

Protecting Civilians against Sexual and Gender-Based Violence in Eastern Chad

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Contents

Executive Summary	7
1.0 Introduction.....	9
1.1 Methodology	10
2.0 A complex region and the role of the UN.....	11
2.1 Exit of a UN mission and new responsibilities for the Chadian government.....	13
3.0 Sexual and Gender-Based Violence and the Protection of Civilians.....	15
SBGV Gender-Based Violence in Eastern Chad	16
Taking Local Ownership: SGBV and Women’s Committees	19
Role of the Détachement Intégré de Sécurité (DIS)	20
4.0 Conclusions.....	23
Bibliography	25
Annex 1	29
Annex 2	30

Executive Summary

The United Nations Mission in Eastern Chad and the Central African Republic (MINURCAT) is a support mission. Its mandate includes the protection of civilians, and contributing to the rule of law and regional peace in the conflict-prone region bordering Darfur and the Central African Republic. This report examines the situation of sexual and gender-based violence (SGBV) against refugees and internally displaced persons (IDPs) in eastern Chad, and responses of the MINURCAT and other UN agencies. It also discusses the implications for the exit of MINURCAT, with termination scheduled for 31 December 2010, and for early recovery initiatives, as well as the prospects of protection measures provided by the government of Chad.

As with any other country, it is difficult to gauge the exact extent of SGBV committed against civilians in Chad. However, SGBV is high on the agenda and a cross-cutting issue for various sectors in MINURCAT and humanitarian agencies. SGBV appears to have been used as a part of a deliberate conflict tactic, with women being attacked once they leave camps to fetch firewood, water etc. On the other hand, many of the reported cases of SGBV are committed inside the camps by family members and neighbours. A central focus of the fight against SGBV has been to sensitize the targeted population, refugees and IDPs to harmful customary practices and human rights violations as preventive measures, as well as to encourage victims to report SGBV and other violations. This work has been especially important for the various gender and women's committees in the refugee camps. Other main activities have been area security and facilitating returns for the displaced population, provided by MINURCAT and its partners to ensure the protection of civilians.

A major achievement has been to establish the national community policing, *Détachement Intégré de Sécurité* (DIS). The DIS is responsible for maintaining the rule of law in refugee and IDP camps and key towns within a 10 km radius. Members of the DIS have been trained in gender issues, and all its units have a gender focal point. Throughout our field visit, however, we were told that the important work of the DIS was being hampered by a dysfunctional judicial system, as well as a substantive lack of material and personnel capacity. Furthermore, SGBV victims who report their cases to DIS are vulnerable to reprisals and stigmatization from their communities, so it was proposed that victims should be offered protection in a safe house next to the DIS compound within 24 to 72 hours of filing a report.

All in all, MINURCAT and the DIS have managed to improve security in eastern Chad and enable the return of some IDPs. However, after only two years of deployment, MINURCAT, at the request of the Government of Chad, started its drawdown on 26 May, and is to leave the country by 31 December 2010. MINURCAT will hand over its main tasks to Chad and the UN agencies present. This work includes security of refugees, IDPs and humanitarian workers in eastern Chad, and continued support to the 850-strong DIS, so far trained and mentored by MINURCAT. The role of DIS remains crucial for most protection concerns in eastern Chad. Its future is still uncertain as its capacity is contingent on continued donor support, or that the government takes over ownership of DIS and upholds the necessary funding. Here we must ask: will the government of Chad be able to provide the necessary security and take on the wider responsibility of protection to prevent a relapse into conflict and, most crucially, to enable the return of IDPs?

The new mandate is a bad deal for the international community. It will continue to finance MINURCAT's 1900 troops, but these generally stay in their camps and civilian sections without access to IDP returnee areas, due to limited capacity for escorts and patrols of the host government. There is a high risk that eastern Chad, which was on its way to early recovery, may again become a humanitarian crisis. The key benchmark – the return of a critical mass of IDPs – had seemed within striking distance, but is once again an elusive goal.

1.0 Introduction

Chad has consistently ranked near the bottom of the Human Development Index.¹ Over the past decade it has experienced the effects of domestic disputes, political instability and growing rebel activity, spillover from the Darfur crisis and the proxy war between government of Sudan and Chad, and widespread violence in the northern Central African Republic (CAR). The consequences have included an influx of refugees from Darfur and CAR seeking protection in neighbouring Chad and an increase in the number of internally displaced persons (IDPs). Although fighting has diminished in recent years, the high number of refugees and IDPs as well as banditry groups and the proliferation of arms continue to pose great security risks.

