

BRACED aims to build the resilience of up to 5 million people who are vulnerable to climate extremes and disasters. This is accomplished through 15 projects operating in 13 countries in East Africa, the Sahel and Asia.

➤ www.braced.org

🐦 @bebraced



5 messages on the negative impact of inequalities and discrimination against women in Chad

This document is a summary of the results of the BRACED study in Chad, which explores the links between violence against women and girls and building resilience. These results were presented at a workshop in N'Djamena in December 2017, during which more than 40 representatives of the government, civil society, non-governmental organizations and UN agencies adopted eight recommendations to combat violence against women and girls in Chad.

This document has been produced in response to these recommendations, in particular to make people in Chad aware of the laws against gender-based violence and those that protect women and girls. The writing and editing process was carried out in collaboration with representatives of the Ministry of Women, Early Childhood Protection and National Solidarity, associations, non-governmental organisations, the UNFPA and religious representatives of Chad.

The objective is to share information on human rights issues and the consequences of discrimination for societal development, and to support initiatives from the government and civil society to combat inequalities. The document also includes a section written by representatives of the Council of Islamic Affairs, and the Agreement of Evangelical Churches and Missions in Chad (E.E.M.E.T.). Although their views do not necessarily reflect the position of the researchers and authors involved in this work, their analysis of key issues in relation to equality allows a better understanding of the position of religious leaders and prompts reflection on the need to establish a common position that ensures people's well-being.

List of contributors:

Asingar Nartamadji Secka Isabelle
(Expert in communication/advocacy,
specialist in strengthening the resilience
of rural women)

Benoudji Colette (LEAD Coordinator
in Chad)

Binon Diombo Adeline (Director of
Program against Gender-Based Violence
in Humanitarian Areas, UNFPA)

Sheikh Dinar Ibrahim Annadif
(High Council for Islamic Affairs of Chad)

Dangar Allahissem Martine (Ministry of
Women, Early Childhood Protection and
National Solidarity)

Fitouin Asbakreo (Legal adviser, Ministry
of Women, Early Childhood Protection
and National Solidarity)

Inbo Benjamin (Office of the Agreement
of Evangelical Churches and Missions in
Chad, E.E.M.E.T.)

Le Masson Virginie (Associate
Researcher, ODI)

Madjingaye Massalbaye (SIAF-CHAD)

Mbainda Rachel (Director of the Gender
and Human Rights Program, UNFPA)

Mouktar Houssna (Research
professor at King Faisal University
of N'Djamena, President of the
Union of Arabic-Speaking Women's
Associations of Chad – UAFAT)

Moumine Ousmane (Research Assistant,
Centre for Research in Anthropology
and Human Sciences – CRASH/SIL)

Ngarsoulede Allanaïsem Elihu
(Director of Good Governance
and Local Development, Oxfam)

Nodjigoto Enoch (Specialist
Director of the Gender and
Human Rights Program, UNFPA)

Noubatour Adoumtar (Senior Program
Director, Gender and Development Policy
Division, Department of Development,
Gender and Women, African
Union Commission)

Telly Walawala (Trainer, LEAD-CHAD)

1

Violence against girls

Adolescent girls face two major risks: child marriage and female genital mutilation/cutting (FGM).¹

Chad has the third highest rate of child marriage in the world: 68% of girls are subject to family and religious marriage arrangements after their first period and are married before the age of 18.² These marriages lead to sexual violence and teenage pregnancies that threaten the survival of adolescent girls, their physical health and that of their children.

The Criminal Code has incorporated the provisions of Law 006/PR/2002 promoting reproductive health and Law 029/PR/2015 prohibiting child marriage. The following has been established:

Article 349: Any act of sexual penetration, regardless of its nature, committed against others by violence, constraint, threat or sudden attack constitutes rape, and shall be punished by sentences of eight (8) to fifteen (15) years.

Attempted rape is punishable by the same penalty established in the foregoing paragraph.

