

ANTI-CORRUPTION HELPDESK

PROVIDING ON-DEMAND RESEARCH TO HELP FIGHT CORRUPTION

OVERVIEW OF CORRUPTION AND ANTI-CORRUPTION IN CHAD

QUERY

Can you provide an overview of corruption and anti-corruption in Chad? We would be particularly interested to have information on the health sector, food security and agricultural stock, justice and law enforcement, infrastructure, oil sector and management of foreign aid.

PURPOSE

This will inform our programmes and activities in the country.

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SUMMARY

Chad's recent history has been characterised by insecurity, endemic corruption, human rights abuses and a deeply entrenched patronage system which permeates all sectors of society. The recent exploitation of oil is considered to have fuelled the resurgence of armed conflict and corruption, as oil revenues have been misused by government to strengthen its armed forces and reward its cronies, which contributes to the undermining of the country's governance system.

The government has taken legal and institutional steps to fight corruption and launch anti-corruption campaigns in recent years, resulting in the dismissal and arrest of several high level officials. However, these initiatives are perceived by many external observers as politically motivated and there are no clear indications of a firm commitment to effectively eradicate corruption.

1. OVERVIEW OF CORRUPTION IN CHAD

Background

The country's recent history has been characterised by instability and violence, fuelled by divides between the Arab/Muslim dominated north and the predominantly Christian/animist south as well as tensions within major ethnic groups (BBC 2014; Bertelsmann Foundation 2014).

After years of civil war, Idriss Déby overthrew President Hissène Habré and seized power in 1990 and has ruled the country since with general disregard for democratic and human right principles (United States Institute of Peace 2010). In 2005, a constitutional referendum lifted term and age limits for presidential candidates, granting him the opportunity to run indefinitely. He won a fourth term in 2011 in a contested election, which the main opposition parties boycotted as they did in the 2006 elections (BBC 2014).

President Déby has also been criticised for his human rights record and repressing political opponents. According to Amnesty International, killings, enforced disappearances, illegal detentions and arbitrary arrests of opposition MPs, journalists and academics are frequent (Amnesty International 2013a). In May 2013, an alleged attempted coup was reportedly violently suppressed by security forces that opened fire on a group of reportedly unarmed people, killing between three and eight people. A number of political opponents were subsequently detained and later charged with "conspiracy, endangering the constitutional order and complicity of assassination" (Amnesty international 2013b).

From 2003, unrest in neighbouring Sudan's Darfur region spilled across the border, generating hundreds of thousands of displaced Chadian and Sudanese refugees in the country. It is estimated that 200,000 Sudanese refugees have crossed the border into Chad to escape the violence in Darfur, while about 140,000 internally displaced Chadians are fleeing rebel fighting as well as violence between ethnic Arab and ethnic African Chadians. Both countries have accused one another of supporting rebels, straining diplomatic relations

between the two neighbours. The 2010 "N'Djamena Accord" in which Chad and Sudan pledged to cease support of each other's rebel groups represents a step towards normalising relations between the two countries. Due to growing insecurity and terrorist activity in the Sahel, Chad also recently sent a task force to Mali to help secure the northern half of the country from Tuareg separatists and al-Qaeda-linked groups (Heritage Foundation 2014).

A largely semi-desert country, Chad is rich in gold and uranium and became an oil-producing nation in 2003 with the completion of the Chad-Cameroon pipeline, a \$4 billion pipeline linking its oilfields to terminals on the Atlantic coast. Oil accounts for about half of the GDP, fuelling recent economic growth, which may surge to a projected 11.2 per cent in 2014 due to new oilfields coming into production (AfDB 2014) Chad's most important bilateral economic partnerships are with China and India.

However, in spite of recent oil wealth, Chad suffers from inadequate infrastructure, widespread poverty, poor health and social conditions and internal conflict, and the population has failed to benefit from the oil windfalls. The GDP per capita in Chad was last recorded at \$US741.63 in 2013 and the country is ranked 184 out of the countries assessed in the 2013 [UNDP Human Development Index](#) with one of the lowest human development levels in the world. Most of the population remains employed outside of the formal sector, primarily in agriculture, with over 80 per cent of Chad's people depending on subsistence agriculture, herding and fishing for survival (Heritage Foundation 2014).

Extent and forms of corruption

Extent of corruption

Against this backdrop, the government is perceived as largely ineffective in a context where insecurity and weak maintenance of the rule of law perpetuate systemic corruption. Major international governance indicators suggest persistent, widespread and endemic forms of corruption, permeating all sectors of Chadian society, with little evidence of progress made in anti-corruption in recent years.

Similar to previous years, the country performed extremely poorly on [Transparency International's](#)

Corruption Perceptions Index (CPI) in 2013. Chad was ranked 166th of the 177 countries assessed, with a score of 19 on a scale of 0 (highly corrupt) to 100 (highly clean). These findings are consistent with the [World Bank's 2012 Worldwide Governance Indicators](#) where Chad scores below 6 (on a 0 to 100 scale) in terms of government effectiveness (4.79), rule of law (3.32) and control of corruption (5.74). Except for political stability where the situation has slightly improved in recent years (from 5.77 in 2007 to 17.06 in 2012), the country has made little progress in all other areas of governance assessed, including in terms of voice and accountability (10.43) and regulatory quality (13.40).

