

CHAD

While Chad is a sparsely populated country, it is currently one of the largest refugee-hosting countries in Africa. For more than a decade, Chad has hosted around 340,000 Sudanese refugees in the east, 100,000 Central African refugees in the south and more than 15,000 Nigerian refugees in the Lake Chad region. Chad is a low-income country with one of the lowest human development indicators in the world. The fall in oil prices and the COVID-19 pandemic have further worsened Chad's economic situation. Fragility and ethnically motivated conflicts in the country have resulted, inter alia, in the presence of 236,426 internally displaced persons in south-eastern Chad. In the last decade, the total number of refugees has increased significantly: by more than 100,000. The large number of refugees and their protracted stay have strained services, natural resources and social cohesion locally. Capacity issues and lack of resources have brought challenges to effective refugee protection, especially in remote border regions. Despite these challenges, Chad has traditionally maintained a generous open-door policy for refugee inflows.

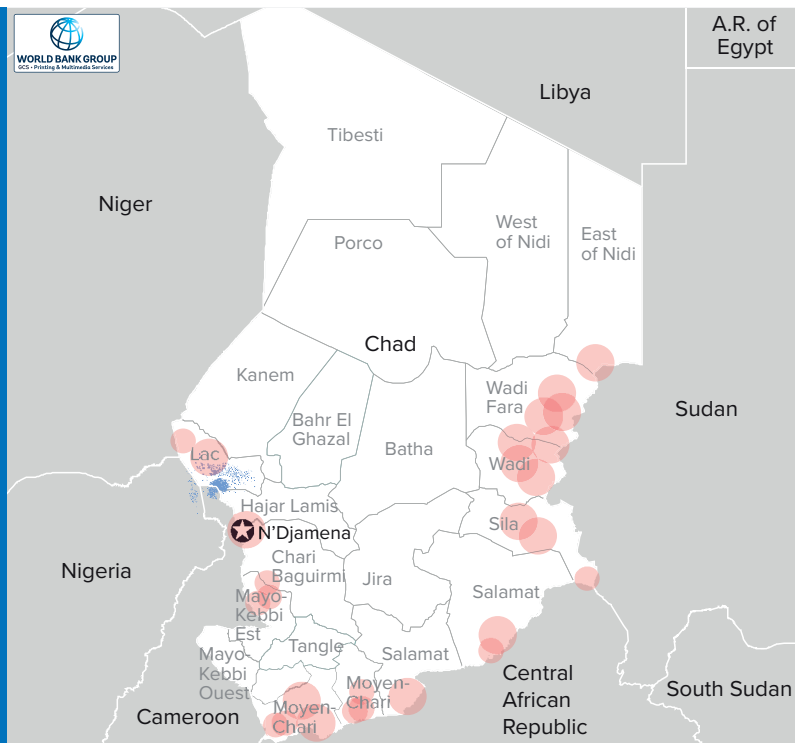
KEY POPULATION DATA

472,110
Refugees

3,905
Asylum-seekers

2.99%
of the country's population (15,946,876)
are refugees and asylum-seekers

IDA 18 RSW / IDA 19 WHR ELIGIBILITY:
SEPTEMBER 2017



Most refugees live in south-eastern Chad in or near one of 19 camps close to the borders with the Central African Republic, Sudan, Cameroon and Nigeria. Refugees in Chad live near Chadian host communities, with whom they have a high level of interaction. A minority live in rental arrangements in N'Djamena or in unplanned settlements elsewhere.

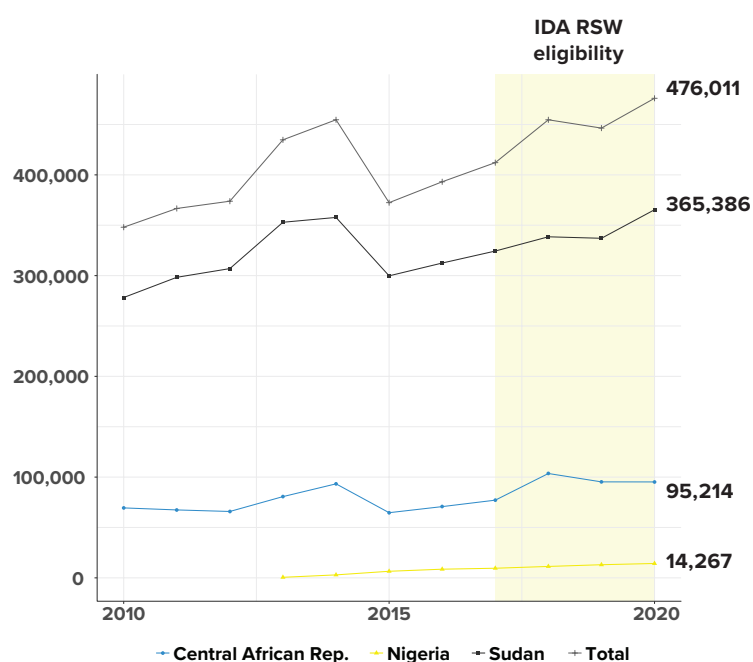


Figure 1: Number of refugees and asylum-seekers of the largest refugee population groups

OVERVIEW OF REFUGEE POLICY ENVIRONMENT (JULY 2017–JUNE 2020)

From July 2017 to June 2020, the Government of Chad has significantly developed its approach to managing refugee situations. The most significant policy developments at the national level are as follows:

- Agreement in 2019 by the Council of Ministers on the text of a National Law on Asylum (adopted in December 2020), which represents a critical milestone in ensuring freedom of movement, access to health care, education, justice, and wage-earning employment, and favourable treatment for self-employment for refugees and in guiding the establishment of an efficient national asylum system.
- Adoption by a National Symposium in September 2018 of an action plan to implement the Comprehensive Refugee Response Framework (CRRF), focusing mainly on alternatives to camps based on the process of “villagization” and the integration of refugees into the national education and health systems.
- Integration of refugees into the Chadian education system and sectoral plan and the assignment of Chadian teachers to refugee camp schools in the resumption of their management by the State.
- Elevation in 2018 of 108 camp-based refugee schools and 10 vocational training centres to the rank of official public schools (benefitting from funds received from the [Global Partnership for Education](#) to support access to primary education for all children living within its borders);
- Completion of agreements with 12 Public and Private Universities, whereby they would include refugees in their systems.
- Establishment through Presidential Decree No 1378/PR/2019 of a ministerial-level High Committee to provide policy, strategic and technical guidance “for better protection and treatment of refugees and host communities as well as for the harmonious development of refugee reception areas” as well as a technical-level working group.
- Development of a strategy to transform camps in rural areas into villages, and those in urban areas into neighbourhoods, resulting in refugees arriving from the Central African Republic in 2018 being able to settle in villages in Southern Chad. Progress has also been made with the absorption of three refugee camps into Chadian villages.

Chad also signed a [Tripartite Agreement with Sudan and UNHCR in May 2017](#) that guarantees adherence to the principles applicable to the voluntary repatriation of refugees and also seeks to enhance cooperation on information sharing, community dialogue and the use of go-and-see/come-and-tell visits enabling refugees to make informed decisions regarding voluntary return.

In the context of the eligibility discussions on the IDA18 Sub-Window for Refugees and Host Communities, in July 2017, the Government of Chad stressed five strategic priorities in relation to the integration of refugees into Chadian society: to adopt laws and regulations; to strengthen the rights of refugees and internally displaced persons; to ensure equitable access to basic services for refugees and host communities; to increase the effectiveness of national bodies in charge of refugees; and to enhance humanitarian and development coordination.

Chad was also active regarding refugee issues in the international sphere from 2017 to 2020. During the September 2016 New York Leaders’ Summit on Refugees, President Idriss Deby committed to a series of policy actions including: improving access to education for refugee children, especially secondary and higher education; providing access to arable land and strengthening the corresponding extension services; establishing a system for the regulation and issuance of civil documents and adopting a refugee law in line with the 1951 and OAU Conventions.

Chad then adopted the [Global Compact for Refugees \(GCR\)](#) in December 2018 and, at the [Global Refugee Forum](#) in December 2019, Chad reiterated its willingness to improve and implement refugee protection policies. This included eight pledges to, among other things, pursue the progressive integration of refugees into sectorial plans, support Voluntary Repatriation and adopt an out-of-camp approach to help refugees settle in villages by transforming 30 per cent of refugee camps on its territory into villages by 2023. It also pledged to end statelessness by 2024, to establish a specific procedure for determining stateless status and to issue free birth certificates for an estimated 120,000 refugee children and identity documents to all Chadian returnees.

Notwithstanding a number of achievements to date which are mentioned below in the related sub-dimensions, concrete progress on the implementation of pledges and related policies has been stalled over the last six months, reflecting the Government's priorities in responding to the pandemic.

POLICY DIMENSIONS (AS AT 30 JUNE 2020)

1 Host Communities

1.1 Support for communities in refugee-hosting areas

There are no national fiscal/budget policies for timely additional financial transfers from the national treasury to the areas that are economically affected by the presence of refugees. In general, there is hardly any transfer from central to local level, with the exception of additional expenditure related to security. Financial contributions to refugee-hosting areas are generally based on projects and programmes funded by external donors.

[A National Strategy for Social Protection](#) was adopted in July 2015, covering the period 2016–2020. Its implementation has been limited though. Its overall objective is to progressively establish a comprehensive, effective and efficient social protection system that addresses financial needs, livelihood security, risk management, vulnerability reduction and access to basic social services for all Chadians and residents in Chad, including refugees, returnees and internally displaced persons, thus contributing to a more equitable society. The refugee-hosting areas, which are among the poorest in the country, are not specific target areas of the Strategy. The document is currently under revision by a multidisciplinary committee for the period 2022–2026. The Refugee and Host Communities Support Project (PARCA), financed by the World Bank and implemented by the Government illustrates that the majority of the current social protection interventions are funded by international stakeholders.

1.2 Social cohesion

The [Chadian Constitution](#) is the prime instrument aimed at identifying, preventing, and mitigating potential social tensions and risks of violence, including in refugee-hosting areas. Its preamble provides for social cohesion between communities of different origins through the sharing of values and opportunities. No specific law exists on social cohesion. However, the matter is pursued through the work of several ministries namely the Ministry of Justice and Human Rights, the Ministry of Territorial Administration, the Ministry of Social Welfare, the Ministry of Livestock and the Ministry of Agriculture. The issue of social cohesion in refugee-hosting areas features in some initiatives/studies such as the [Forum on the sustainable socioeconomic inclusion of refugees in Chad](#) (2017), whose objective was to identify and analyse the constraints that hinder the sustainable socioeconomic and legal inclusion of refugees and to make recommendations accordingly. Another example is a [Study on social cohesion in the Lake Chad Basin](#) (2020), which, as part of the RESILAC EU and AFD funded project, explores how humanitarian aid could support endogenous conflict prevention, mediation and resolution mechanisms and how it can participate in strengthening social cohesion at community level.