Article 368: Any person committing the following acts shall be punished by five (5) to ten (10) years of imprisonment and a fine of 500,000 to 5,000,000 francs:

- forcing, by any means whatsoever, celebrating or authorising the marriage of a person of either sex who has not yet reached the legal age of marriage or forcing such person to marry;
- marrying a person who has not yet reached the legal age of marriage etc.

[Law No. 001/PR/2017 of 8 May 2017 in application of the Penal Code]

"Girls who are married at the age of 12 are not fully developed. Their vagina is still immature, and this type of violence causes complications particularly during childbirth. This is called "fistula." [...] These women, who are victims of rape, in the household, or after a forced marriage, at a young age, have complications during childbirth. Because they give birth at home, they do not go to a doctor. Traditional midwives take care of it, and they do not take into account their size or their immature pelvis; they give birth to a stillborn child and end up with a fistula. After they get a fistula, they experience daily urinary and bowel incontinence, and the majority are abandoned by their husbands."

Doctor-gynaecologist at the Fistula Treatment Centre in N'Djamena

In 2015, nearly two out of five (38%) Chadian women and girls reported having been subject to genital cutting,³ the majority of whom had never attended school.⁴ FGM poses severe risks to women's health: severe pain, bleeding, fistulas, infections that can be life-threatening, exposure to the human immunodeficiency virus (HIV), urinary and menstrual problems, complications during childbirth and psychological trauma (including sexual disorders or suicide risk).⁵

In Chad, both girls and women are dramatically affected by the consequences of FGM, as well as the negative repercussions on their well-being, such as family disruption and the decline of economic activities.

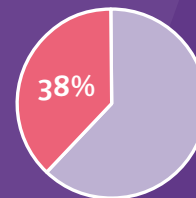
The Criminal Code has incorporated the provisions of Law 006/PR/2002 promoting reproductive health and Law 029/PR/2015 prohibiting child marriage. The following has been established:

Article 318: Anyone who interferes with the integrity of the genital organ of a female person in the following ways shall be punished by imprisonment for one (1) to five (5) years and a fine of 100,000 francs:

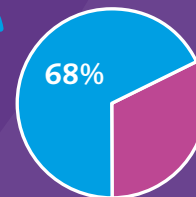
- total or partial ablation of the clitoris and/or labia minora;
- total and partial ablation of the labia majora and minora followed by total or partial suture or total or partial narrowing of the vaginal opening;
- perforation, incision or stretching of the clitoris or labia, cauterization, introduction of corrosive substances or plants into the vagina to cause narrowing or bleeding;
- any other procedure, etc.

[Law No. 001/PR/2017 of 8 May 2017 in application of the Penal Code]

Nearly two out of five Chadian women and girls (38%) reported having been subject to genital cutting, the majority of whom had never been to school



68% of girls are subject to family and religious marriage arrangements from their first period and are married before the age of 18



2 Violence is a daily risk, not only in times of conflict

Violence against women and girls is a daily risk and is mostly perpetrated by family or community members.

According to a gynaecologist from N'Djamena: "We must not think that it is only during wars that women are abused, raped and tortured; this occurs in our households as well. Violence is a daily occurrence".⁶

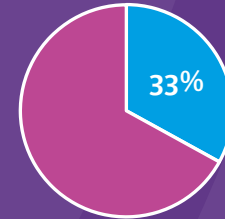
Gender Based Violence (GBV): violence against a person due to their sex and the position granted to it by society. Violence can be physical, sexual, psychological and economic in nature. It can be committed by a partner (spousal violence), by members of a household (domestic violence) or by a foreign person.

The forms of violence that were most reported in the 2017 BRACED study⁷ are:

- child marriages;
- physical and sexual violence by known perpetrators (spouse, family member, or neighbour);
- polygamy (discrimination between women, homelessness, risk of divorce);
- the denial of resources and opportunities.