This report focuses on the protection of civilians, especially in terms of sexual and gender-based violence (SGBV), the Chadian police/gendarme force *Détachement Intégré de Sécurité* (DIS), the potential for early recovery and the prospects of protection provided by the government of Chad after the withdrawal of MINURCAT. Dealing with SGBV involves improving security and is an important element in the humanitarian imperative to protect civilians under the auspices of international humanitarian law and international human rights. In June 2008, the United Nation Security Council (UNSC) unanimously adopted Resolution 1820. The resolution aims at ending sexual violence in conflict, and states: 'rape and other forms of sexual violence can constitute war crimes, crimes against humanity or a constitutive act with respect to genocide'. It is the result of a much broader agenda to mainstream gender perspectives at all levels of the UN peacekeeping and peacebuilding operations and peace negotiations since the adoption of UNSC Resolution 1325 (2000) on Women, Peace and Security, of which Resolution 1820 is a strengthened prolongation.

The report is structured as follows. We begin with a brief overview of the methodological background for this study. In the next chapter we contextualize the region, the UN mission and the humanitarian situation in Chad, before presenting the main findings from our fieldwork, together with some policy recommendations for future SGBV initia-

¹ Human Development Report 2009, measured in The Human Poverty Index (HPI-1) that focuses on the proportion of people below certain threshold levels in each of the dimensions of the human development index - living a long and healthy life, having access to education, and a decent standard of living. See <http://hdr.undp.org/en/statistics/> for more details.

tives in Chad. Finally, we offer some concluding remarks on early recovery and the prospects for peace in the region.

1.1 Methodology

The data supporting the findings in the report are based on a field visit from 20 to 28 May 2010, covering the area of the capital, N'Djamena, and UN headquarters in the eastern city of Abéché, as well as a previous field visit in November 2009 which included data collection in the refugee and IDP camps in Goz Beida, Farchana and Guéréda (see map, appendix 1). The information gathered is based on interviews and informal discussions with UN and non-UN staff and representatives from various IDP and refugee communities during the field visits. We interviewed key UN staff such as the Special Representative of the Secretary General (SRSG) and the Deputy SRSG, the Police Commissioner and Deputy Police Commissioner of UNPOL, and met with Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator John Holmes in Abéché. Furthermore, several interviews with representatives of UN agencies (incl. UNHCR, UNFPA, UNDP), sections under MINURCAT (e.g. gender unit, judiciary unit) and NGOs (e.g. Oxfam), all present in Chad, have provided important inputs on specific areas.

The November 2009 field visit included several interviews and focused group meetings with IDPs and refugees on how they perceived the security and SGBV measures undertaken by various stakeholders. This field visit also involved interviews with several Chadian police units (the DIS), and group discussions with refugees and displaced men and women. During discussions with IDPs and refugees, the team split into two separate groups – the female researcher spoke with women and the male researchers with men. A central point of this field visit was to capture the positions of the central decision-makers as well as the realities and practice on the ground in eastern Chad.

Additional data and background information have been gathered from desk surveys of available reports and literature – both academic literature and blog posts as well as policy/advocacy literature. However, background literature on Chad remains relatively scarce, and likewise for advocacy literature, which has tended to focus on Darfur and ‘the spillover effect’ in eastern Chad.

2.0 A complex region and the role of the UN

Chad is located in the midst of a geopolitical region of instability involving numerous armed oppositions and allies, and political regimes that prioritize a stronghold on power.² The Darfur crisis has definitely sparked problems in eastern Chad, but the national and local conflicts should not be overlooked – particularly those rooted in the east. First of all, Chad is a heavily militarized country. President Déby's power-base relies heavily on the warlords in the northeast and southeast of the country, primarily recruiting from the local population (ICG, 2009: 3–4). During the political turmoil in Chad in 2005, many key members of the government chose to join and support the rebellion against Déby (Giroux et al., 2009: 4). This has caused a proliferation in the number of rebel groups currently present in Darfur. The Chadian rebel groups share at the very least the common feature of an 'anti-Déby ideology', but alliances are fluid and marked by divisions and rivalries (Seibert, 2007: 12).

Secondly, as the country is highly militarized, non-violent means of solving political contestation over powerful positions, land and other resources play only a secondary role (ICG, 2009: 4). In turn, the division between civilian and military life is fluid, violence is normalized and impunity widespread. Local conflicts are often rooted in disputes over livestock and access to water and other resources, and thus tend to be between ethnic groups with conflicting modes of production and livelihood pattern, e.g. sedentary farmers and pastoral nomads. Traditional mediation boards have previously facilitated dialogue and, in cases of bloodshed, set the level of *diyah*, i.e. the payment to the victims' families. Such mediation is conducted by the local sultan, district chief or sub-prefect³ acting in the area. But as the country has suffered from severe drought, displacement and demographic pressure alongside political manipulation and regional crisis, the mediation boards have been destabilized and are no longer able to perform their conciliatory role.