Chad does not perform better on the 2014 [Heritage Foundation's Index of Economic Freedom](#). The country has an overall economic freedom score of 44.5, making its economy the 167th freest in the 2014 Index. Its performances are declining and far below the regional average (54.6), with substantial deterioration in freedom from corruption (with a score of 15.9 on a 0 to 100 scale), fiscal freedom, and monetary freedom. Chad is ranked 41st out of 46 countries in the sub-Saharan Africa region.

Corruption constitutes a major obstacle to doing business in the country, considered by firms interviewed within the framework of the IFC/World Bank 2009 Enterprise survey as the third biggest impediment after political instability and electricity supply. Mismanagement and rampant corruption constitute a major obstacle to doing business in the country. Similarly, corruption is considered the second most problematic factor for doing business in Chad by the firms interviewed within the framework of the [World Economic Forum's 2013-2014 global competitiveness report](#) after access to finance.

Forms of corruption

Petty and bureaucratic corruption

Low salaries for most civil servants combined with weak institutions, excessive bureaucracy and a lack of trained workers have contributed to fuel corruption and bribery (KPMG 2014). According to the 2013/2014 Global Competitiveness Report, diversion of public funds and irregular payments and bribes are common practice. According to the

Bertelsmann Foundation 2014, corruption has become institutionalised at all levels, from paying small bribes to pass police traffic monitoring points or to access administrative services or assert a legal right. It is also relatively common to get a bicycle or motorcycle confiscated unlawfully, and there have even been instances where the government expropriated houses. As a result, public trust in politicians is extremely low, scoring 2.2 on a 1 to 7 scale (World Economic Forum 2014).

Private companies are also routinely confronted with petty and bureaucratic forms of corruption. Chad performs well below regional average in the [2009 World Bank Enterprise Survey](#). For example, 35 per cent (against a 22.3 per cent regional average) of the firms surveyed report having experienced at least one bribery request and are required to make an informal payment in close to 30 per cent of their transactions with public officials (compared to the regional average of 17.6 per cent). Of those, 41.8 per cent reported being expected to make a gift to get things done (against 27.2 per cent in the region), and 52.6 per cent to get an operating license (against 19.6 per cent). Corruption is also widespread to access public services: 70 per cent of the firms surveyed report being expected to pay a bribe to get a water connection and close to 49 per cent to get an electricity connection.

In 2010, the government also took some measures to streamline bureaucratic procedures for doing business in the country, establishing the National Investment Agency for Investment and Exportation (ANIE) to provide a single point of contact for businesses and investors (US Department of State 2013).

Electoral and political corruption

While there has been some progress made in increasing political freedoms and strengthening democratic institutions, elections have been consistently marred by irregularities and power remains concentrated in the hand of the president and his close circle. Negotiations between the opposition leaders and the government led to an agreement to reform the electoral process in 2007. The *Commission Électorale Nationale Indépendante* (CENI) (Independent Electoral Commission) was established in 2010, but the ruling party, the

Mouvement Patriotique du Salut (MPS), is over-represented, as the president appointed several of its members (Bertelsman Foundation 2014).

While the European Union and the African Union certified the 2011 elections as free and fair aside from logistical problems, concerns were raised over the material and financial inequality between the ruling party and other parties, breaches of neutrality by administrative representatives in some localities and the limited presence of the opposition parties in the media. As a result, the opposition had little presence and limited ability to campaign outside the capital. Transparency of elections and the lack of a secure voters' register are also areas of concern (UNDP 2012). The presidential election was boycotted by the opposition due to a controversy over new voter cards and characterised by low voter turn-out.

Chad's system of governance is also characterised by deeply entrenched rent-seeking and monetised patronage, whereby political loyalty or cooperation is exchanged against payment or favours (Debos 2014). Favouritism in government decisions is also common practice, assessed 2.2 on a 1 to 7 scale by the World Economic Forum's 2013/2014 Global Competitiveness report. Ethnicity and political alliances influence government appointments. Northerners – particularly members of the Zaghawa ethnic group, to which the president belongs – are typically overrepresented in key institutions of state power, including the military officer corps, elite military units and the presidential staff (US Department of State 2012).

According to observers, the ruling MPS reportedly also uses its control over highly coveted civil service jobs to co-opt many rival parties and gain nationwide support (Encyclopedia of the Nations no date). There have been no signs of change in such pattern of politics or the revolving doors of public office (KPMG 2014).

In a context of pervasive violence or threat of violence, this may pose a major challenge to security and political stability, and some observers refers to Chad as a "militarised political marketplace" (Debos 2014). Chadian rebellion movements may be triggered by rent-seeking incentives, as a means to claim control over

national resources, with political elites and intermediaries threatening to organise a mutiny or a rebellion to be in a better negotiating position and then exchange their loyalty for resources and positions within the political system. Similarly, the threat of violence may be used by power-holders, fuelling violence, insecurity and impunity (Debos 2014).