[The National Development Plan document \(2019–2021\)](#) provides for the establishment of consensual mechanisms for the peaceful settlement of conflicts by strengthening the legal framework in order to promote trust between communities and security forces, socio-security dialogue, peaceful coexistence and respect for differences. Additionally, at sub-national and local levels (i.e. at governorates, prefectures, sub-prefecture and village levels), there is a country-wide structure of traditional leaders. In the Eastern part of Chad, the Sultans hold a similar rank as the Governors' with political and judicial powers. In the South and in the Lake Chad region, there are fewer Sultans, but the Chefs de Canton are the traditional leaders. They play an important role in maintaining peaceful coexistence within and across the communities and take an active part in the discussions around land access and use.

In some locations, refugees outnumber the local population (up to 3 or 4 to 1). However, overall, refugees across Chad coexist peacefully with the local population because of strong ethnic and cultural ties and common traditions. With UNHCR support, the Government has set up joint committees in all of the refugee camps and reception sites, made up of refugees and host community members. Their objective is to promote and advocate peaceful coexistence and conflict resolution. They play a preventive role in sensitizing communities to the importance of living together despite the challenges associated with sharing resources. They also enable conflicts to be resolved peacefully and facilitate socioeconomic inclusion in the host areas. Women play an important role in conveying messages of peace and social cohesion, as well as in the settlement of disputes.

National policies do formally protect refugees from discrimination. The [Constitution](#) (Article 5) prohibits any “propaganda of ethnic, tribal, regional or religious character attempting to harm the national unity or the secularity of the State”. Having been ratified, the ICCPR and the ICESCR, including the prohibition of any discrimination in the enjoyment of civil, political, economic, social and cultural rights, are part of the national legal framework. [Law No 021/PR/2019](#) governing legal aid and judicial assistance¹ provides that this assistance shall be accessible to all without any form of discrimination based on nationality, sex, age, language, religion, opinion or any other consideration. [Law No 07-007 PR](#) on the protection of persons living with disabilities² protects all the individuals concerned, strengthens their place in society and promotes their rights to education/training and their socioeconomic integration. The absence of specific law and a national plan on the prevention of statelessness has a negative impact on undocumented individuals, which may lead to some forms of discrimination. Discrimination may occur as well in relation to gender identity and sexual orientation.

1.3 Environmental management

National policies are in place to protect the environment in a sustainable manner and ensure adequate management of resources (Article 51 of the [Constitution](#), Law 14/PR/98 of 17 August 1998 on environmental protection, Decree No 630/PR/PM/MEERH/2010 regulating environmental impact assessments, Law No 16/PR/99 of 18 August 1999 establishing the Water Code and Order 11 of 28/02/2011 on the hygiene and environmental sanitation code). While these policies do not specifically refer to refugees and/or host communities, they are also applicable in refugee-hosting areas. Law 14/PR/98 on environmental protection establishes basic principles for sustainable management of the environment and the protection against all forms of degradation in order to value the natural resources, as well as land preservation and improve the living conditions of the population. The implementing decree of this law prohibits the felling of trees and the production of charcoal, thereby impacting upon access to cooking energy for refugees in the camps.

1 <https://www.tachad.com/la-justice-tchadienne-dispose-de-laide-juridique-et-de-lassistance-judiciaire>

2 http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=97314&p_count=13&p_classification=05#:~:text=Nom%3A,L oi%20n%C2%B0%2007%2D007%20PR%20du%209%20mai,portant%20protection%20des%20personnes%20handicap%C3%A9es.&text=R%C3%A9sum%C3%A9%2FCitation%3A,socio%2D%C3%A9conomique%20des%20personnes%20 handicap%C3%A9es.

1.4 Preparedness for refugee inflows

The issue of refugee inflows is dealt with by the National Commission for the reception and Reintegration of refugees and Returnees (Commission Nationale d'Accueil de Réinsertion des Réfugiés et des Rapatriés - CNARR). The CNARR five-year strategy includes provisions for mobilizing for emergencies. Chad generally relies on UNHCR to support and guide its response to refugee emergencies.

2 Regulatory Environment and Governance

2.1 Normative framework

Chad is a State party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, as well as to the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. At national level, [Decree No 839/PR/PM/MAT/2011](#) established CNARR, which oversees the overall management of refugees. The Asylum Law, which enacts the provisions of the Convention and the Protocol into the national legal framework, was adopted after the date of the establishment of this baseline. In 2013, Chad enacted the National Birth Registry Code and a law on civil status that enables foreigners to access civil registration documents. The Law of 14 February 2020 has extended the delay to register births to three months. A series of decrees and orders, some being specific to refugees and others applicable to all persons living in Chad, regulate other important issues.

The CNARR, through its eligibility and appeals sub-commissions, conducts refugee status determination. Asylum-seekers from the Central African Republic in Southern Chad and from Nigeria in Western Chad continue to be granted refugee status through a prima facie approach at the time of registration. Other groups and individuals undergo individual determination. There are shortcomings in the implementation of the refugee status determination individual procedures: standard operating procedures are lacking, eligibility officers require further training and the period to process cases is not well-defined. Some 4,500 asylum-seekers are pending a decision. They are in a vulnerable situation as they do not enjoy the same level of rights as the recognized refugees. The [Asylum Capacity Support Group](#) is currently working on improving the national asylum system.

The CNARR eligibility sub-commission deals with first-instance refugee status determination (RSD). It is chaired by a representative of the Ministry of Foreign Affairs, and representatives of different ministries (Ministry of Justice, Ministry of Territorial Administration) and of the Human Rights Committee are members. The appeals are dealt with by the sub-commission for appeals, which is composed of one representative of the Ministry of Justice, one representative of the administrative chamber of the Supreme Court and one member representing the Courts and Tribunals. This sub-commission meets four times per month to ensure due process. In addition, they can interview the applicant to seek additional information in order to review the case. If the case is rejected, the applicant can submit the case to the Supreme Court. The procedure is free of charge. The applicant has the right to be assisted by a pro bono lawyer.