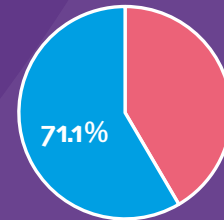
One-third of women (33%) reported having been subject to acts of physical violence at least once since the age of 15

- Percentage of women aged 15-49 who have been subject to acts of physical violence at any time since the age of 15
- All non-single women aged 15-49

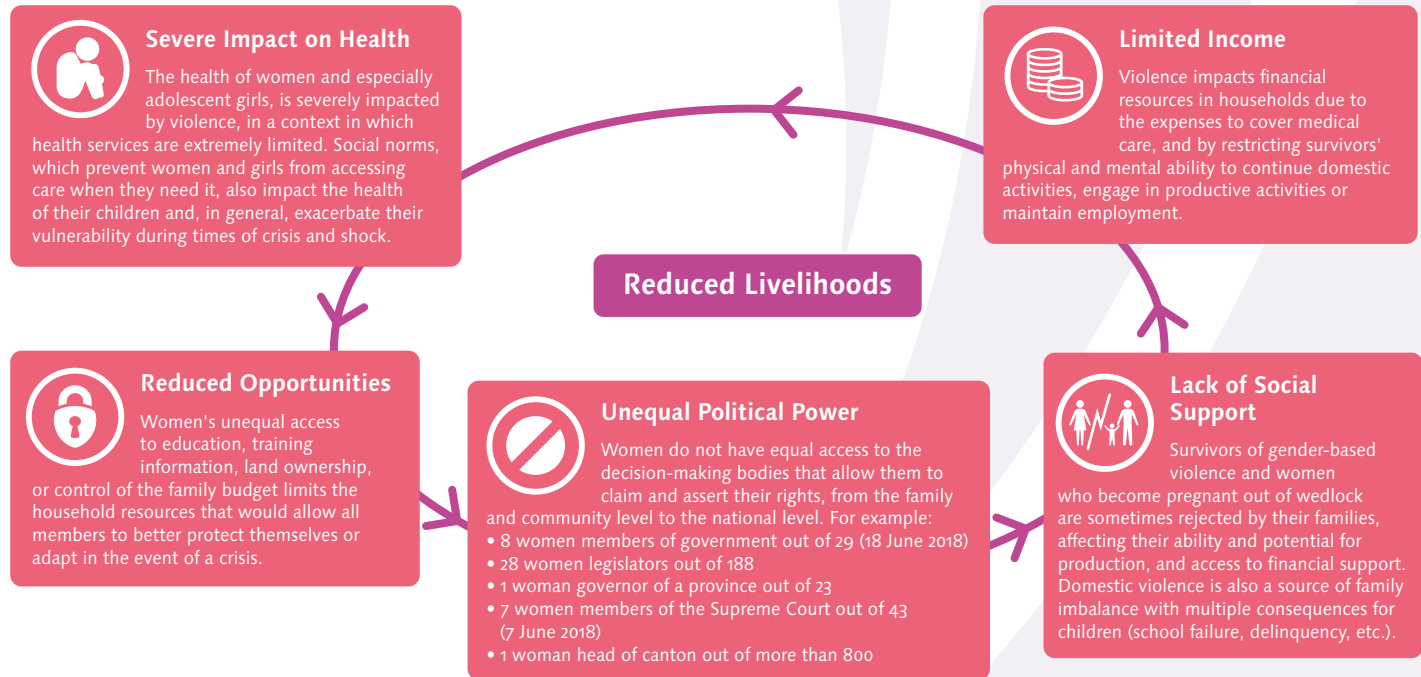


More than three quarters of the acts of physical violence (71.1%) are committed by the spouse

- Among women aged 15-49 who have been subject to acts of physical violence since the age of 15, the percentage reporting that their husband/partner was the perpetrator of these acts
- All survivors of physical violence aged 15-49



3 Discrimination against women and girls, as well as the resulting violence, limit societal well-being and development



4 Inequalities exacerbate vulnerability; vulnerability exacerbates violence; violence limits resilience

Gender inequalities, and especially violence against women, result in a chain of problematic consequences for well-being. This begins with girls' limited access to schooling and low female literacy rates, leading to poor reproductive health and low representation of women in decision-making bodies.

All of this prevents women from having the same opportunities as men and exercising decision-making power on an equal basis. This not only limits the resources that women can mobilise in normal times and in times of crisis but also those of all members of the household.