The deployment of new and additional administrators to the east has not always had a positive effect. A new elite consisting of mostly

² The stronghold on power is exemplified by President Al-Gaddafi in Libya, in power since 1969, President Déby in Chad, since 1990, and President Al-Bashir previously prime minister from 1989 – 1993 and president since 1993.

³ Prefects and sub-prefects are an administrative authority appointed by presidential decree to represent the state in a prefecture.

members of the Zaghawa (Beri) ethnic group or members of the military forces (or both) have been sent to eastern Chad to take up positions as prefects and sub-prefects. While the deployment of local administration is in principle a very positive step, it sometimes leads to duplication of existing structures, causing confusion and conflict. The new elites are slowly but steadily replacing the old traditional leadership, and oftentimes they co-exist. The number of territorial entities has risen exponentially from 3 prefectures and 12 sub-prefectures before 1999 to today's 4 regions, 10 departments and 43 sub-prefectures. This has led to confusion about authority, particularly in the cities and towns of eastern Chad. In Goz Beida there is one governor of the region, one prefect of Kimiti department, two secretaries-general, one sub-prefect, one mayor of Goz Beida, and one sultan/traditional leader from the Dadjo community.

The arrival of refugees from Dafur and the international humanitarian agencies in 2003 and onwards has raised the tension level. Suddenly, a deprived local population witnessed the emergency responses and development projects set up for Sudanese refugees, such as water, food, health services and primary education, and that has aggravated tensions between local communities and refugee groups. Delivery of services in refugee camps by far surpasses that available to local communities, engendering a qualitative schism and thus conflict between refugees and their host communities. The abrupt influx of international agencies and refugees has caused increased violence. Banditry has risen with the appearance of vehicles, money and other material resources in unarmed humanitarian agencies. Humanitarian workers have been targeted and kidnapped, threatening the humanitarian space and operations.

As a result of the regional instability and the presence of an estimated 249,000 refugees from Sudan, 62,000 from the Central African Republic and 168,000 IDPs in Chad, MINURCAT was deployed together with a European force (EUFOR) in 2008. After one year, MINURCAT also took on responsibility for the military component in March 2009. The mission has been ridden with slow deployment of troops and construction of infrastructure, but has managed to improve the security situation to some degree. By the end of 2009, MINURCAT had achieved an acceptable level of deployment and could show reasonably good results, not only in the area of security, but also in terms of support to strengthening justice and correction systems, local administration, gender sensitivity, inter-community dialogue and human rights. During 2008/09, an initial return of approximately 20,000 IDPs was witnessed. The UN argued that a much larger return would take place in 2010 as the mission became fully deployed

in the field and could better provide area security and escorts as needed.

The 850-strong Chadian police and gendarme force, the DIS, has been an integral part to the provision of security, trained and mentored by MINURCAT. Members of the DIS are deployed to maintain law and order in refugee and IDP camps and key towns in neighbouring areas within a 10 km radius, as well as securing humanitarian activities and maintaining the humanitarian space in eastern Chad together with the MINURCAT Force. The considerable number of female officers in the DIS represents a positive development. These female officers have made significant contributions to reaching civilian women who would otherwise not initiate direct contact with male officers. That in turn means improved access for female victims to report sensitive cases involving sexual and gender-based violence (SGBV).

2.1 Exit of a UN mission and new responsibilities for the Chadian government

Notwithstanding the important advances, the Chadian government, weary of repeated promises of construction of airport aprons and hard-wall commissariats for the DIS, early this year asked the mission to leave. President Déby declared that the mission had been a failure, unable to fulfil its promises, and he announced that the Government of Chad was ready to take over responsibility for the security of refugees, IDPs and humanitarian workers. The government wants to expand the DIS from 850 to 1000, but also deploying to Daha and Haraze in southeastern Chad, and Gore and Danamadji in southern Chad. Thus, although the DIS may be increased in numbers, capacity in the east will remain the same.

UNSC Resolution 1923 of 25 May 2010 outlines how Chad will assume responsibility for the protection of civilians. Indeed, the commitment that Chad has been showing through the detailed plan is unprecedented. The Government of Chad has committed to:

- (i) ensure the security and protection of civilians in danger, particularly refugees and internally displaced persons;
- (ii) facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by improving security in eastern Chad;
- (iii) ensure the security and freedom of movement of MINURCAT staff and United Nations and associated personnel.

This is a laudable step on the part of the Chadian government. Yet, the extent of the tasks allocated to the DIS is worrisome: ‘...to provide security inside and around refugee camps and IDP camps, security escorts and area security, in coordination with the Gendarmerie and the Nomad Guard.’ This expands the area of DIS operations from refugee camps to include IDP camps in general. Moreover, it gives the DIS responsibility for area security as well, in coordination with the *Gendarmerie* and the *Garde Nationale et Nomade du Tchad* (GNNT) – who are sorely lacking in capacity and are ill-informed as to how to execute a protection mandate. While the plan is praiseworthy, what is less clear is whether it is realistic. Lacking are arrangements for how the other protection measures currently undertaken by MINURCAT should be transferred to the Government of Chad, UN agencies and NGOs.