Laws and regulations are written and published in both French and Arabic to facilitate dissemination and awareness. In remote areas where the population does not have access to television or radio, access to information is a challenge for both refugees and host communities, including for some local administrative authorities. Awareness-raising activities are undertaken by CNARR but the high staff turnover in the central and provincial administrations requires continuous effort for this purpose. Specifically, Law 021/PR/2019 on Legal and Judicial Assistance, which also applies to refugees, is not well known to law enforcement agents in some provinces. In addition, certain traditional practices or beliefs hinder the effective application of laws. The Government continues to sensitize national and sub-national authorities including law enforcement forces and to train them in recognizing refugee identification cards.

2.2 Security of legal status

There are no restrictions pertaining to the stay of refugees and asylum-seekers. Once recognized, refugees can remain in Chad until they cease to be refugees. Once an asylum application has been

registered by CNARR, the applicant can remain in the country until a final decision has been taken on his/her refugee status. The refugee card issued for a period of five years is renewable. In practice, renewals take place without difficulties, even if there may be delays due to limited resources. Further to registration, asylum-seekers receive an Asylum-seeker's Certificate that is valid for a period of two months, renewable, until the time of the decision. In 2019, in the course of a country-wide biometric verification exercise, all refugee documentation was renewed.

There have been no known cases of unlawful termination of refugee status by way of cancellation, revocation or cessation and no documented reports of refoulement. In view of the frequency of cross-border movements in Southern Chad by refugees from the Central African Republic, UNHCR conducts regular border monitoring through CNARR and local actors to ensure that individuals in need of protection have access to the territory. Due to the COVID pandemic, international borders were closed on 18 March 2020 limiting access to the territory. They were reopened on 1 August 2020.

2.3 Institutional framework for refugee management and coordination

Established by [Decree](#) (No 839/PR/PM/MAT/2011), the CNARR, as an interministerial commission, provides the institutional framework for refugee management. Sitting with the Ministry of Public Security, Territorial Administration and Local Governance (MSPARGL), the Commission liaises with many different line Ministries (Foreign Affairs, Security, Defence, Justice, Finance, Social Affairs, Human Rights, Economy, Education, Health, Environment and Water).

The CNARR is tasked with implementing the legal instruments relating to refugees, ensuring the protection of refugees and asylum-seekers and managing any refugee-related issue (identification and registration of refugees and asylum-seekers, issuance of documentation, administration of refugee camps and sites, etc). It also serves as a technical adviser to the Minister in charge of the Administration of territory and local Governance on durable solutions, notably on voluntary repatriation agreements, resettlement and local integration. The CNARR also has a coordination role among all actors at both national and local levels. However, the ability of CNARR to lead the refugee response, to coordinate and to engage with donors is hampered by limited human and financial resources. In practice, UNHCR provides support for coordinating and leading the refugee response as per the Refugee Coordination Model (RCM). The CNARR is also present in all the refugee camps and in most refugee-hosting areas. Coordination meetings among external partners are chaired by the government counterpart (CNARR or prefect) and co-chaired by UNHCR.

Registration is conducted jointly by the Government of Chad, through CNARR, and UNHCR using the UNHCR database and identity management system (the Profile Global Registration System - proGres), progressively building the Government's capacity in this area. Refugee data is therefore collected and stored separately from the national registration data.

Refugee learners' data is collected by the Ministry of Education. Similarly, refugee patients' data is included in the health information system managed by the Ministry of Health. The Government is still undergoing procedures to make the data public, but it offers a rich comparative analysis of refugees and surrounding hosts for the majority of refugees living in Chad. The systematic inclusion of refugees in the national civil database is being considered by the government. This requires technical and financial prerequisites that are not currently met.

Despite the absence of explicit policy on the matter, UNHCR, in collaboration with the authorities, has set up, over time, various mechanisms in the refugee camps and in N'Djamena to include the refugees for meaningful participation and seek their views. Refugee communities are empowered to elect their representative bodies in all fourteen camps and in the capital. In addition to the elected committees of refugee representatives, there are committees for men, for women and for children/young people, for the prevention of/response to GBV, education etc. In N'Djamena, there is a central refugee committee as well as separate nationality-based committees. Interaction and engagement with the refugee community members on general or specific issues are managed and facilitated by these committees.

Focus group and individual discussions between UNHCR and members of the refugee community take place regularly on a variety of issues with the aim of ensuring that all segments of the refugee population are represented in age, gender and diversity, including persons with specific needs/groups at risk. The COVID-19 pandemic resulted in many restrictive measures imposed by the government, making it challenging to reach out physically to the refugees and leading to the use of alternative means of communication such as posters, banners, radio announcements, telephone calls, SMS, Protection Mobile Team, etc.

2.4 Access to civil registration and documentation

Adult refugees are issued with individual ID cards, and family attestations and ration cards are delivered to each household. As at 30 June 2020, around 90 per cent of refugees possess a refugee ID card and 100 per cent of households have been issued with family attestations. The Government has committed to issuing a card to all adult refugees to enhance their protection and facilitate socioeconomic integration and to raising awareness of the validity of the refugee ID cards. Asylum-seekers are issued with a certificate.

In line with its obligations under the 1951 Refugee Convention (Article 28), the Government of Chad issues Convention Travel Documents (CTD) to refugees. However, these are not machine-readable documents and are not compliant with the International Civil Aviation Organization (ICAO) standards. The ID cards and the CTDs are currently issued by UNHCR and the Government (CNARR). However, the plan is that in the future, ID Cards and CTDs will be issued only by the National Secured Documents Agency (Agence Nationale des Titres Securisés – ANATS).