Furthermore, the lack of access to and control of livelihoods and related restrictions increases the risk of sexual exploitation. In times of crisis, prostitution becomes a survival strategy for many women and adolescent girls to meet their immediate needs and those of their families. Child marriage is also a way for parents of young girls to access economic resources through a dowry. In view of the negative consequences of child marriage and violence against women, these strategies limit the building of resilience in the long term.



"Prostitution is a consequence of poverty because in some cases women have no other option to survive. [...]"

The rich also use their resources to marry girls who are too young because their parents cannot resist due to the lack of resources."

Representative of the Women's Associations Liaison and Information Unit in Chad (CELIAF)

5 The Law protects the rights of all but access to justice is limited

Despite the existence of a national legislative framework that condemns all forms of discrimination and violence against a person due to their sex,⁸ social status or religion, Chad's cultural patriarchy perpetuates a situation of inferiority of women and girls in all areas of their lives.

The weakness of the judiciary and even the lack of courts in some districts means that people in rural areas depend on the justice provided by traditional and religious authorities. The promptness of decisions made by these local authorities is often preferred by families who find this means more accessible than engaging in a formal judicial system, which is not very operational and is quite time-consuming. However, under customary law, the matrimonial regime, property and rules of inheritance are still determined by sex and sanction the pre-eminence of masculinity.⁹ The duality of these two bodies of law disrupts the implementation of formal law applicable in Chad.

Furthermore, the unequal presence of women in the Department of Justice prevents a more adequate consideration of issues of gender inequality. In the Batha, Barh el Gazal, Kanem and Lac regions, for example, no courts have a female magistrate.

And yet the Constitution of the Republic of Chad proclaims that:

"Chadians of both sexes have the same rights and the same duties. They are equal before the law."
(Article 13)

"The State ensures equality before the law for all, without distinction of origin, race, sex, religion, political opinion or social position. It has the duty to ensure the elimination of all forms of discrimination against women and to ensure the protection of their rights in all areas of private and public life." (Article 14)

"Human beings are sacred and inviolable. Everyone has the right to life, physical integrity, security, freedom and the protection of their privacy and property." (Article 17)

"No person shall be subjected to degrading or humiliating treatment or abuse or to torture."
(Article 18)

The Constitution of the Republic of Chad promulgated on 4 May 2018

"recognises the promotion of gender and youth as a factor in achieving equality between men and women and the imperative of its consideration for sustainable human development."

Legal Aid organisations

APLFT, Association for the Promotion of Fundamental Freedoms in Chad

Regional Offices

- ENNEDI EST (Amdjarass)
- MOYEN CHARI (Maro)
- MANDOUL (Moissala)
- LOGONE ORIENTAL (Goré)
- LOGONE ORIENTAL (Doba)
- LOGONE OCCIDENTAL (Moundou)
- WADI FIRA (Iriba)
- WADI FIRA (Guereda)
- OUADDAI (Abéché)
- OUADDAI (Farchana)
- OUADDAI (H. Hadid)
- SILA (Goz Beida)
- SALAMAT (Haraze)
- N'DJAMENA

AFJT, Association of Women Lawyers of Chad

PO Box: 4089 N'Djamena
Phone: 253 30 74/Mobile: 66 77 50 35
Email: juristchadiennes@yahoo.fr

FREE SERVICE: 22 51 65 65

LAC (Baga-sola) and OUADDAI (Abéché)

National Advocacy Campaign for Chad without hunger with rural women (access of rural women to land)

N'Djamena – Chad
Phone: +235 66 29 53 51

PILC (Public Interest Law Center)

PO Box: 4559 N'Djamena, located in the Amtoukougne district
Phone: +235 66 29 93 09/63 26 22 82
Paralegals (with focal points) in:

- Massakory
- N'Djamena
- Koundoul
- Guelendeng
- Bongor
- Kelo
- Laï
- Pala
- Moundou
- Bébédjia
- Miandoum
- Doba
- Koumra
- Sarh

Ministry of Women, Early Childhood Protection and National Solidarity

PO Box: 80 N'Djamena – Chad

23 delegations of women, early childhood protection and national solidarity in the provinces.

