

## **Institute on Religion and Public Policy Report: Religious Freedom in the Chad**

### **Executive Summary**

(1) Unlike many of its neighbors that witnessed violent intra-faith conflicts in recent years, Chad has for the most part avoided such violent sectarian conflicts. The Constitution of Chad provides for the protection of the freedom of religion in the country and the government has generally respected these rights. However, the government has occasionally restricted the abilities of specific groups to freely practice their religion.

### **Institute on Religion and Public Policy**

(2) Nominated for the 2007 Nobel Prize in Peace, the Institute on Religion and Public Policy is an international, inter-religious non-profit organization dedicated to ensuring freedom of religion as the foundation of security, stability, and democracy. The Institute regularly participates as an NGO on OSCE human dimension sessions. The Institute works globally with government policymakers, religious leaders, business executives, academics, international and regional organizations, non-governmental organizations and others in order to develop, protect and promote fundamental rights- especially the right of religious freedom- and contribute to the intellectual and moral foundation of the fundamental right of religious freedom. The Institute encourages and assists in the effective and cooperative advancement of religious freedom and democracy throughout the world.

### **Introduction to the Legal Status**

(3) After years of dictatorship and single party rule, Chad adopted its present Constitution in April 1996. The new constitution required the Chadian government to respect ethnic, religious, regional and cultural diversity, as well as, uphold the values and protections provided in the Universal Declaration of Human Rights on religious freedoms. The most comprehensive statement on the freedom of religion is found in Articles 14 and 27 of its constitution. Article 14 mandates that “The state assures to all equality before the law, without distinction of origin, race, sex, religion, political opinion, or social position.” Article 27 begins with the statement “the freedoms of opinion and of expression, communication, conscience, religion, the press, association, assembly, circulation, demonstration, and parade are guaranteed to all.

(4) However the second part of the Article 27 provides a mechanism by which these rights may be restricted stating that “These [rights] can only be restricted by respect for the freedoms and rights of others and the obligation to safeguard the public order and good morals. The law determines the conditions of their exercise.” This second clause of the article, along with Article 5 which forbids “all propaganda of an ethnic, tribalist, regionalist or religious nature, tending to affect the national unity or the secularity of the state”, has been invoked by the government at times to restrict religious organizations deemed as undermining its authority and the nation’s unity.

(5) Working under the Interior Ministry, The Director of Religious and Traditional Affairs oversees religious matters, arbitrates inter-communal disputes and ensures religious freedoms outlined in the Constitution. With the exception of traditional indigenous groups, the Chadian government requires all other religious groups and foreign missionary organizations to register with the Ministry of the Interior.

(6) An independent religious organization, the High Council for Islamic Affairs, oversees Islamic religious activities. Activities the Council is responsible for include the supervision of some Arabic language schools, higher institutions of learning, and the representation of the country in international Islamic meetings. The Council, in coordination with the country's President, also has the responsibility of appointing the grand imam--a spiritual leader for Muslims who oversees each region's high imam and serves as head of the council. The current grand imam, Sheikh Hissein Hassan Abakar, is viewed as a generally moderate religious figure. His authority has been challenged by followers of other orders of Islam who adhere to more fundamentalist teachings derived from eastern and northern Africa and the Middle East.

(7) A unique institution involved in managing the country's oil wealth, is the Revenue Management College on whose board sits a designated representative of the Christian and Muslim religious communities. The seat rotates between Muslim and Christian leaders every 4 years. Currently a Muslim religious leader designated by the Muslim community holds the responsibilities of managing the RMC.

(8) The Government observes both Christian and Muslim religious holidays as national holidays including, Eid al-Adha, the Birth of the Prophet Muhammad, Eid al-Fitr, Easter Monday, All Saints' Day, and Christmas Day. It is common for Muslims and Christians to attend each other's festivities.

### **Instances of Official Discrimination**

(9) As mentioned above, the government of Chad has on occasion used the second clause in Article 27 and Article 5 of its constitution to restrict or prohibit activities of religious groups who it perceives as threatening the national unity of its citizens. For example, on July 10, 2007, the Mayor of N'djamena in the nation's capital issued a ban on all forms of "street-corner" evangelization and preaching.

(10) The Al Faid al-Djaria, a Sufi group found in the Kanem, Lake Chad, and Chari Baguirmi areas, have been banned by government for their religious beliefs and practices. The Director of Religious and Traditional Affairs, the High Council for Islamic Affairs, and certain Ulama (Muslim religious authorities) objected to some of Al Faid al-Djaria's customs, such as the incorporation of singing, dancing, and the intermixing of sexes during religious ceremonies, which they deemed un-Islamic.

(11) Several groups have also been banned for allegedly promoting violence to further religious goals. These groups include: Al Mountada al Islami, the World Association for

Muslim Youth, the Mecca Al-Moukarrama Charitable Foundation, and Al Haramain Charitable Foundation for promoting violence to further religious goals. Ansar al Sunna, a Salafi/Wahhabi group that adheres to a more austere interpretation of Islam and receives significant foreign funding, has faced government monitoring.

(12) In other instances, some non-Muslims groups have alleged that Muslims receive preferential status, particularly concerning use of public lands for building places of worship. In the past the Association of Evangelical Churches criticized government-sponsored Hajj trips as eroding the traditionally secular stance of the country even though the Government is legally obligated to treat all religious groups or denominations equally.

### **Sectarian Instances of Discrimination and Violence**

(13) By and large, there have been few reports of societal abuses or discrimination based on religious affiliation, belief, or practice, although there was occasional tension between Christians and Muslims as well as between some fundamentalist and moderate Muslims leaders regarding interpretations of practices, preaching, and the leading of prayers.

(14) The most disturbing incident religious intolerance and conflict occurred on June 29, 2008 at Koumo, 300 km southeast of the capital, N'Djamena. The city whose inhabitants comprise both Muslims and Christians was rocked by gunfire when Chadian troops killed at least 68 followers of Sheikh Ahmet Ismael Bichara and seriously injured more than 51 others. The sheik and seven of his assistants were arrested and transferred to N'Djamena where they were paraded during a press conference organized by Chadian authorities on July 2. According to the Chadian Minister of Internal Affairs Ahmat Mahamat Bachir, the sheik who he labeled as dangerous, an extremist and a terrorist had instigated some 700 of his followers to attack Koumo on July 1, setting fire to 158 huts, two churches, a local clinic and the gendarmerie post before replacing the Chadian national flag with a flag on which it was written "Au nom d'Allah, Dieu est Grand" (in the name of Allah, God is great). The minister said that Sheikh Ahmet Ismael Bichara and his followers were armed with poisoned spears, swords and arrows. He also said that government forces were able to free 90 women and 121 children. According to Amnesty International and other independent media in Chad, the Chadian security forces response to Sheikh Ahmet Ismael Bichara and his followers attack on Koumo was disproportionate and unnecessary. The security forces were reported to have opened fire indiscriminately and unlawfully killed some people when they could have arrested them.

### **Conclusion**

(15) Overall the government of Chad has to be commended for largely ensuring that its religious groups receive their empowered rights and freedoms guaranteed by the Constitution. The various committees on religious affairs including the unique arrangement of managing the country's oil revenues are examples of the country's determination to manage its communal groups. Chad must continue on this path of religious tolerance and be vigilant about preventing the occasional abuses that was

evident in the Kouno incident earlier this year. However, there are several areas in which Chad must improve to be in compliance with its own constitution and the protections provided for in the Universal Declaration of Human Rights. The ban on street corner evangelism in N'djamena must be lifted. In addition the discriminatory practice and legal obstacles the Al Faïd al-Djaria currently face must be repealed.