renouncing information on matrimonial status in the new birth registration forms and investigating reports of corrupt civil registration officers.

Prohibition and criminalisation of child recruitment/use

- Widely disseminate the *Ordonnance* criminalising child recruitment and use to all members of the armed and security forces; conduct trainings on the *Ordonnance* to all relevant judicial authorities; and instruct prosecutors to ensure effective investigations are carried out on credible reports of child recruitment and use;
- With members of Parliament, immediately address the issues delaying the adoption of the Child Protection Code and set a timetable for its return to and adoption by the National Assembly; plan the wide dissemination of the law once adopted.

Enforcement of legal prohibition on child recruitment

- Ensure that recruitment procedures employ age verification and age determination methodologies that reflect best international practices, as identified in the UNICEF age verification workshop in July 2013; methodologies involving medical or physical assessment are neither reliable nor ethical and should be avoided; the government should reflect best international practice on age verification in any future procedures manual on age verification for military recruitment;
- Ensure that all military and civil personnel at the Ministry of Defence, as well as personnel involved in military recruitment, have received child protection and age verification training or refresher training based on best international practice before the start of any recruitment campaign; instruct that in case of doubt over an individual's age, candidates should not be recruited;
- Continue to build the capacity of child protection units by giving them ongoing support with follow up trainings and material/human resources; ensure that they meet regularly and report regularly to the central unit in N'Djamena; ensure close support and cooperation from the Ministries of Defence and Social Affairs;
- Organise a national awareness-raising campaign across the country to disseminate widely the government's commitments and actions so far to end and prevent all recruitment and use of children by the armed forces recruitment; target local representatives of the Ministry of Social Affairs, religious leaders, magistrates, and communities at large, referring to the Presidential Directive among other documents in French and Arabic.

Child protection training of the armed and security forces

- Systematise child protection trainings to the military by extending them to all army and security personnel, including them in military training centres, planning refresher trainings for all recruits and trainers in particular, and targeting regional commanders and non-military personnel associated with the ANT. Sufficient resources should be allocated to these activities in the long term;
- Prioritise pre- or post-deployment child protection trainings of all contingents destined to or about to be deployed abroad, in particular troops currently participating in MISCA.

III. Complaint mechanism and accountability

- Effectively and independently investigate all credible allegations of child recruitment or use, and, irrespective of the initiation of any criminal proceedings, ensure that appropriate disciplinary sanctions are imposed on military officials found responsible for units where children have been found to be recruited or informally associated with them – as per the Presidential Directive;
- Regularly publish information on the number of investigations and disciplinary action taken for the recruitment and use of children in armed conflict;
- Establish, with the support of the UN Country Team, an independent, accessible and confidential complaint mechanism for cases of recruitment and use of children;
- Refrain from granting amnesties or de facto immunity for those suspected of recruiting and/or using children for military purposes.

IV. Cooperation with the UN

- Continue to maintain a good level of cooperation with the UN and other child protection agencies, and to grant them ongoing and unimpeded access to all military facilities – including military camps – where child recruits may be present for identification and verification purposes;
- Draft without delay the initial report to the Committee on the Rights of the Child on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC).

To the UN Country Team:

- As a matter of priority and in cooperation with the Chadian authorities, ensure that all Chadian troops deployed to the borders and abroad are comprehensively screened as well as trained in child protection;
- Conduct regular training on age verification and age determination methodologies with military and civilian personnel involved in military recruitment;
- Continue to request and carry out regular visits and follow up visits to military sites, training centres, and other places where children associated with armed forces or groups may be present, for both identification and verification purposes, and to ensure that the Presidential Directive is correctly enforced;
- Strengthen the capacity of all actors in the Monitoring and Reporting Mechanism (MRM) to monitor and document the impact of the measures taken to allow for an objective and well-informed review of the implementation of the Action Plan, including by conducting awareness-raising and training aimed at informing Chadian society of the prohibition of child recruitment and use in hostilities;
- Proactively engage in a dialogue with the government on a regular basis in order to share MRM-documented information on violations and advise/support the government to take appropriate steps to act on this information;
- Assist the government in initiating, as a matter of urgency, the drafting of its initial report to the Committee on the Rights of the Child on OPAC, which would present an opportunity to engage with NGOs and other actors on remaining challenges for the effective prevention of child recruitment.

/END