3.0 Sexual and Gender-Based Violence and the Protection of Civilians

The Protection of Civilians (PoC) framework has been a guiding principal for the numerous UN peacekeeping operations since 1999 (Lie & de Carvalho, 2009:8). The basis of the concept is rooted in International Humanitarian Law (IHL) following the concerns for the situation of civilians trapped in an armed conflict. Though the main goals are fairly clear, actually implementing the protection of civilians is often a challenge. There are many issues concerning the policy-to-practice transition, such as the lack of contextual knowledge, a mismatch between mandate and resources available, lack of discipline by various UN peacekeepers, insufficient planning at UN headquarters, deficient protection tools – and the list goes on. Although several UN missions are authorized with a clear protection mandate, Security Council resolutions are less clear as to how and what protection efforts entail, leaving it up to the SRSG or usually someone further down the chain to translate the vague protection language into practice, and to determine whether it is within the scope of the mission's capabilities. This might be positive for context sensitization, but the question remains: were mission capabilities ever sufficient from the start? As that most UN missions are far from maximum deployment, protection efforts – and thereby the civilian populations – are suffering (Lie & de Carvalho 2010).

At a minimum, providing protection and security for a vulnerable population requires more than just physical protection. In the context of Chad, the threats to security for a given population, whether they be refugees, IDPs or host communities, often relate to livelihood constraints and local disputes aggravated by the lack of rule of law and correction systems. Protection in such settings requires a holistic approach that includes capacity-building of inter-community dialogue, establishing structures for sustainable and equal distribution of resources, and generally enhancing the state's performance in responsibility for its population. To take one example, a Norwegian drilling team were able to find water and drill a well in Iriba, one of the most conflict-prone areas of northeastern Chad. Simultaneously, MINURCAT supported the local government in establishing a board for dialogue with the local population on the equitable and sustainable use and distribution of this valuable resource. Such initiatives have a potential for creating peace, security and development – much more than the case with a short-term peacekeeping force or national police.

Moreover, MINURCAT is mandated to protect refugees and IDPs in eastern Chad and to ensure safe returns of displaced populations as key priorities. In other words, its mandate is purely to protect civilians, without addressing the underlying political problems. There is reason to question the logic of such a mandate that in turn might be unable to grasp the very issues that cause the humanitarian situation. With MINURCAT, there is a risk that the ‘consequences becomes the main focus of the international community’, as the SRSG stated (22 May, 2010), instead of political solutions that could create a conducive environment for safe returns of IDPs and early recovery. In his view, the result has been to sustain and sometimes unintentionally create emergency situations as service provisions in camps such as food and water distribution and primary schooling have been made available in areas previously beyond the reach of the international humanitarian community.

Nevertheless, MINURCAT has worked through other, indirect channels in terms of political solutions and security sector reforms. The primary example is the DIS, which has reformed part of the police sector; establishing and improving Chadian civilian police capacity. Moreover, MINURCAT has facilitated inter-community dialogue and boosted the capacity of the local administration to improve the rule of law and correction systems in Chad. Sensitizing the government and local authorities on gender-related issues, such as violence against women, has also been an important element in affecting attitudes, reporting mechanisms and responses to such human rights violations.

We now turn to the situation of SGBV in eastern Chad and the protection and prevention responses by MINURCAT and others.

3-1 SGBV Gender-Based Violence in Eastern Chad

Data on SGBV preceding the proxy fighting and deteriorating relations between Khartoum and N’Djamena since 2003 remain scarce. However, it does seem that sexual violence, especially rape, was perceived as a serious crime. This assumption is based on the Chadian legal framework, where perpetrators of group rape are subjected to life imprisonment, as well as discussions with Chadian IDPs and local authorities. Moreover, as there is no war as such in Chad, the reported incidents of SGBV are linked to destabilization, low-intensity conflicts and decreased security. Thus, SGBV is not a tactic of war in Chad: it is caused by heightened insecurity and is committed partly due to the absence of the rule of law and heightened rivalry between IDP, refugees and host communities.

Violence against women has become a cross-cutting issue among MINURCAT and other UN agencies, not only in the east but throughout Chad, regardless of the specific situation and context, according to our sources. In many ways, SGBV is a symptom of underlying problems at the cultural, economic, and political level. For the sake of simplification, we may say that Chad is a patriarchal society in which women are excluded from the public sphere, including political and economic life, and are perceived to have less value than men (interview with MINURCAT Gender Unit, 24 May 2010). According to the Gender Unit, the Constitution of Chad calls for equal rights regardless of sex, religious or ethnic affiliation. But in practice, women are viewed as subordinate to men, with little access to education, jobs or training. According to our informants, SGBV cases are not caused only by harmful traditions but are often linked to livelihood constraints, greater hardship and alcohol abuse. Frustration among men can directly result in more cases of domestic violence and other SGBV against women.