The March 2015 Presidential Decree on the application of the [Law on Civil Status 008/PR/2013](#) requires all births occurring in Chad to be registered and all newborn children to be issued with birth certificates free of charge. Refugee children are fully covered by this Decree. However, the lack of personnel and resources within the civil registration system and the remoteness of the civil registry centres combine to make the implementation of these provisions challenging, and significantly ineffective. The population remains largely uninformed of the procedures and the importance of birth registration, a fact that is exacerbated by the tradition of cross-border mobility linked to pastoralism and other customs. For these reasons, the national birth registration rate stands at 12 to 15 per cent. Civil registration centres remain largely inaccessible to refugees because of the geographical distance. With UNHCR support, the Directorate of Political Affairs and Civil Status (DAPEC) and the Ministry of Justice have been targeting birth registration of refugee children and the issuance of birth certificates, including for internally displaced and returnee children and children in host communities, as part of a broader strategy to expand civil registration and documentation services, improve statistical records and prevent statelessness.

2.5 Justice and Security

The Government of Chad has overall responsibility for ensuring the security of refugees and asylum-seekers, through the Detachment for the Protection of Humanitarian Workers and Refugees or DPHR³. The general security situation in the Lake region has been particularly concerning since 2015 because of frequent attacks by armed groups, and despite measures taken by DPHR. This insecurity affects refugees and host communities equally.

Articles 273 to 278 of the Chadian Penal Code outlaw rape. In 2015, child marriage was prohibited by Law No 029/PR/2015 and Order No 006/PR/2015. Other forms of gender-based violence (GBV) are not adequately covered in law. The policies in place are not sufficiently protective against the risk of GBV within Chadian and refugee populations. A national GBV policy is in force since 2011, but it does not apply in the refugee camps. To compensate for this, a referral mechanism exists for the victims among the refugees in order to be taken care of and receive medical, legal and psychosocial support.

³ DPHR is part of the Ministry of Territorial Administration. Law enforcement forces are detached from the Ministry of Defence to the Ministry of Territorial Administration.

Refugee women and girls affected by displacement remain at higher risk of GBV. They can be victims of GBV attributed to tensions with local communities who perceive them as better off. GBV remains prevalent at the time of firewood collection. The fear of reprisals, harassment, ostracism and the general lack of prosecution of the perpetrators of GBV crimes – in favour of traditional resolution mechanisms largely disadvantaging women – undermine efforts to prevent and detect cases efficiently.

Access to justice and the right to sue are defined by Article 29 of the Code of Criminal Procedure, which applies equally to refugees. Refugees can access justice in areas where judicial services are available, under the same conditions as Chadian citizens, although in practice access to justice is constrained by considerable systemic weaknesses. Overall, refugees and asylum-seekers lack awareness of their rights and the legal remedies available to them. Many do not have the financial means to access the Chadian judicial system and live too far from the Court. The state legal aid to which refugees are eligible is in practice hardly accessible. Legal assistance provided by UNHCR is limited in the face of existing needs. Traditional and customary law remain very commonly used by refugees.

3 Economic Opportunities

3.1 Freedom of movement

Article 26 of the [Chadian Constitution](#) enshrines freedom of movement that applies equally to refugees and asylum-seekers. However, in practice there are restrictions, as the ID refugee cards are not always recognized as legal documents by law enforcement institutions. Refugees therefore tend to limit their movement in order to avoid being checked by law enforcement officers and possibly detained for a short period of time. Refugees and asylum-seekers can receive a *sauf-conduit* (safe conduct) issued by the CNARR free of charge. The document mentions the intended destination and the duration of absence from the camp. This procedure is not underpinned by any law.

There is no legal framework that determines the place of residence for a refugee in Chad and no restrictions on the choice of place have been reported. Considering that multisector assistance is provided in refugee camps in the east, west and south of the country, refugees tend to opt to live there. Refugees who have the financial means to sustain themselves and/or carry out specific activities outside camp in a given location are free to choose their place of residency in Chad.

3.2 Right to work and rights at work

Refugees as all foreigners are allowed to work in the private sector under specific conditions. The Decree of 15 April 1996 requires the approval of the National Office for Employment Protection (Office National pour la Protection de l'Emploi - ONAPE) before a foreigner can be employed. The Decree is silent about refugees but does not explicitly exclude them. The proportion of foreigners in any given company is set at 2 per cent of the total workforce. Prior to submission to ONAPE, contracts issued to foreigners need to be endorsed by the immigration authorities overseeing foreigner employment. Article 11 of the above-mentioned Decree furthermore stipulates that foreigners cannot be hired for non-specialized employment. Companies hiring foreigners are required to pay fees ranging from 100,000 FCFA to 250,000 FCFA. These restrictions make it challenging for refugees to be hired in private companies. There is no data available as to the percentage of refugees employed in the formal private sector. A significant number of refugees have found employment in the informal sector, but data is not available for this either. Refugees are not allowed to work in the public sector as per Article 5 of Law 17 on the General Statute of the Civil Service of 31 December 2001.

Refugees who have secured a job in the formal private sector do not need to be issued with a work permit.

Decree No 1793/PR/PM/MECDT/2015 establishing procedures for the creation, modification, dissolution, or cancellation of enterprises enables foreigners to register and open businesses in their own name. By extension and in the absence of any legal provisions to the contrary, this provision applies to refugees as well. There is no data available on refugees who own their own businesses.