CELIAF (Women's Associations Liaison and Information Unit)

List of Presidents and Secretaries General of the Regional Offices of CELIAF

Full Name	Title	Office	Contacts
Ms. MARIE EDITA	SG	ABECHE	66244019
Ms. FATIME SOUMAINE	SGA		66711584
Ms. KALTOUMA OYOMBONA	President	AMTIMANE	66764339
Ms. DARASALAM MAHAMAT SALEH	SG		66310976
Ms. FATIME BECHIR KATTALAH	President		91957938
Ms. SADJADOUM NAORE Clémentine	SG	ATI	92126593 63510069
Ms. MARIOMA OUTMANE	President	BILTINE	66185260
Ms. BEVIA RESPA	President	BOL	99615077
			66784085
Ms. ZAKARIA OUSMAN AMADOU	SG		99451838
Ms. KAINAYOTAL SALOMEE	President	BONGOR	66351444
Ms. LEOUBAM JULIENNE	SG		66379371
Ms. BEGETAR SALOMEE	President	DOBA	66710474
Ms. LADOU MADJI KADADOUM	SG		66709445
Ms. GOLSINDA MONIQUE	President	KELO	63572711
Ms. KONDINA TALAOU	SG		66378451

Full Name	Title	Office	Contacts
Ms. HALTEBAYE ALPHONSINE	President	KOUMRA	66379000
Ms. MADJIGUEM LEA	SG		66477917
Ms. FATIME ZARA BECHIR	President	MAO	99939764
			66783578
Ms. FATIME MAHAMAT ISSA	SG		66698907
Ms. MAIMOUNA MOUSSA	President	MONGO	66776728
Ms. MARIAM ALI	SG		66759180
Ms. DOUNODJI PHILOMENE	President	MOUNDOU	66340080
Ms. PADJAGOTO MOYA	SG		63513429
Ms. KHADIDJA ABAKAR CHOUKOU	President	MOUSSORO	62145314
Ms. ASSOUM'BA LEON	SG		66869591
Ms. DJIKOLOUM M.JACOBED	President	NDJAMENA	66234834
Ms. WAHAI ANGELE	SG		66294902
Ms. DENENOUDJI RACHEL	President	PALA	66371292
Ms. NOUDJIGOTO YOLANDE	SG		66707213
Ms. NELOUMTA GEORGINE	President	SARH	66302146
Ms. GUIDINITHA GISELE	SG		66373689

Religious points of view

Religion is central to building the social norms that govern the attitudes and behaviours of men and women. A better understanding of the points of view promoted by the representatives of the two dominant religions in Chad on the issues of schooling, marriage, genital cutting or property makes it possible to understand the differences between interpretations, and to consider these differences in relation to the Chadian Constitution. The different interpretations, as well as the duality of religious and state laws, prevent the adherence of all actors to a clear and unambiguous position on matters of law and the protection of children and women. In this context, can the Chadian Constitution assume its unifying position?

Islamic point of view

Sheikh Dinar Ibrahim Anadi, High Council for Islamic Affairs of Chad

Girls' schooling

The schooling of girls is encouraged by Islam because it gives girls access to knowledge. Both girls and boys should have the opportunity to learn by going to school, for example. The prophet of Islam also recommends the search of knowledge from the "cradle to the tomb." One *hadith* (saying of the prophet) states that the search for knowledge is a "duty for all Muslims," recommending that his companions turn to the "brunette" (nickname given to Aicha, one of Mohammed's wives) to learn "half" of their "religion" (dogmas and practices). Through his words, the prophet of Islam shows the important position that must be granted to Muslim girls and women in the search for knowledge. From our point of view and in accordance with the *hadiths* mentioned above, there is no discrimination in Islam based on gender with regard to access to schooling and learning of any kind.

Islam only rejects mixed schools or other environments due to the risk of intimate relationships out of wedlock.