SGBV is argued to be among the main human rights challenges in eastern Chad, representing as much as 55% of reported human rights violations (UNSC, 2010a). Violence against women is committed commonly and daily by husbands and relatives, as well as by the Chadian National Army (ANT) – and impunity is widespread. Female genital mutilation (FGM), early and forced marriages as well as rape are regularly reported. However, the actual extent of SGBV cases in eastern Chad is unknown, due not least to stigma, fear of reporting, lack of sensitivity in understanding SGBV and lack of trust in the judiciary system. On the other hand, there are reporting mechanisms in place in the refugee and IDP camps, thanks to UNHCR, UNFPA and partners.

Amnesty International in particular, and other human rights organizations like Physicians for Human Rights, have painted a dramatic portrait of rape against Darfuri refugees in eastern Chad. Amnesty International (2009) claimed that rape is used as a weapon of war by members of the Janjaweed militia. Less certain is where the data supporting Amnesty's argument derive from, as the rape cases reported by UNHCR show that incidents outside the camps are committed by Chadians, while those inside camps are committed by refugees themselves. Furthermore, what predominates in the statistics are harmful traditional practices, like early marriages (11–12 years), FGM, and other forms of violence against women.

Many of the reported cases take place when women leave the camp to gather firewood and food in areas beyond the operational reach of the DIS (20–30 km). UNHCR has established several mechanisms to pre-

vent such attacks, especially in three areas: (1) having centralized firewood posts within the camp for local redistribution, (2) encouraging men to accompany the women and (3) introducing solar cookers to reduce the dependence on firewood. The high consumption of firewood in an area of resource scarcity and the average of 8.6 hours of sun per day create a sizeable potential for the application of solar energy. The challenges have been to provide solar cookers of sufficient quality as well as to develop local know-how and capacity for using and maintaining solar cookers. Moreover, men have been reluctant to accompany women, as collecting firewood is seen as being a woman's task. Some of the female refugees we spoke to also argued that men should stay in the camp as they feared that men might get killed if they ventured outside.

In order to combat the prevalence of SGBV, a long-term structural change is needed to challenge prevailing gender norms and women's disintegration from the public sphere. But there are also other, more immediate, areas that can be addressed. They include cross-cutting measures like continued support to the capacity for inter-community dialogue and conflict resolution; support to capacity development for local administrators; and strengthening the rule of law. Extremely important is the emphasis on community dialogue to encourage more equitable and sustainable sharing of land, water and other valuable resources. Here, a focus on conflict resolution training is important – and especially on the role of women in mediation.

As many of the perpetrators of human rights violations, including SGBV, come from the Chadian National Army (ANT), greater attention to Security Sector Reform (SSR) is needed. The DIS (further discussed below) represents a significant improvement – and the DIS has trainers with capable of continuing the training of new staff. But this capacity transformation from MINURCAT to the DIS cannot remain viable without incentives to continue the risky job of protecting vulnerable populations and securing humanitarian space. Inevitably, any SSR initiative would require further funding from the international community – particularly its main donor, the European Union – and adjusting the support to sustainable levels reasonable for a scalable SSR programme. However, the EU and other donors have been understandably reluctant to provide funding to a country that ranks among the lowest on the Transparency International Corruption Perceptions Index (175 out of 180 in 2009).

We were informed that much of the work done concerning SGBV has focused on awareness-raising programmes. However, school enrolment remains low among boys as well as girls, and it is difficult to raise awareness and challenge prevailing gender norms. Programmes

have targeted traditional and refugee leaders, civil society and women's groups, and law enforcement officials (UNSC, 2010a). On 17 October 2009, the Government of Chad, through the Ministry of Social Action, National Solidarity and Family Affairs as well as the first lady Mrs. Hinda Deby Itno, launched a national campaign 'Unite to End Violence against Women' supported by MINURCAT and UNFPA. The campaign lasted until the end of 2009, and has at the very least managed to raise some awareness. To take an example, SGBV also relates to maternal mortality: in Chad every 1100 out of 100 000 live births leads to the death of the mother, and Chadian women have on average 6 births in their lifetime, implying a significant risk of maternal mortality (WHO, 2006). This also affects development indicators greatly. During the campaign, awareness was raised with slogans such as 'No woman should die giving birth'. After the campaign, an agreement was made to ensure that women should have the right to receive maternal health support, at least theoretically speaking. There has been evident improvement in N'Djamena, where a mother-child hospital was built recently, but in rural areas, access to such facilities is generally lacking, according to UNFPA representatives (27 May, 2010).