Overview of corruption in selected sectors

Health sector

The health care sector in Chad is still very precarious with stark inequities, undermining access to health care, especially for the poorest households, due to the lack of qualified personnel and basic infrastructure and equipment, low salaries and ill functioning medical structures (KPMG 2014; Gauthier and Wane 2004). As in other developing countries, a lack of resources combined with low salaries may also provide health workers with incentives to engage in corrupt behaviours, such as moonlighting, theft of medical supplies or charging illegal fees to compensate for their low wages.

Resource leakages are widespread in the Chadian public health sector, whether in terms of theft of medical supplies, cash/in-kind and budget leakages, leading to drug shortages and poor quality services. A Public Expenditure Tracking Survey conducted in Chad in 2004 indicated the majority of non-wage funds from the central budget never reaches local health clinics (Wane 2008).

Although regional administration is officially allocated 60 per cent of the ministry's non-wage recurrent expenditures, the share of resources actually reaching the regions was estimated to be only 18 (Gauthier and Wane 2007). Front line providers receive less than 1 per cent of non-wage expenditures set aside for their use. This situation is facilitated by the lack of transparency of budgetary information at the regional and district levels, as regional delegates lack information to ensure that resources received correspond to initial allocations. It is estimated that the number of patients treated could be doubled without leakages (Wane 2008; Gauthier and Wane 2004).

Recommendations to address this situation included setting up clear rules for allocating finance, non-medical hospital supplies and medications to reduce theft as well as encouraging better record keeping of expenditures and providing the public with information on budget funds transfer between the central and the local levels (Wane 2008). The Helpdesk has found no recent publicly available information on the extent to which these recommendations have been implemented. However, tracking funds from the central level to the health centres remains a challenge, as highlighted for funds aimed at eradicating polio (IRIN News 2010).

Resource leakages have direct implications for citizens' access to health services and the cost of health services, translating in an increase of out-of-pocket expenses by users. Health clinics that do not receive public support tend to charge significantly more for medications. In Chad, it is estimated that citizens carry the heaviest burden of primary health care facilities' operating costs, contributing to up to 62 per cent to the facilities' costs of operations (Gauthier and Wane 2004). However, according to this research, informal charges seem less prevalent than in other countries, with less than 5 per cent of the patients reporting to have made informal payments, primarily to reduce waiting time.

The quality of public service delivery is also seriously undermined by high rates of absenteeism among medical staff, affecting health worker productivity and the quality of health services. The rate of absenteeism in public facilities is estimated at around 20 per cent in Chad (World Bank 2010). This in turn gives way to a vicious cycle of low service utilisation by the public, which then further reinforces the poor attendance of health workers.

Food security and agricultural stock

Despite the country's natural resources (land, water, livestock, fisheries, wildlife, etc.), Chadian people have been experiencing food insecurity for more than thirty years, affecting 44.2 per cent of the population, while 64 per cent live below the poverty line (UNDP 2012). Gross cereal deficit is estimated to represent 30 per cent of the needs in 2010-2011. A severe drought in 2011 provoked a decline in agricultural production, causing a food security

crisis and a sharp increase in inflation in late 2011, exposing more than one million Chadians to severe food shortages and prompting international humanitarian assistance. The international community donated US\$386.2 million in food assistance (IMF 2012).

There is very little publicly available information on corruption and food security in Chad and more research may need to be done to identify country specific corruption challenges. Generally, there are a number of ways in which corruption can affect food security. Institutional instability can hinder the government's ability to develop and implement effective agricultural policies, leading to the misuse of land and other natural resources. Corruption can also create market distortions reducing available supply and raising costs. It can create inefficiencies in the distribution of food commodities and divert both cash and food aid away from the intended recipients and into the hands of corrupt officials and their cronies (Economist Intelligence Unit 2013).

This is likely to be the case in Chad, which performs very poorly in the Economist Intelligent Unit's Global Food Security Index 2013, and is one of the worst performers in terms of the corruption indicator used by the index. The country ranks at the bottom of the index for affordability and availability with a combination of costly food and large, vulnerable populations with no safety net programmes to support at-risk communities. The World Food Programme runs several large-scale food programmes. Yet because a significant share of donor funding goes to conflict-affected areas bordering Sudan, programmes in the rest of the country are under-resourced.

While there is no publicly available data on the management of aid assistance during the 2011-2012 food security crisis, lessons can be drawn from other reports and countries facing similar challenges. A report from Transparency International looking at the humanitarian response to the 2011 drought that afflicted Kenya and much of the rest of East Africa and the Horn of Africa, highlighted that delivering food itself was found to be the riskiest, in terms of ensuring an effective efficient, accountable and transparent response, while other forms of assistance, such as cash transfers and food voucher programs, were found to

be less prone to corruption (Global Post 2012; Transparency International 2012). The study also highlighted weak coordination processes and policies with multiple actors and a lack of government policies and guidance for food distribution as contributing to an increase in the risk of interventions not prioritising the neediest areas, or of duplicating assistance, all of which challenged the government, the World Food Program, aid agencies and donor governments to work together. While more research would be needed to assess to what extent such findings also apply to the Chadian situation, the 2011 food security crisis underscored the need for a national strategy to strengthen resilience to shocks, including evaluating the cost of ensuring food security and providing for them in the budget (IMF 2012).