When officially employed in the private sector, refugees are entitled to receive the same wages and benefits (unemployment and social security benefits) as nationals. The national minimum wage policy spelled out in the 2002 General Collective Agreement⁴ applies to nationals and refugees equally. In practice, some employers hire foreigners and refugees without ONAPE authorization and may differentiate their treatment from that of nationals in terms of salaries and social benefits.

Law 38 of 11 December 1996 on the Labour Code broadly protects children from forced labour. Children under 14 cannot be employed in any position, unless under an exemption stated by decree, with the approval of the Ministry of Labour and Social Security and the Ministry of Public Health, based on consideration of the tasks to be performed. The children's legal guardians also have to consent to the recruitment. Children under 18 cannot perform any work at night.

According to the National Investment and Export Agency business set-up guide, as well as Decree 1793/PR/PM/MECDT/2015 establishing procedures for the creation, modification, dissolution, or cancellation of enterprises, any foreigner who intends to start a business or practise a liberal profession must meet the listed conditions. By extension and in principle refugees can practise a liberal profession; however, the lack of adequate documentation is an obstacle to meeting the administrative requirements.

3.3 Land, housing and property rights

There are no laws or policies on land issues that specifically refer to refugees, hence any provisions that relate to foreigners are considered to apply to refugees. Land ownership is a complex matter in the absence of codified land law and the general land ownership regime is a mix of formal and traditional rights. Access to and control of land and natural resources in urban and rural areas are governed by customary and Islamic laws. While customary systems of land access vary widely across the country, most Chadians traditionally obtain land through their kinship group or lineage, by application of the principle of first occupant and, in the case of women, through marriage.

Refugees have access to farmland through loans or leases. In principle, they also have the right to buy land, although in practice this is hardly accessible because of the prevalence of the traditional ownership system, their inability to produce financial documentation and other administrative obstacles. Most land access issues for refugees arise in southern Chad where there is a greater overall reliance on agriculture and where practices vary. Refugees tend to negotiate land access directly with landowners, paying in cash or in-kind (percentage of crops). They may receive documents attesting the right of access, signed by the regional administrative authorities (Sub-Prefect) or a traditional leader. In some cases, refugees do not receive any form of documentation and therefore run the risk of having the land access being cancelled by its owners. Some localities refuse to grant land access to refugees.

Between 2019 and mid-2020, 4,882 hectares of agricultural land were made accessible to refugees for exploitation for a period varying between one to three years through written or verbal agreements.

By law, refugees have access to housing and immovable property. In practice, they generally cannot afford to purchase for financial reasons. Most urban refugees rent their dwellings from private owners. It happens that some of them pay higher rents than average.

Social affairs are managed by the Ministry of Women and Early Childhood and the Ministry of Health and Solidarity. Within the social protection strategy, there is no housing assistance scheme available to vulnerable Chadian nationals. In N'Djamena, in the event of flooding, the affected population may receive ad hoc support for relocation, but this will be very limited in time and in amount. Such interventions, usually supported by the humanitarian community, do not specifically include urban refugees.

⁴ <http://www.droit-afrique.com/upload/doc/tchad/Tchad-Convention-collective-generale-2002.pdf>

3.4 Financial and administrative services

In principle, there is no legal barrier to refugees accessing the services of banks and financial institutions. In practice, refugees do not possess the required documentation in the form of an identification document issued by a national authority. The refugee ID card is not considered an official document. In recent years, some financial institutions, mainly in the South, have allowed refugees to access bank accounts — mainly savings accounts — with refugee ID cards.

The conditions are generally more rigid for refugees' access to credit: a regular income or guarantees in the form of property collateral, a Chadian guarantor, or a pledge of a percentage of the loan are usually required. Financial institutions consider refugees to be high-risk borrowers and do not usually provide them with access to credit. Chadians with no formal employment are also excluded from accessing credit.

Bank of Central African States (Banque des Etats d'Afrique Centrale – BEAC) Regulation No 01/11 CEMAC/UMAC/CM relating to the exercise of electronic money issuance activity governs the use of mobile money in the country. Mobile money accounts are not well developed in Chad, but the largest mobile network operators have created ways to transfer and receive money via mobile phone numbers, without any additional proof of ID. Mobile money is an option included in SIM card packages. SIM card registration is required by law in Chad as per Order No 040/MPTIC/10 of 12 November 2010. The Ministry of Post and New Information Technologies and the electronic communication and post regulatory authority are involved in the oversight of SIM registration.

Previously, refugees were not allowed to obtain SIM cards by using their refugee ID card and were thus forced to resort to informal methods such as having a local sponsor registered on their behalf. Now, mobile network operators accept refugee ID cards as valid proof of identity. Refugees who lack a refugee ID card can be endorsed by those who have a refugee ID card at family level for SIM card registration. Asylum-seekers have no access to SIM cards.

To enter the labour market, refugees and foreigners do not have to undergo a recognition process of their diplomas or other qualification by the authorities. The necessary checks are performed by the employer. Refugees or foreigners wishing to sit for secondary studies (Baccalaureate cursus) or begin studies in Chad must present academic documents attesting to their background and previous level. As regards driving licences, in the absence of an international driving licence, refugees or foreigners must get a Chadian driving licence issued by ANATS.

There are no policies in place to provide for formal and organized skills development programmes at national level. A limited number of refugees and host community members benefit from vocational training projects that are mainly funded by international partners.

4 Access to National Public Services

4.1 Education

The education policies allow for all refugees and asylum-seekers to be enrolled in primary, secondary and tertiary school and be part of the national education system. Since 2014, refugee students have been following the national curriculum in French or Arabic and refugee teachers have been trained like their Chadian counterparts and refugee camp schools have been progressively elevated to the rank of official Chadian public school. The Refugee Education strategy 2030, which further strengthens the inclusion of refugees and other displaced persons in the national education system is planned to be validated and endorsed by the Government in November 2020⁵.