Female genital mutilation/cutting

In Islam, the practice of genital cutting seems to be more of a cultural matter than a question of dogma, since it is a tradition that precedes the advent of Islam. However, the Muslim religion recommends (but does not impose) the practice of genital cutting with a certain degree of alleviation. Islam only advocates the ablation of a tiny part of the clitoris. This ablation is aimed at containing the pleasure and arousal that this organ could cause in young women and train them accordingly on the path to seeking the satisfaction of this carnal desire outside of the legal framework of marriage. Apart from that, no other argument can justify the practice of genital cutting, and the fact of not practising genital cutting does not in itself constitute a sin or a violation from the religious point of view.

Child marriage

For Islam, there is no precise age from which a woman may marry. However, agreement in principle to the marriage of a girl may be provided by the girl's parents even right after her birth. The consummation of marriage, on the other hand, is subject to a number of restrictions. The main restriction refers to the bride's physical development. If it is clear that she is physically and physiologically mature enough to assume her role as a wife (sexual intercourse and maternity) then Islam, according to Sheikh Dinar Ibrahim Annadif, sees no problem with carrying out the marriage regardless of the young woman's age. A girl can be ready for a marriage at 14 in a certain region but only at 17 or 18 in another.

Intimate partner violence

For Islam, violence should not be used against a wife, according to the many theological schools. This assertion, however, is contradicted by a Quranic verse that allows men to "beat their wives" in some circumstances. According to Sheikh Dinar Ibrahim Annadif, this verse only suggests a "correction" but does not allow men to beat their wives in a way that could cause injury and the goal is merely to bring the woman at fault to her senses. If the blows lead to injuries, the

woman can file for a divorce, if she wishes. The exegete also added that it is better not to get to that point with a wife and that men can use other means of pressure, such as the convening of family meetings in the presence of the wife's parents or even the boycott of the marital bed (depriving the woman of sexual relations for a time) to reinstate harmony in the household.

Access to property

The right to access and dispose of property and other titles to land is fully granted to both men and women in Islam. The woman can thus fully and exclusively use all of her material property. Also, neither the husband nor the father, let alone the woman's brothers, have any right of inspection of the property held by a woman in Islam.

Polygamy

According to Islam, a man can have up to four (4) wives simultaneously in his life. If he divorces one of them, it is always possible to marry another without exceeding the number 4. However, if the husband fears he cannot be fair to all of his wives, he must have only one wife.

Christian point of view

Benjamin Inbo, (EEMET)

Girls' schooling

"Start children off on the way they should go, and even when they are old they will not turn from it."

(Proverbs 22: 6).

"You shall teach them diligently to your children, and shall talk of them when you sit in your house, and when you walk by the way, and when you lie down, and when you rise."

(Deuteronomy 6: 7).

In the New Testament, Timothy was instructed by his mother. If she were not educated, he would not have received this knowledge of the holy scriptures. *"[...] from childhood you have known the Holy Scriptures, which are able to make you wise for salvation through faith which is in Christ Jesus."*

(2 Timothy 3: 15).

Female genital mutilation/cutting

There is nothing that requires Christians to perform genital cutting. And if there are Christians who practice genital cutting, they have imitated this practice from others.

Child marriage

"The Lord God said, It is not good for the man to be alone. I will make a helper suitable for him. So the Lord God caused the man to fall into a deep sleep; and while he was sleeping, he took one of the man's ribs and then closed up the place with flesh. Then the Lord God made a woman

from the rib he had taken out of the man, and he brought her to the man. The man said: This is now bone of my bones and flesh of my flesh! She shall be called 'woman,' for she was taken out of man."

(Genesis 2: 20–23).

"Marriage should be honoured by all, and the marriage bed kept pure, for God will judge the adulterer and all the sexually immoral."

(Hebrews 13: 4).

According to these two passages of Genesis and Hebrews, it is not children who are involved, but adults.