Law enforcement and security forces in Chad

Corruption and impunity permeate police and security forces, and street crime is sometimes committed by individuals in uniform. There are reports of security forces arbitrarily arresting travellers, often using the pretext of minor traffic violations and road-blocks (US Department of State 2011; US Department of State 2013). Arbitrary and unlawful arrests are widespread and there is a long standing pattern of detaining people without charges (Amnesty International 2013). In 2013, the president launched a crackdown on police corruption, uncovering illegal promotion and recruitment practices, lack of adequate training, favouritism, etc., and leading to the dismissal of two ministers (Jeune Afrique 2013).

Impunity for officials, particularly the military, is widespread. For example, the US Department of State's 2011 report on human right practices reports that members of the judiciary police – an office within the national police with arrest authority – exercise discretion in enforcing domestic court orders against the military or members of their ethnic groups (US Department of State 2011). Civilian leaders do not always have control over the security forces which reportedly ignore constitutional procedures and civil rights and are accused by human rights groups of killing and torturing with impunity (Freedom House 2013).

Similarly, the Bertelsmann Foundation reports that

corrupt office holders are not adequately prosecuted. On the contrary, people reporting corruption are often discriminated against, arrested, fined and in some cases, temporarily expelled from the country. Anti-corruption investigations and prosecutions are reportedly used as an instrument to marginalise political opposition (Bertelsmann Foundation 2014).

Infrastructure

Chad's infrastructure is exceptionally poor, undermined by decades of civil war and mismanagement. Citizens have limited access to power, electricity, telecommunications, water, etc. In the run-up to the elections, the government massively invested in infrastructure (schools, universities, hospitals, prestige buildings for local governors and roads) to demonstrate that the entire population was finally profiting from the oil revenues. This intense but uncoordinated construction of infrastructure had little impact on citizens' welfare, as in many cases, users and personnel to run these facilities were lacking, and the buildings remained empty (Bertelsmann Foundation 2014). There are still major infrastructure projects underway, including the construction of new roads and bridges, government office buildings and oil infrastructure, such as pipelines. Plans include the construction of a new international airport, a railway connecting the country to the sea via neighbouring countries, and an industrial zone 40 kilometres outside N'Djamena (US Department of State 2013).

There are no recent and publicly accessible information or studies specifically focusing on corruption in the construction/infrastructure sector in Chad. However, in Chad, as in other developing countries, construction and infrastructure projects are confronted by major corruption challenges. In a context of weak governance, ill functioning institutions and endemic corruption, the size and scope of development projects, the complexity of the supply chains, the number of contractors involved, as well as the high level of government involvement increase the risk of bribery, corruption and fraud. These risks are further exacerbated in a context of under-developed regulatory capacity and weak norms of ethical business conduct, such as in Chad, where the ethical behaviour of local firms is

assessed at 2.9 on a 1 to 7 scale in the 2013-2014 global competitiveness report.

Construction projects involve complex and technical procurement processes. The Government's Procurement Office and Infrastructure Ministry are perceived as prone to cronyism in the selection of projects and awarding of contracts (US Department of State 2011). All investment credits for public works are centralised at the Ministry of Infrastructure, which acts as a financial hub to which all the capital expenditure allocations of the other ministries are transferred. Other ministries must submit their plans to the ministry of infrastructure, which has sole charge of the award of contracts. This system not only challenges the capacity of the ministry to effectively oversee public procurement processes, but also allows a close ally to the president to monopolise all public works contracts without transparent tendering procedures, which undermines contract implementation and the quality of public investment. Senior regime figures have benefitted from this set up to enrich themselves. Opaque awarding of public works contracts have also reportedly increased corruption and cronyism, leading to over-invoicing and illicit diversion of funds to the benefit of those close to the regime (International Crisis Group 2009).

Bribery is also widespread in the sector. According to the World Bank/IFC's 2009 Enterprise survey, 58.6 per cent of the firms surveyed reported being expected to make an illegal payment to get a construction permit and 47.3 per cent are expected to make a gift of an estimated value of 4.3 per cent of the contract value to secure a government contract.

Oil sector

Chad became an oil producing country in 2003. The project started in 2000, when the World Bank agreed to support the development of this sector with a loan for the building of the Chad-Cameroon pipeline linking Chad to the sea.

The project was conceived as a model for development, and oil management mechanisms were set up to escape the "resource curse" and ensure that oil revenues would be used to fight poverty. Chad subsequently signed a law (Law 001)

which established a system ensuring that 80 per cent of the revenue would be spent on "priority" social sectors (such as health and education), and some money put aside for future generations. Transparency of revenue management was ensured by the creation of the *Collège de Contrôle et de Surveillance des Ressources Pétrolières*, (CCSRP) an independent watchdog organisation including representatives of civil society, in charge of monitoring revenues and approving projects financed with oil revenues. Until 2005, the system appeared to work reasonably well and the CCSRP published regular, rigorous and comprehensive reports (International Crisis Group 2009).