In March 2020, prior to closure of the schools due to COVID-19, there were 100,143 refugees enrolled in schools, half of them girls. Refugees have access to Chadian national exams at the end of the fundamental

⁵ <https://data2.unhcr.org/en/documents/details/83328>

cycle (Brevet d'Étude Fondamentale – BEF) and at the end of secondary studies (Baccalaureate). The Government of Chad has created examination centres for both levels. Enrolment rates among refugees have steadily increased since 2014. In March 2020, gross enrolment rates among refugees were: 79 per cent in primary, 31 per cent in lower secondary and 13 per cent in upper secondary. In November 2020, the rates were 67 per cent in primary, 28 per cent in lower secondary and 10 per cent in upper secondary⁶.

Chad does not have an official accelerated curriculum to allow host community and refugee children to catch up on missed periods of education. This greatly impacts all children and young people in Chad, considering that only half of children attend primary school and that alternatives for out-of-school children remain very limited. In the camps, catch up classes have been organized in collaboration with local education authorities to allow refugees to finalize the school year of their flight so that they do not have to repeat the year. Nigerian and Sudanese refugee children, who come from a different school grade system, are tested before they can integrate into the national education system. The same applies to refugee teachers who can teach in the camps once they have been trained on the Chadian curriculum.

4.2 Healthcare

The National Health Policy 2016–2030 gives refugees and asylum-seekers access to public health-care services in the same manner as nationals. The aim of the policy is to set up an efficient and resilient health-care system that can cater for the needs of all populations living in Chad and especially the most destitute and vulnerable ones. A Memorandum of understanding signed in 2019 between UNHCR and the Ministry of Health (MoH) foresees the progressive integration of camp-based medical centres into the Chadian national health system. However, its implementation is on hold due to the COVID-19 pandemic and other priorities within the MOH.

For Chadians and refugees alike, practical access and quality health care are constrained by a shortage of qualified health workers, medicines, health infrastructure and diagnostic equipment, and the need for upfront payment in most cases. In urban areas, the distance to the secondary health centres is a further hindrance. Refugees face additional challenges in relation to language and cultural barriers. Without UNHCR support, health care for refugees and host communities would largely be prohibitive and inaccessible.

The Government's measures in response to COVID-19 include refugees and nationals alike. Refugees are included in national, provincial and local health prevention and response plans, ensuring that they can benefit from the same medical care as nationals.

By virtue of specific provisions of the National Health Policy aimed at reducing maternal and neonatal mortality and promoting health among young people and adolescents, refugee women and girls have equal access to the sexual and reproductive health services and other women's health services enjoyed by Chadian women and girls. Family planning commodities are not always available in national health centres due to lack of funding, but they are in the camp health centres. Despite the willingness of the Government of Chad to provide free caesarean section, surgical and medical emergency services in secondary health-care facilities, these are not yet free of charge. Refugee women in need of a caesarean are supported by UNHCR.

There is no government health insurance available for the population. It has been planned for as part of an outdated national universal health coverage implementation strategy 2017–2019. The national universal health coverage committee is working on a survey to set up the contribution system for the first target group of the programme: the poor and the most vulnerable. Refugees are being targeted under this programme.

⁶ Source: UNHCR Chad EMIS

4.3 Social protection

Most Chadian households do not have access to formal social protection and rely on a limited public provision of basic services. The underfunded Government safety net programmes have traditionally been limited to subsidies for children, either as in-kind support in education and nutrition or as free access to health-care services. Older persons and persons living with disabilities are eligible to receive any form of on-going financial or social support.

Vulnerable refugees are excluded from the benefit of these limited social protection measures. Refugees living with disabilities, older refugees, single women, chronically ill individuals, at-risk children and other categories of refugees and asylum-seekers deemed to be at risk are assisted by UNHCR and humanitarian partners in the camps. In urban settings, where assistance is very limited, vulnerable refugees are cared for by their families.

A unified social register (RSU) is in the process of being developed. Its aim is gradually to create an online database of all of the vulnerable people in Chad (including refugees), thus facilitating the rapid targeting of vulnerable people by the various programmes.

4.4 Protection for vulnerable groups

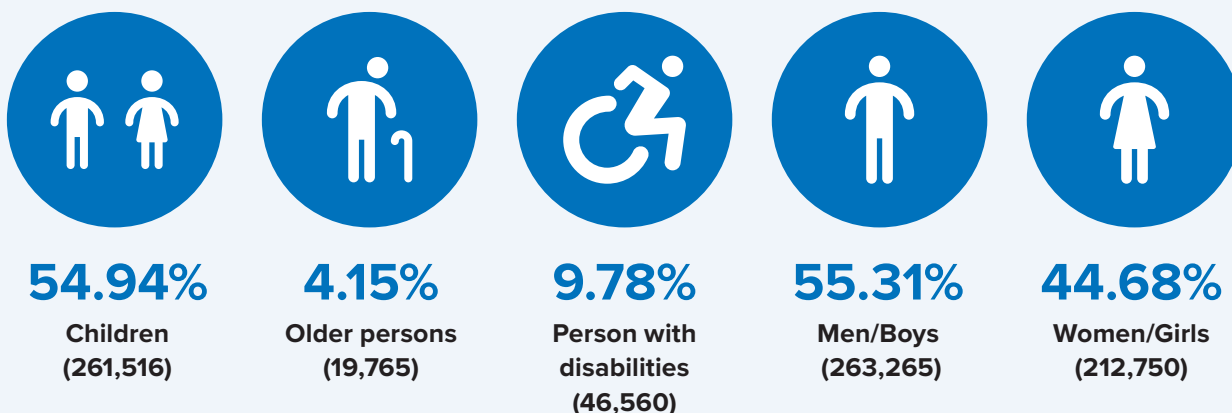
Chad passed the national counter-trafficking law in 2018, which covers human trafficking. Law 06/PR/2018 designates the National Committee to Combat Trafficking in Persons as the lead entity addressing trafficking. The government also adopted an anti-trafficking Road Map in 2019 to implement the 2018 National Action Plan. In practice, the related measures are still very much nascent and victims of human trafficking do not benefit from an adequate support system.

