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Chad's 2007 Peace Agreement Plagued by Poor Implementation

Summary

- Political crises and armed opposition movements have plagued Chad for several years.
- After several failed peace initiatives, the August 13 Agreement was reached in 2007. The agreement is the most viable framework for bringing peace to Chad. It calls on the Chadian government to reform critical electoral institutions, undertake a credible electoral census and demilitarize politics in order to ensure fair and transparent elections.
- To date, the agreement has been poorly implemented. It jeopardizes the credibility of the upcoming legislative elections, currently scheduled for February 2011.
- Only comprehensive reform that addresses the development and governance challenges facing Chad will definitively end its political crisis.

Background and Key Provisions of the August 13 Agreement

Internal political conflict and open armed conflict have plagued Chad, but it has intensified since 1998 during President Idriss Déby Itno's administration. The reasons are multiple: the majority of the population lacks services and has difficulty accessing basics such as food, health care and water; some in Déby's Zaghawa clan complain that he did not support co-ethnic Sudanese fighters in Darfur; and many disagreed with Déby's revision of the constitution in 2005, which permitted him to run for a third term. Indeed, the main political parties and the majority of the electorate boycotted the 2006 presidential elections, saying that they were rigged and fraudulent. This three-dimensional crisis—involving electoral institutions, armed groups and poor quality of life—can only be effectively resolved through a comprehensive and all-inclusive dialogue. However, the government is not keen on starting such a process. Although it was signed amid armed conflict and in the absence of broad political dialogue, the August 13 Agreement of 2007 remains the most viable vehicle for bringing peace to Chad.

Encouraged and facilitated by the European Union, the August 13 Agreement brought opposition political parties, the ruling party (and its allies) and government officials together to find a way out of the political and security crises. Despite excluding representatives of civil society and rebel groups at the negotiating table, as well as failing to address security issues and organize a national reconciliation process—two critical weaknesses—the agreement is a good starting point for a peace process. It emphasizes the need to reform critical electoral institutions, undertake a credible electoral census and demilitarize politics to ensure fair and transparent elections. This

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peace brief assesses the August 13 Agreement's implementation and reviews its accomplishments and continuing challenges.

Thus far, the implementation of the agreement, coupled with ongoing security concerns in the east, raise serious doubt about its ability to foster sustainable peace in Chad, despite some notable improvements to security and the political atmosphere. In the most glaring example, peace efforts were undermined by the February 2008 attack by a coalition of rebel groups on N'Djamena, which precipitated an intense war causing thousands of casualties. In addition, politicians and civil society members were targeted; heads of political parties were arrested; and, the spokesperson of the main coalition of opposition political parties, Ibni Mahamat Saleh, is still missing and likely dead. The first test of the August 13 Agreement is 2010, also a year of sociopolitical challenges for Chad. During this pivotal year, Déby's third term will near its end, with important upcoming legislative, local, and presidential elections in 2011.

Political Developments in Chad

Recently there have been several important political developments. Notably, the rebel movements in the eastern part of the country seem to be stabilizing. Chad and Sudan have reached a rapprochement, highlighted by President Déby's visit to Khartoum. Defense and security forces have been strengthened (resulting in a sharp increase in the number of military weapons purchased) and several rebel leaders have returned to the country. At the national level, a number of initiatives have been launched in a bid to improve the overall governance of the country, including the campaign against corruption, the development of public work sites, the organization of a forum on human rights and the reestablishment of diplomatic relations with Saudi Arabia.

Déby appears to be in a strong political position as he nears the end of his second term. For instance, the main coalition of political parties, the Political Parties Coalition for the Defense of the Constitution, had suspended participation as a member of the follow-up committee on the August 13 Agreement for a short period, but the coalition returned to the negotiating table and currently oversees the implementation of the agreement. Four of the parties have decided to join the government, despite the fact that their spokesperson, Mr. Saleh, is missing and the poor level of implementation of the core elements of the August 13 Agreement.

State of the August 13 Agreement

Although there has been some progress in the agreement's implementation, it is not enough to guarantee credible elections. Problems arose in the census-taking exercise, the establishment of the National Independent Electoral Commission (NIEC), the financing of the elections and the creation of the Permanent Bureau of Elections.

The Census

The June 2009 census, mandated by the August 13 Agreement as a precondition to the creation of the registered voting lists, is not reliable. The results of the national census do not give an accurate demographic assessment of the country. For example, according to the census, N'Djamena has less than 1 million residents, but in 1979 more than 500,000 inhabitants populated the same city. Taking into account that the population doubles every 30 years, the population of N'Djamena should have largely passed the million resident mark. Similar problems have been identified with the entire census-taking effort. Undoubtedly, these questions will create tension, notably when the electoral map is established.