In 2006, the law was amended to allow President Déby to allocate revenues to war efforts, buy weapons and re-equip the national army. These resources were then used to crush several rebellions. The CCSRP membership was changed in 2008 and its powers gradually reduced to limit its ability to control the use of revenues. A 2009 evaluation report from the World Bank indicated that the project contributed to fuel conflict and may have contributed to an increase in bad governance and corruption (World Bank 2009). An investigation conducted in 2005 also uncovered money wastes, documenting abuses such as shoddy school desks made of buckled wood, computers and printers purchased at inflated prices, and wells, schools and hospitals that were paid for but not completed (New York Times 2008). Concluding that Chad failed to comply with the key requirements, this development led the World Bank to pull out from the project in 2008.

The original petroleum management system was replaced by opaque arrangements. While revenues were also allocated to large infrastructure projects, the lack of transparency in the award of contracts fostered the development of patronage structures and extended the government's control over different sectors of society. As mentioned earlier, the Ministry of Infrastructure is at the centre of this system (International Crisis Group 2009). As a result, oil revenues are largely considered to have contributed to fuel wars and rebellions, sustain patronage networks, increase corruption and cronyism and deteriorate the country's overall governance system.

In addition, there is no adequate record keeping system in place in the country to monitor the flow of oil revenues from companies to government

accounts, which represents a significant risk of corruption and mismanagement (EITI 2014). This could change with the country joining the Extractive Industry Transparency Initiative (EITI). Chad was accepted on 16 April 2010 as a candidate country, however, it has failed to meet 12 of the 20 requirements, and on 30 August 2013 the EITI board demoted Chad to “not compliant” and urged the country to take steps to take the appropriate corrective measures before the target date of 23 August 2014 (AfDB 2014).

Aid

There is very little publicly available information about corruption and the management of aid in Chad, aside from reports documenting the Chad-Cameroon pipeline project. According to [OECD DAC statistics](#), Chad received \$US479 million overseas development aid in 2012, with EU institutions, the United States and France among the first contributors. Close to 75 per cent of aid consists of humanitarian assistance. More resources would need to be allocated to collect information and data and to commission research on this sector.

2. OVERVIEW OF ANTI-CORRUPTION EFFORTS IN CHAD

Overview

In recent years, President Déby pledged in various forums to eliminate corruption from Chadian public life and promised to prosecute corrupt officials. The government has a specific ministry, the Ministry for Morality and Good Governance, dedicated to combating corruption, which, in 2009, commissioned a strategic plan to fight corruption (*Centre d'Etudes et de Recherche pour la Dynamique des Organisations* 2009). The same year, the Chadian government launched investigations of 10 high-ranking officials, including several cabinet ministers and the then-mayor of N'Djamena but charges against those indicted were dropped for lack of evidence in mid-2010 (US Department of State 2011; KPMG 2014). The President's chief-of-staff, Mahamat Saleh Annadif and the anti-corruption minister were also arrested in 2012 on corruption charges. More recently, Ahmat Bachir, the president's director of cabinet

was dismissed on corruption allegations (Jeune Afrique 2014).

In 2012, Operation Cobra was also launched by the minister of justice, an initiative aimed at increasing transparency and efficiency in public finance, particularly in revenue collection agencies. Civil servants and local officials were dismissed following inspections in certain districts. President Déby issued a decree dismissing approximately 400 customs agents and transferring an estimated 300 others for alleged acts of corruption and fraud. In late 2012, the minister of justice and good governance reported that this anti-corruption campaign had contributed to recover 38 million (Bertelsmann Foundation 2014).

However, the anti-corruption drive is perceived by some observers as being politically motivated and used as a way to eliminate political opposition (US Department of State 2012; Bertelsmann Foundation 2014). In 2009, only 11 per cent of citizens interviewed within the framework of a corruption perception survey assessed the governments' efforts to fight corruption to be effective (Republic of Chad/Centre d'Etudes et de Recherche pour la Dynamique des Organisations (CERDO) 2009). Respondents mentioned impunity (56 per cent), lack of enforcement and transparency (51 per cent) as areas of major concern.

Legal Framework

Chad has an anti-corruption legislation, the [004/PR/2000](#) Act, on economic crimes which criminalises active and passive bribery, embezzlement and influence peddling, among others. The law is characterised by heavy sanctions and penalties for corruption (AfDB/UNDP 2004).

[Money laundering](#) is also criminalised in Chad, although some reports point to shortcomings in the legal framework and a general lack of implementation of the anti-money laundering regulations (IMF 2013).

Public officials are subject to financial disclosure laws and required to declare their assets, but the laws do not specify any sanction for noncompliance and remain largely unenforced (US Department of

State 2012).

According to the US Department of State (2013), there are no laws providing for the protection of public and private whistleblowers. Also, the law does not provide for public access to government information (US Department of State 2013; Freedom House 2013).

In terms of its international commitment, Chad has not ratified the UN Convention against Corruption but has signed the African Union Convention on Preventing and Combating Corruption.

Institutional framework

Chad has a number of institutions involved in anti-corruption, some with overlapping mandates. There is little information publicly available on the effectiveness of these institutions and the challenges they face. However, they all generally face major resource and capacity constraints which hamper their capacity to fulfil their mandate. There is also no clear indication of a firm political will to effectively address corruption in the country.