A referral mechanism exists for the survivors of GBV to be taken care of and receive medical, legal and psychosocial support. However, in practice, because of the underdevelopment situation and the underfunding of national protection services targeting vulnerable groups, the survivors of GBV as the refugee victims of trafficking, unaccompanied and separated refugee children, and other categories of vulnerable refugees typically do not have access to the care and protection programme systems set up by the Government. Equally, vulnerable Chadian nationals also face a reality of inadequate care and support systems.

5 Cross Sectors

Characteristics of registered refugees and asylum-seekers in total refugee population*

as at 30 June 2020



5.1 Gender

Gender considerations can generally be improved in a large number of policy subdimensions. As mentioned above, the most consequential policy sub-dimensions in terms of socioeconomic development are as follows:

- i. **Institutional framework for refugee management and coordination**, the limited participation of refugee women in the consultative committees and, consequently, the most often insufficient consideration for women and girls' concerns, needs and contributions, and their inclusion in national plans and programmes.
- ii. **Justice and security**, the challenges faced to prevent and address gender-based violence.
- iii. **Land, housing and property**, the difficulty for refugee women to inherit or own land.
- iv. **Education**, the limited access to education of refugee girls, notably because of their school dropout (it should be noted that at the beginning of the 2020/2021 academic year, the net enrolment rate of girls across the country was 43 per cent at primary level, 13 per cent at lower-secondary level and just 3 per cent at upper secondary level).
- v. **Health care**, the insufficient prioritization of the specific needs of women and girls, including refugee women and girls, with the maternal and reproductive health services remaining underdeveloped in some locations and struggling to be fully effective due to a lack of material and financial support.

5.2 Social inclusion

As mentioned above, the most consequential differences or restriction in terms of socioeconomic development affecting refugees with particular characteristics are as follows:

- i. **Access to civil registration and documentation**, with the low percentage of births registered, particularly in rural areas, putting large numbers of refugee children at risk of statelessness.
- ii. **Education**, with registration fees often higher for refugee children and young people (in some schools located outside the camps and for access to higher education).
- iii. **Social protection**, with the lack of access to safety nets for the refugees, including the most vulnerable

* Note: the population figures in this paper differ slightly from those published on the [UNHCR data portal](#) due to a reduction process.

Annex on Key International and Regional Instruments ratified or adhered to

- [Additional Protocol to the Geneva Conventions of 12 August 1949 \(Protocol I\)](#)
- [Additional Protocol to the Geneva Conventions of 12 August 1949 \(Protocol II\)](#)
- [African Charter on Human and Peoples' Rights, 1981](#)
- [African Charter on the Rights and Welfare of the Child 1990](#)
- [African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa \(Kampala Convention\), 2009](#)
- [African Youth Charter, 2006](#)
- [Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984](#)
- [Convention Governing Specific Aspects of Refugee Problems in Africa \(the OAU Convention\), 1969](#)
- [Convention on the Elimination of All Forms of Discrimination Against Women, 1979](#)
- [Convention on the Rights of the Child, 1989](#)
- [Convention relating to the Status of Refugees 1951 \(Ratification date: 19 Aug 1981\)](#)
- [Convention Relating to the Status of Stateless Persons, 1954](#)
- [Fourth Geneva Convention relative to the Protection of Civilian Persons of 1949](#)
- [ILO Abolition of Forced Labour Convention, 1957 \(No 105\)](#)
- [ILO Discrimination \(Employment and Occupation\) Convention, 1958 \(No 111\)](#)
- [ILO Employment Policy Convention, 1964 \(No 122\)](#)
- [ILO Equal Remuneration Convention, 1951 \(No 100\)](#)
- [ILO Forced Labour Convention, 1930 \(No 29\)](#)
- [ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 \(No 87\)](#)
- [ILO Labour Inspection Convention, 1947 \(No 81\)](#)
- [ILO Minimum Age Convention, 1973 \(No 138\)](#)
- [ILO Right to Organise and Collective Bargaining Convention, 1949 \(No 98\)](#)
- [ILO Social Security \(Minimum Standards\) Convention \(the ILO Social Security Convention\), 1952¹](#)
- [ILO Tripartite Consultation \(International Labour Standards\) Convention, 1976 \(No 144\), 1976](#)
- [ILO Worst Forms of Child Labour Convention, 1999 \(No 182\)](#)
- [International Convention on the Elimination of All Forms of Racial Discrimination, 1965](#)
- [International Covenant on Civil and Political Rights \(ICCPR\), 1966](#)
- [International Covenant on Economic, Social and Cultural Rights, 1966](#)
- [Protocol relating to the status of refugees, 1967](#)

Reservations/declarations:

1 Article 27(d) (scope of old age benefits); Article 33(b) (scope of employment injury benefits); Article 34(3) (minimum medical care benefits); Article 41(d) (scope of family benefits); 55(d) (scope of invalidity benefits); Article 61(d) (scope of survivor's benefits).