National Independent Electoral Commission

As per the agreement, the National Independent Electoral Commission was created and published a calendar of elections (legislative elections in November 2010, local elections in December 2010 and presidential elections in April 2011).¹ However, there are serious concerns about the NIEC's neutrality, capacity and financial solvency.

Although the independence of the NIEC is an essential condition for holding free, fair and democratic elections, the mere fact that membership is equally shared between political parties—who have an interest in free and fair elections—does not guarantee neutrality and independence. Indeed, when the question arose regarding whether the general census should be biometric or computerized, it was the president of the republic and several other signatory parties to the August 13 Agreement that decided, not the NIEC.

Similarly, the NIEC was forced to decrease the duration of a multitude of activities related to the electoral process. Particularly troubling was a reduction in time allotted for the public to check the voters' list and verify their names. Although NIEC used the extra time to move up the legislative elections to November 2010, they risked a botched electoral process thus exposing the process to the possibility of contested results. Indeed, the realization that several tasks would not be completed has compelled the NIEC to further postpone the legislative elections to February 2011.

Election Finances

The NIEC is poorly resourced. Of the estimated 22 billion FCFA (\$48 million) needed for electoral operations, the government of Chad has only budgeted 5 billion FCFA. It is important for the state to finance these elections if it is to effectively convey its political openness and willingness to support a process meant to ensure that elections are legitimate. Even when a state is short on resources, the contribution of the development partners should only be a supplement to the financing provided by the state. This financial deficit could prove to be an impediment to the proper execution of the NIEC's mandate.

Permanent Bureau of Elections

The secretariat of the NIEC, the Permanent Bureau of Elections, is supposed to manage the day-to-day activities of organizing the elections, but it is not yet functional. Indeed, the delay in finalizing the registered voters' lists has already delayed the electoral process. These delays will involve changes in procedures and another amendment of the electoral code. Additionally, this bureau risks being politicized because it relies on existing government institutions for its work. The failure to begin the depoliticization and demilitarization of public administration called for in the August 13 Agreement compromises the neutrality of the Permanent Bureau of Elections. There are risks that the candidate who controls the ministries of central and territorial administration will manipulate the voters' lists and related files.

Demilitarization of Politics

Perhaps the most problematic issue is implementation of the agreement's requirement for the demilitarization and depoliticization of the administration and for freedom of the press. Government officials and some analysts claim that the implementation of these provisions is a long process that cannot occur before the planned elections. Yet without progress in these areas, stakeholders are painfully aware that elections will not be credible.

ABOUT THIS BRIEF

This Peace Brief assesses the status of implementation of the 2007 peace agreement in Chad and reviews its accomplishments and continuing challenges. Delphine Djiraibe is founder and chief attorney of the Public Interest Law Center in Chad and the coordinator of the Comité de Suivi de l'Appel à la Paix et à la Réconciliation. She is the 2004 recipient of the Robert F. Kennedy Human Rights Award. Part of a series on Chad, this brief was originally presented at a conference organized by the U.S. Institute of Peace and the International Peace Institute on May 20, 2010.

Continuing Insecurity in the East

The security situation at the eastern border remains precarious. Communities and displaced people are still coming under attack from Sudanese and Chadian armed movements despite the recent rapprochement between Chad and Sudan, the deployment of a mixed command comprised of government and rebel soldiers and the signing of the peace agreement between the Justice and Equality Movement and the government of Sudan in Doha, Qatar (thus halting the spillover of the Darfur conflict into Chad). Indeed, the rebel groups continue to exist even with the cooptation of several rebel leaders by the Déby government. In fact, some fear that with the normalization of relations between Chad and Sudan and the establishment of a joint security force to protect the borders, the rebel groups could advance into the central and southern regions of the country, further spreading insecurity.

Conclusions and Continuing Challenges

The August 13 Agreement has failed to provide a framework for peace in the country and, as implemented, will not provide free and fair elections. Indeed, challenges for credible elections, security and reconciliation remain the same as before the August 13 Agreement. After the 2011 presidential elections, the newly elected president will have several challenges:

- Ensuring internal and border security.
- Establishing democracy at the grass-roots level.
- Providing equal access to education, justice and health to all Chadians.
- Creating a transparent and rational system to manage national resources and effective resource redistribution, to ensure that Chadians have decent living standards.
- Fighting corruption and ensuring that misused funds are recovered.
- Organizing a national reconciliation process to ensure a sustainable peace.

Only a reform and governing agenda that aims to resolve these critical challenges will bring peace to Chad.

Endnotes

1. This calendar has since been revised. Legislative and local elections have been postponed to February and March 2011, respectively.



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