Judiciary

While separation of power exists institutionally, it is weak in practice. The rule of law and the judiciary are weak and heavily influenced by the executive. Judges are appointed by the President, without confirmation by the National Assembly, which makes the judiciary vulnerable to influence from the political leadership (KPMG 2014). Judicial harassment of political opponents is frequent (Freedom House 2013), while government officials and influential people close to the political leadership are rarely prosecuted and enjoy impunity (Bertelsmann Foundation 2014). Judges acting independently are exposed to intimidations, retaliation or dismissal. In 2012, for example, a judge who dismissed charges against an opposition parliamentarian was suspended and accused of violating the confidentiality of court proceedings (Bertelsmann Foundation 2014).

In addition, the judiciary faces major (financial and human) resources and capacity challenges. Judicial officials lack training and expertise, criminal processes are slow and court decisions are not

always enforced (UNDP 2012). Prison conditions are inhumane and many inmates are held without charge or guarantee of their right to a fair trial (Amnesty International 2013; Freedom House 2013). This undermines citizens' access to justice and erodes the credibility of judicial institutions.

Corruption and bribery also permeates judicial institutions. Bribery influences court decisions and 80 per cent of citizens interviewed in a 2009 survey perceived that there are two justice systems in the country, one for the rich and one for the poor (Republic of Chad/CERDO 2009). Of the firms interviewed, 36.2 per cent within the framework of the 2009 IFC/World Bank Enterprise survey identified the courts system as a major constraint to doing business in the country.

Ministère de l'assainissement public et de la promotion de la bonne gouvernance

The Ministry for Moralisation and Promotion of Good Governance investigates and prosecutes cases of malfeasance, and conducts training and awareness raising campaigns. It is in charge of planning, implementing and monitoring the oversight of public services. Its credibility has been undermined by the dismissal of its minister in 2012 on corruption allegations. Some observers suggest that the ministry is weak and partial and does not have the power to coerce other more powerful ministries (Journal du Tchad 2011).

Inspection Générale des Finances (IGF)

As one of Chad's audit institutions, the [General Inspection of Finances](#), under the Ministry of Finances, plays an important role in detecting corruption through its audits of public institutions. Audit reports are published on the IGF website. The IGF also publishes an annual report of budget implementation as well as its audit reports on its website. Its recommendations in terms of sanctions are rarely implemented (AfDB/UNDP 2004). However, few Chadians have internet access and the IGF website was not functional at the time of writing this report.

Chambre des Comptes

The Supreme Court's Chamber of Accounts is

responsible for controlling the implementation of the finance law, as well as posteriori control of the accounts of bodies receiving public money. Its audit role overlaps with that of the IGF and their respective mandates are often a source of confusion. As a judicial institution, and contrary to the IGF, the chamber can impose sanctions as its oversight powers are independent from the executive and exercised by irremovable judges (AfDB/UNDP 2004). However, it seems that it has not been very effective against corruption (UN/Republic of Chad 2013).

Cour des Comptes

Chad is in the process of establishing a Court of Accounts, in line with the guidelines of the *Communauté Economique et Monétaire des Etats de l'Afrique Centrale* (CEMAC). Composed of five chambers and thirty-one members appointed for five years, it is in charge of controlling government revenues, expenditures and budget implementation and supports government and the national assembly in the implementation of the finance law.

Agence Nationale d'Investigation Financière (ANIF)

The national financial investigative agency acts as Chad's financial intelligence unit as provided for by [CEMAC Regulation No 01/03/CEMAC/UMAC/CM of April 04 2003](#) and created by [Decree n°107/PR/PM/MFEP/07](#). It faces serious resource constraints and its financial reporting and analysis is limited. Law enforcement officials would require training in financial crime investigations (US Department of State 2012).

Médiateur de la République

Created in 1997, the [Médiateur de la République](#) acts as an ombudsman in Chad. It is in charge of handling citizens' complaints of central and local public institutions and makes recommendations on the functioning of public institutions.

Organe Chargé des Marchés Publics (OCMP)

As already mentioned, public procurements are extremely vulnerable to corruption in Chad. The OCMP is Chad's public procurement authority. In

each ministry, a *Commissions d'Ouverture et de Jugement des Offres* (COJO) has also been created to open and evaluate the bids. The OCMP does not have the capacity to oversee public procurement effectively and a reform of its mandate and organisation is currently envisaged. Within this framework, the government is considering adopting a national public procurement regulatory authority similar to other models in the region to oversee public procurement processes ([Republicoftogo.com 2014](#)). Public procurement financed by donors are not subject to the same procedure (CEMAC Business 2014).

Reform of the public procurement code that was adopted in 2003 is also underway, with a new commission in charge of the reform process and of integrating international norms and standards in Chadian procurement regulation (CEMAC Business 2014).

Regional bodies

Chad participates in a number of regional anti-corruption initiatives such as the African Parliamentarians Network against Corruption, the African Association of Anti-Corruption Authorities, the Central African Action Group against Money Laundering, the networks of national anti-corruption institutions in Central Africa, and the Observatory for the Fight against Corruption in Central Africa (OLCAC).