Intimate partner violence

Spousal violence contradicts God's plan for the family. **Genesis 1–2** describes marriage as a union for mutual elevation. **Ephesians 5: 21** describes mutual submission. **Ephesians 5: 22–24** describes the woman's submission to her husband, while verses **25–33** describe the man's sacrificial love for his wife. **1 Peter 3: 1–7** provides a similar teaching. **1 Corinthians 7: 4** says: *"The wife does not have authority over her own body but yields it to her husband. In the same way, the husband does not have authority over his own body but yields it to his wife."* The two spouses belong to each other and are called to love one another as Christ loved us. Marriage is an image of Christ and the Church. Spousal violence is a departure from the character of Jesus.

Access to property

*"The five daughters of Zelophehad, of the tribe of Manasseh [...] presented themselves before Moses to claim their share in the division of land (26.53) despite the absence of a male survivor in their family. The Lord answered that they should inherit a possession among their father's brethren. In general, God wanted the land to be inherited by sons, then daughters, brothers, uncles or other close relatives, so that the inheritance would remain in the family forever."
(Numbers 27: 7).*

Polygamy

Some people invoke the model of God's men of the Old Testament to say that God approves of polygamy and that man has the right to have as many women as he wants. But the Word of God shows us that the true will of God is quite different and there are two biblical passages that confirm it.

*"The Lord God said, It is not good for the man to be alone. I will make a helper suitable for him. Therefore a man shall leave his father and his mother, and hold fast to his wife, and they shall become one flesh."
(Genesis 2: 18, 24)*


*He responded: Have you not read that in the beginning the creator made man and woman and said, "Therefore a man shall leave his father and his mother, and hold fast to his wife, and they shall become one flesh." So they are no longer two, but one flesh. What therefore God has joined together, let no man separate.
(Matthew 19: 4-6).*

No part of the Bible describes the benefits of polygamy. But wherever it is discussed, there are problems (conflicts, envy, hatred, jealousy, etc.), be it between women or between children. Polygamy creates disorder.

*God's plan is therefore one man and one woman, for life.
(Genesis 2; Matthew 19)*

Endnotes

1. Amnesty International, 2011; www.acordinternational.org/silo/files/les-mutilations-gniales-fminines-dans-les-rgions-de-hadjar-lamis-et-du-gura-tchad.pdf
2. www.fillespasepouses.org/child-marriage/chad
3. EDS-MICS, 2015
4. Institut de la Statistique (2004): Enquête démographique et de santé (EDS) Chad 2004
5. www.excisionparlonsen.org/comprendre-lexcision/quest-ce-que-lexcision/quels-sont-les-risques-lies-aux-mutilations-sexuelles-feminines
6. Le Masson, V., Benoudji, C., Sotelo R. S. and Bernard, G., 2018, Les violences contre les femmes et les filles et la résilience. BRACED Report. London: Overseas Development Institute. www.odi.org/sites/odi.org.uk/files/resource-documents/12012.pdf
7. Le Masson, V., Benoudji, C., Sotelo R. S. and Bernard, G., 2018, Les violences contre les femmes et les filles et la résilience. BRACED Report. London: Overseas Development Institute. www.odi.org/sites/odi.org.uk/files/resource-documents/12012.pdf
8. Republic of Chad, Constitution promulgated on 4 May 2018
9. Ministry of Public Health, Social Action and National Solidarity, 2014



The BRACED Knowledge Manager (KM) generates evidence and learning on resilience and adaptation in partnership with the BRACED projects and the broader resilience community. The KM collects robust data on what works in strengthening resilience to climate extremes and disasters, and initiates and supports processes aimed at ensuring that evidence is applied in general policy and programs. The KM also fosters partnerships to amplify the impact of new evidence and learning, in order to significantly improve levels of resilience in poor and vulnerable countries and communities around the world.

The views presented in this paper are those of the author(s) and do not necessarily represent the views of BRACED, its partners or sponsor.

Readers are encouraged to reproduce material from BRACED KM reports for their own publications, as long as they are not being sold commercially. As copyright holder, the BRACED programme requests that quotations mention the source and wishes to receive a copy of the publication. For online use, we ask readers to link to the original resource on the BRACED website.

Designed and typeset by Soapbox, www.soapbox.co.uk