3.2 Taking Local Ownership: SGBV and Women's Committees

There are, as noted, mechanisms in place in refugee and some IDP camps to detect SGBV-related cases. Most of the cases reported by UNHCR were uncovered by 'committees' in the camps, which include 'SGBV victims committee', 'women's committee' and the 'leaders committee'. As we understand it, these are groupings made up of elected representatives of the refugee population that meet regularly and are the primary contact to humanitarian staff. The research team met and discussed with some of these groups during the field visit in the refugee camps (November 2009). These committees serve many different purposes, including dispute resolutions between refugees and sensitizing refugees to domestic violence against women.

The committees, we were told, varied in their ability to reach the population and disseminate reliable information. Those committees that were dedicated to the population and supported by UNHCR and its partners had proven their capacity for dealing locally with SGBV-related challenges and sensitization on SGBV. Our informants in the Darfur committees (5 November, 2009) argued that they had not previously (i.e. before arriving as refugees in Chad) discussed or reflected on traditions in a constructive manner. As one interviewee explained, sensitivity programmes make it possible for people to understand that their rights are being violated. They argued that violations of human rights were often sought justified on grounds of religious practice and

customs. Through gender-sensitivity training in the committees, they had come to realize that many of their problems were related to SGBV. On a more pessimistic note, one of our informants in a humanitarian agency (26 May 2010) stated that SGBV sensitization among refugees and IDPs might worsen the situation for the sensitized groups. The reason was that women who had been sensitized and aware of their human rights, would later return to areas where cultural practices and perceptions of women had not changed. Those women would have been made aware that their rights were violated, but they would be unable to challenge prevailing gender norms, according to this interviewee.

On the other hand, as one member of the gender committee in a camp in Guéréda stated (5 November 2009), women may lack education (including human rights knowledge), but they are certainly capable of understanding and detecting security concerns. Hence, these forums for discussing their concerns with committees can help them to decide to take their security challenges to the DIS and UNHCR. On the whole, such committees appeared to have played an important role in enabling refugees to share experiences, as well as providing support to vulnerable groups and in detecting protection and security problems.

It was less clear whether such committee structures have been developed in the IDP camps. The IDP women we met in Goz Beida told us that, if they have security concerns, they contact the local village chief, who can then take the case to the DIS. Some UNCHR representatives in Abéché (6 November 2009) expressed concern at the lack of a strategic framework for dealing with SGBV cases in IDP camps. They argued that Darfuri refugees were far ahead of the host communities and IDPs in recognizing SGBV as a protection issue and a violation of human rights, and not an acceptable cultural practice. This view was also shared by various UN representatives with whom we spoke during our field visit in May 2010.

3.3 Role of the *Détachement Intégré de Sécurité* (DIS)

Despite challenges and some cases of serious ill-discipline,⁴ the 850-strong Chadian police/gendarme force DIS has done reasonably well in its important role of protecting civilians, patrolling areas, and escorting humanitarian and UN staff. In each DIS station, there is a gen-

⁴ According to Amnesty International (2009:23), 'the UN has reported a number of "serious cases of ill-discipline" in which DIS officers have been accused of violence reportedly led to deaths or injuries of a number of civilians (...).' This was not the impression that we got, nor did it correspond with evidence from our field data, so we took a closer look at the source used by Amnesty. The reference (UNSC 2009b: paragraph 68) showed that in the period of reporting there were only four cases of serious misconduct, whereas all four that had been dismissed and they were in process of a judicial follow-up. The quote 'serious cases of ill-discipline' had simply been taken out of context.

der desk where gender-sensitive cases can be reported. The number of SGBV cases reported has increased steadily, from an average of five cases per month in 2009 to seventeen cases per month in the first quarter of 2010 (UNSC, 2010a: paragraph 31). This is probably the result of greater awareness among the population, enhanced reporting mechanisms and capacity among the DIS, and not an actual rise in the number of SGBV violations.

As for community policing, one female DIS officer in Farchana (4 November 2009) had several suggestions for best practices in reaching the female population. She argued for the benefits of wearing civilian clothes and talking with the women while they were fetching water or in other settings where men were absent. In that way, talking to DIS personnel became less obvious, and helped to dampen suspicion and reprisals in the communities. It became easier for women to open up and discuss their concerns in a low-key and informal manner, as well as building trust between the DIS and the refugees and IDPs.