Other stakeholders

Media

While the constitution formally provides for freedom of expression and of the press, both rights are severely repressed in Chad and self-censorship is common practice in the media (Freedom House 2013). Permissions are required from the prosecutor's office, the High Council of Communication (HCC), Chad's media regulatory body, and the Ministry of Commerce to establish a media outlet. Proposed revisions to the media law introduced in 2012 includes more draconian requirements, including imposing more demanding educational credentials on journalists, broadening definitions and sanctions of press offences and the requirement to submit to the HCC copies of the newspaper prior to publication, raising concerns about

ensorship. The HCC is perceived to be influenced by government (Bertelsmann Foundation 2014).

Independent media routinely face governmental pressure. The government makes use of threats, violence and legal provisions such as defamation and libel laws to censor critical reports. For example, in 2012, one editor of an opposition oriented paper was convicted of defamation for publishing a trade union petition critical of the government and his newspaper was suspended for three months (Bertelsmann Foundation 2014; Freedom House 2013).

Private newspapers are available only in N'Djamena and rural citizens rely on radio as the main source of information, but the private radio licensing fee is prohibitively expensive (Freedom House 2013). The state owns the only television station and subsidises the only daily newspaper, *Le Progrès*, in exchange for its support. Some newspapers use printing facilities outside the country for financial reasons, but the proposed amendments to the media law contain provisions to forbid this practice.

Chad is ranked 139 out of the 180 countries assessed by the Reporters Without Borders' [2014 World Press Freedom Index](#). The organisation regards Chad as an authoritarian country, whose rule tends to get even tougher. In 2013, three journalists were jailed on trumped-up charges for several months and when finally released, could not go back to independent journalism.

Civil society

The freedom of association and assembly is formally guaranteed and citizens are allowed to form independent or civil groups (Bertelsmann Foundation 2014).

However, civil society is traditionally weak in the country, although it has developed in recent years mainly due to international support, mostly focusing on oil production or farmers conflicts. Citizens are exposed to threat, harassment and intimidations when critical of government. For example, in 2012, two human right activists were attacked in their home by unidentified men (Bertelsmann Foundation 2014). Assemblies and protests are often banned, limiting civil society space to express dissent. In

2012, for example, a march organised by civil rights organisations protesting against threats against journalists and activists was blocked by the minister of interior (Bertelsmann Foundation 2014).

Amnesty International also recently documented how the practice by successive governments to use arbitrary arrests and detention without charge or trial to silence government critics has persisted in the country and even worsened in recent years (Amnesty International 2013). This situation greatly limits civil society opportunity to fully play a watchdog role in the country.

3. REFERENCES

- AfDB. 2014. *African Economic Outlook – Chad*, <http://www.africaneconomicoutlook.org/en/countries/central-africa/chad/>
- AfDB/UNDP. 2004. *Rapport sur le profil de gouvernance du Tchad*
- Amnesty International. 2013a. *In the Name of Security? Arrests, Detentions and Restrictions on Freedom*, <http://www.amnesty.org/fr/library/info/AFR20/007/2013/en>
- Amnesty International. 2013b. *Chad: Repressive Tactics against Government Critics Must Come to an End*, <http://www.amnesty.org/en/for-media/press-releases/chad-repressive-tactics-against-government-critics-must-come-end-2013-10-24>
- BBC. 2014. *Chad Country Profile*, <http://www.bbc.com/news/world-africa-13164686>
- Bertelsmann Foundation. 2014. *Bertelsmann Transformation Index 2014 – Chad Country Profile*, <http://www.bti-project.org/fileadmin/Inhalte/reports/2014/pdf/BTI%202014%20Chad.pdf>
- CEMAC Business. 2014. *Réviser pour accélérer* <http://cemacbusiness.com/tchad-revision-des-marches-publics-public-tenders-being-updated/>
- Centre d'Etudes et de recherche pour la Dynamique des organisations. 2009. *Plan stratégique de lutte contre la corruption au Tchad*
- Debos, M. 2014. *International Interventions and the Human Cost of a Militarized Political Marketplace in Chad*, <http://sites.tufts.edu/reinventingpeace/2014/07/17/international-interventions-and-the-human-cost-of-a-militarized-political-marketplace-in-chad/>

- Economist Intelligence Unit. 2013. *Global Food Security Index*,
http://www.eiu.com/public/topical_report.aspx?campaignid=FoodSecurity2013
- Encyclopedia of the Nations. No date. *Chad - Politics, Government, and Taxation*,
<http://www.nationsencyclopedia.com/economies/Africa/Chad-POLITICS-GOVERNMENT-AND-TAXATION.html>
- EITI. 2014. *Opening the Chadian Black Box*,
<http://eiti.org/news/opening-chadian-black-box>
- Freedom House. 2013. *Freedom in the World – Chad*,
<http://www.freedomhouse.org/report/freedom-world/2013/chad>
- Freedom House. 2013. *Freedom of the Press 2013 – Chad*,
<http://www.freedomhouse.org/report/freedom-press/2013/chad>
- Gauthier, B.; Wane, W. 2004. *Suivi des dépenses publiques à destination dans le secteur de la santé au Tchad : analyse des résultats d'enquête*
http://siteresources.worldbank.org/INTRES/Resources/469232-1107449512766/648083-1248788659812/Chad_QSDSReport_Health2.pdf
- Gauthier, B.; Wane, W. 2007. *Leakage of Public Resources in the Health Sector: An Empirical Investigation of Chad*,
<http://elibrary.worldbank.org/doi/book/10.1596/1813-9450-4351>
- Global Post. 2012. *Food Aid Ripe for Corruption Reports* Transparency International,
<http://www.globalpost.com/dispatches/globalpost-blogs/africa/food-aid-ripe-corruption-reports-transparency-international>
- Heritage Foundation. 2014. *Index of Economic Freedom – Chad*,
<http://www.heritage.org/index/country/chad>
- IMF. 2012. *Chad Staff Report for the 2012 Article IV Consultation*,
<http://www.imf.org/external/pubs/ft/scr/2013/cr1387.pdf>
- International Crisis Group. 2009. *Chad: Escaping the Oil Trap*,
<http://www.crisisgroup.org/en/regions/africa/central-africa/chad/B065-chad-escaping-from-the-oil-trap.aspx>
- IRIN News. 2010. *Tchad: Enrayer la corruption pour éradiquer la polio*,
<http://www.irinnews.org/fr/report/88388/tchad-enrayer-la-corruption-pour-%C3%A9radiquer-la-polio>
- Jeune Afrique. 2013. *Tchad : le grand coup de balai d'Idriss Déby Itno dans la police*,
<http://www.jeuneafrique.com/Article/ARTJAWEB20130215085038/>
- Jeune Afrique. 2014. *Tchad : disgrâce de Ahmat Bachir, directeur de cabinet de Déby*,
<http://www.jeuneafrique.com/Article/ARTJAWEB20140204155556/>
- Journal du Tchad. 2011. *Corruption: Les Etats-Unis sensibilisent les acteurs Tchadiens*,
<http://www.journaldutchad.com/article.php?aid=872>
- KPMG. 2014. *Chad Country Profile*. KPMG Africa Region 2012/2013
- New York Times. 2008. *World Bank Ends Effort to Help Chad Ease Poverty*,
http://www.nytimes.com/2008/09/11/world/africa/11chad.html?_r=2&
- Transparency International. 2012. *Food Assistance Integrity Study*,
http://www.transparency.org/files/content/pressrelease/2012_TIKenya_FoodAssistanceIntegrityStudy.pdf
- UNDP/Gouvernement of Chad. 2012 *Programme des Nations Unies pour le Développement Plan d'Action du Programme Pays 2012-2015*,
<http://www.td.undp.org/content/dam/chad/docs/UNDP-TD-CPAP-2012.pdf>
- Republicoftogo.com. 2014. *Le Tchad veut s'inspirer du Togo pour créer une Autorité de régulation des marchés publics*,
http://www.alwihdainfo.com/Le-Tchad-veut-s-inspirer-du-Togo-pour-creer-une-Autorite-de-regulation-des-marches-publics_a11507.html
- UN Economic Commission for Africa/Republic of Chad. 2013. *Forum sur la gouvernance dans les pays en situation de post-conflit*,
<http://www.uneca.org/fr/forum-sur-gouvernance>
- United States Institute of Peace. 2010. *Peace Brief: Stabilizing Chad: Security, Governance and Development Challenges*,
<http://www.usip.org/publications/stabilizing-chad-security-governance-and-development-challenges>
- US Department of State. 2011. *2011 Investment climate statement – chad*
<http://www.state.gov/e/eb/rls/othr/ics/2013/204619.htm>
- US Department of State. 2013. *2013 Investment Climate*

statement – Chad

<http://www.state.gov/e/eb/rls/othr/ics/2013/204619.htm>

US Department of State. 2013. *Chad Report on human right practices for 2013*,

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>

US Department of State. 2012. *Chad Report on Human Right Practices for 2012*,

<http://www.state.gov/documents/organization/204315.pdf>

US Department of State. 2011. *Chad Report on Human Right Practices for 2011*,

<http://www.refworld.org/docid/4fc75aae3c.html>

US Department of State. 2012. *Money Laundering Assessments Chad*,

<http://www.knowyourcountry.com/chad2.html>

World Economic Forum. 2014. *Global Competitiveness report 2013/2014*,

<http://www.weforum.org/reports/global-competitiveness-report-2013-2014>

Wane, W. 2008. *Public Health in Chad: Connecting Spending and Results*,

http://siteresources.worldbank.org/INTPUBSERV/Resources/477250-1212006663580/WaneChad_91708.pdf

World Bank. 2009. *The World Bank Group Program of Support for the Chad-Cameroon Petroleum Development and Pipeline Construction*,

<http://siteresources.worldbank.org/INTOED/Resources/ChadCamReport.pdf>

World Bank. 2010. *Silent and Lethal: How Quiet Corruption Undermines Africa's development*,

http://siteresources.worldbank.org/AFRICAEXT/Resources/english_essay_adi2010.pdf

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