The DIS is in many ways a reference unit that can facilitate follow-up work on the cases reported to them. Its police officers are trained to inform about rights, facilitate access to justice in the east and refer cases to gendarmes, sub-prefectures or courts (where these exist). However, the DIS faces many structural challenges in eastern Chad. First of all, the units lack the physical structures for properly receiving victims, such as medical staff, safe houses and the like. Secondly, the supporting structures, like courts and traditional leaders, are not necessarily capable of following up on the cases. This concerns, among other things, the capacity and knowledge of how to deal with SGBV cases; interest in pursuing cases of SGBV; and a political situation that can make prosecution of ANT members and other perpetrators life-threatening. Moreover, the local administration leaders preside as judges, including military officers, resulting in confusion and competition about roles and authority in a given region – a competition that too often has had a link to the ethnic leadership of the country as such. A key part of the support that the international community can give is to put the spotlight on local administration practices and make sure that local administrators treat the various ethnic communities equally. Similarly, the international community should be cautious in its support to the development of local administration structures, so as to not promote further conflicts between ethnic groups or endorse one particular clan unwittingly.

Thirdly, prisons are in place only to a limited degree, principally in Abéché, and are hardly secure. Moreover, trust among the general public is further limited by structures that discriminate against lower-

class Chadians, while granting amnesty to certain ethnic groups as well as high-ranking army officials.

Future prospects for the DIS in Chad remain uncertain. On a positive note, UNPOL staff have taken important steps towards capacity transformation of the DIS, and they will remain as mentors until 31 December 2010. Their work includes training of new trainers among the staff, training in vehicle repair, training of judiciary police, as well as an overall capacity transformation in improving staff behaviour (code of conduct). The creation of the DIS has in many ways affected gender roles and community policing in Chad. Previously, there were a very few female police or gendarmes. With the DIS, the aim was to recruit more women and create better prospects for reaching the entire population and for handling gender-sensitive cases. We were told that female DIS staff members are involved in all sectors of the DIS, not just 'gender issues'. However, although work on SGBV problems has been improved, challenges remain. For instance, it is much easier to train the DIS in repairing vehicles than to establish better gender equality and police responses to cases of domestic violence. Such transformation will entail a gradual and long-term process. Furthermore, the structural challenges relating to impunity will certainly work to obstruct the results of DIS policing.

4.0 Conclusions

SGBV in Chad will remain a challenge, along with limited security, rivalries and widespread impunity. MINURCAT and the DIS have started the important job of community policing and supporting structures of local authority. However, it remains uncertain whether the country's government is ready to assume full responsibility for protection against SGBV in eastern Chad and protection of civilians against all forms of human rights abuses. Some informants felt that the initiatives taken by the government, including the peace agreement between President Déby and President Al-Bashir in February 2010 should be welcomed by the international community. Chad has taken a much tougher stance in the refugee camps in the north, considered to be JEM⁵ strongholds, and weapons searches are routinely performed. Today, armed JEM elements are rarely seen in the camps or on the Chadian side of the border.

Many, however, remained sceptical of the government's ability to fulfil its promises to the UNSC. One view we encountered was the following: 'The government of Chad will have two main priorities. Priority number one is to protect borders. Priority number two is protection of civilians, meaning physical protection, not in line with IHL.' Most members of the ANT are illiterate, 80% according to some sources. This poses great challenges to training in IHL, a subject quite unfamiliar to most if not all of the ANT. The ANT is more often perceived as a part of the problem, rather than a solution. Moreover, physical protection represents an isolated approach to SGBV issues. The importance of community policing, such as the DIS, should not be underestimated. Most insecurity issues relate to civilian and not military targets: refugees and IDPs are attacked when performing their daily duties and in their communities.

Although the intention of both the Chadian government and MINURCAT is to transfer the DIS to national ownership and funding, the future of the DIS remains uncertain. The DIS has in many ways become an elite force. Its members have performed their job reasonably well, which is very positive, but they stand apart. The access to material resources and the benefits they receive are unmatched by any other existing security force in Chad, and envy has been strong. An uneasy feeling prevails in the humanitarian sector in Chad and among

⁵ The Justice and Equality Movement (JEM) is one of the most powerful anti-government factions involved in the conflict in the Darfur region.

many of those working for MINURCAT. They are sceptical as to whether the government has the capacity to assume full responsibility for the protection of civilians in all its facets. ‘The DIS is on life-support and will collapse the day MINURCAT leaves’, was one representative opinion encountered. It was argued that the government will be neither able nor willing to keep vehicles operating, with fuel in the tanks, as well as assuming all the other operational costs associated with the DIS.

A key task should be to further strengthen and improve the responsiveness and capacity of local administration to adjudicate conflicts in a fair manner. Local administration should be supported and made responsible for providing basic social services that in turn can create the foundation for long-term development in eastern Chad. Further support for capacity development is needed for civil society, and this includes women’s organizations for peace and political participation.

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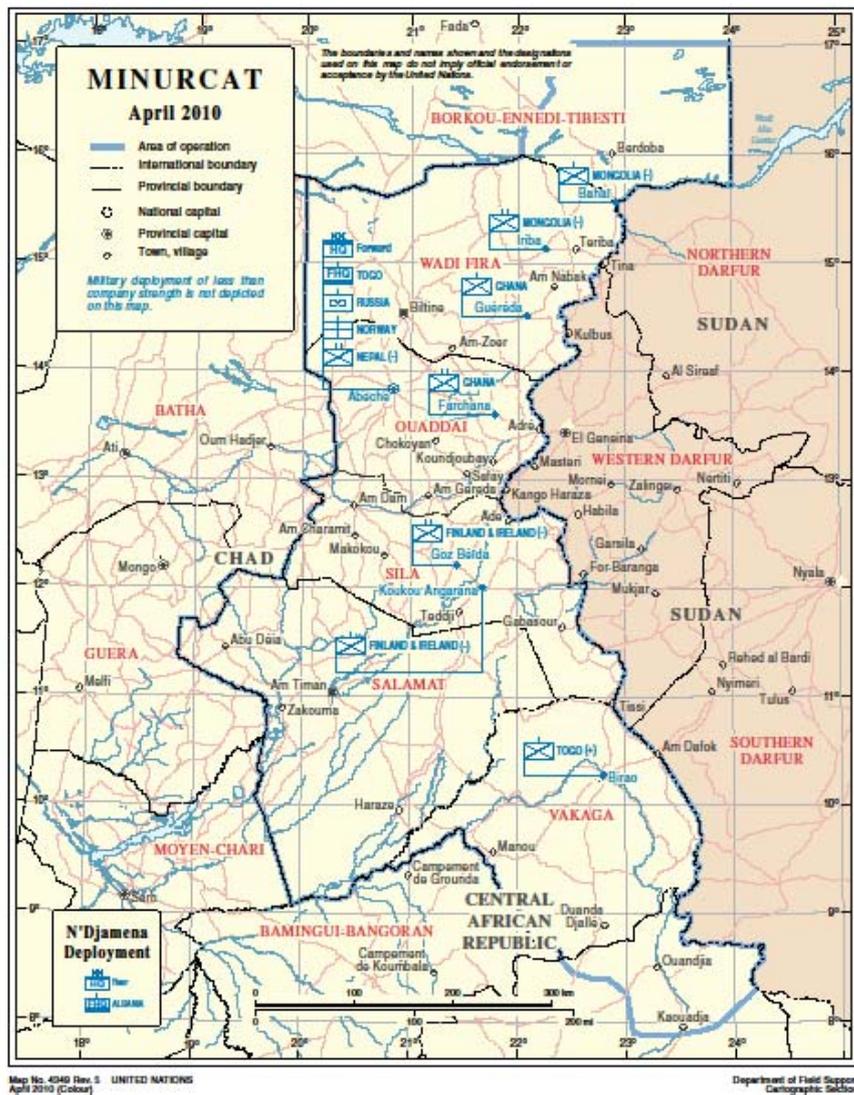
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Annex 1

Map of the MINURCAT mission
Map No. 4349 Rev. 3



Annex 2

List of interviewees and discussions, 20–28 May 2010

Atinga, Gladys Teni	Deputy Head of Gender Unit, MINURCAT
Ballaman, Pauline	Country Director, Oxfam
Boutellis, Arthur	Special Assistant to the SRSG, MINURCAT
Cissé, Cheikh Tidiane	Country Representative, UNFPA
Diallo, Mamadou Mountaga	Police Commissioner, MINURCAT
Falavigna, Michele	UN Resident and Humanitarian Coordinator
Frigaard, Tor Iver	Deputy Police Commissioner, MINURCAT
Holmes, John	Under Secretary-General and Executive Relief Coordinator, OCHA, New York
Inganji, Joseph	Head, Humanitarian Liaison Unit, MINURCAT
Kamanzi, Alexis	Humanitarian Affairs Officer, Head of Abéché sub-office, OCHA
Kollies, Ute	Head of Chad Office, OCHA
Mahmoud, Youssef	SRSG MINURCAT
Monjimbo, Emmanuel Luma	Chief of Operations, UN Security
Ngeruka, Fabiola	Gender Advisor, UNFPA
Nzeyimana, Pierre-Claver	Team Leader Iriba, Judicial Affairs Unit, MINURCAT
Ohashi, Keita	Assistant Representative, UNFPA
Parlevliet, Jacqueline	Senior Protection Officer, UNHCR
Rodriguez, Muriel	Head of Field Office, Farchana, MINURCAT
Ruge, Joachim	Political Affairs Officer, Abeche, MINURCAT
Salah, Rima	DSRSG, MINURCAT
Sy, Achta Djibaine	National Professional Of ficer, Gender Unit, MINURCAT
Valente, Rodolphe	Policy Advisor, Comité de Coordination des ONG au Tchad