OPEN LETTER

H.E. Mr. Baki İlkin, Ambassador, Permanent Representative of Turkey to the United Nations, President of the United Nations Security Council
Y.E., Ambassadors, Members of the United Nations Security Council
H.E. Mr. Ban Ki-moon, United Nations Secretary General

Paris, N'Djamena, New York, June 8, 2009

Re: The MINURCAT Is Not Enough; A Special Representative Must Be Named to Promote the Instauration of a Global and Inclusive Political Dialogue in Chad

Excellencies,

The recent revival of fighting in Chad between rebels united within the “Union des Forces de la Résistance” (UFR) and the governmental forces has once more time threatened the peace and security of the region, and increased the risks of worsening the humanitarian situation in Eastern Chad.

Arrest and arbitrary detention, summary execution and extrajudicial killing, enforced disappearance, sexual violence, torture, infringement upon freedom of expression, harassment of human rights defenders and political opponents, are all serious violations of international human rights and humanitarian law perpetrated in Chad not only during armed battles opposing rebels and regular armed groups, but also in times of relative stability. They occur in complete impunity.¹

Why is it today necessary to establish a global and inclusive political dialogue in Chad

¹ Attached to this letter are FIDH and LTDH reports on the grave human rights violations perpetrated during and after confrontations opposing, in February 2008, the National Army of Chad (ANT) and armed rebels.
In the perspective of the upcoming legislative elections and the presidential election of 2011, and looking towards a deep and long-lasting restructuration of the Chadian political life, the country’s authorities must initiate serious negotiations with the totality of the political actors, including with the military-political forces. The agreements signed bilaterally or multilaterally have today revealed their ineffectiveness, only adding to the general confusion and crystallizing the numerous divisions within the Chadian society.

If the conclusion, on August 13, 2007, of a global political agreement between the different political parties first led to believe to the establishment of a true dialogue, the arbitrary arrests of political opponents that took place during the February 2008 battle have seriously undermined the agreement’s terms. As stressed by the UN Secretary General in its April 14, 2009 report\(^2\), “Little progress was made in the implementation of the agreement of 13 August 2007” (p. 2); which he says has reached an “impasse” (p. 13).

Besides, constitutional reforms, such as the law proposal on the democratic opposition status, on the creation of an independent national electoral commission (Commission électorale nationale indépendante – CENI), and on the electoral code, all planned in pursuance of the August 13 agreement, were largely criticized by the main opposition parties. In March 2009, the latter declared that these reforms did not correspond to the terms of the agreement signed with the authorities. Yet, without the establishment of a legal framework guaranteeing free and transparent elections and including all actors, it is impossible to imagine a lasting outcome to the crisis.

The successive offensives of the rebellious armies, which crystallized in the February 2008 battle, and through violent fighting\(^3\) beginning of May 2009 between governmental forces and the rebels’ alliance, UFR, only confirmed the risks of destabilization. While the rebel offensive was repressed by the governmental forces, members of the UFR reaffirmed their intention to reach the capital of N’djamena.

The stabilization of Chad is crucial to the resolution of the regional crisis. The consequences of the humanitarian tragedy in neighboring Sudan and the thousands of Darfur refugees and internally displaced in camps in Eastern Chad contribute to the exacerbation of the internal crisis and the insecurity in the country, while the fighting causes grave human rights violations against civilians at the border with Sudan and within Chad. Interethnic tensions and opposition between Chad and Sudan through interposed rebels, despite the Tripoli, Dakar, and recent Doha agreements, are many factors destabilizing Chad politically, and directly threatening regional peace and security.

**Strategies and tools for a crisis outcome: The importance of a mediator mandated with promoting the establishment of a global and inclusive political dialogue**

FIDH, LTDH, and ATPDH commended the deployment of the MINURCAT in 2007, as well as the March 15, 2009 transfer of authority between EUFOR Chad-CAR and MINURCAT. Yet, FIDH, LTDH, and ATPDH believe that for the MINURCAT’s objectives to effectively succeed, and for a lasting solution to the crisis in Chad, it is essential that the United Nations promote in parallel the resumption of the negotiations between the different political and military actors. This must necessarily mean the initiation of a true political dialogue as global and as inclusive as possible.

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In this regard, FIDH, LTDH, and ATPDH commend the conclusions of the UN Secretary General’s latest report on the MINURCAT, in which he underscores the imperious necessity of the reopening of such a dialogue as the key for a lasting outcome to the crisis: “I urge both sides to do their utmost to overcome their differences and arrive at a mutually acceptable arrangement to allow the process to move forward. At the same time, for any reconciliation process to be viable, it is important that all opposition, political and armed, be associated and included.” (p. 13) In addition, Mr. Ban Ki-moon reiterated his December 2008 call saying he is “willing to use [his] good offices to facilitate such a reconciliation process.” (p. 14)

Such UN assistance, to be distinguished from the MINURCAT’s mandate, should, according to FIDH, LTDH, and ATPDH, result in the nomination of a Special Representative under the authority of the Secretary General, and under the auspices of the United Nations, African Union, and European Union, mandated with promoting the instauration of a global and inclusive political dialogue between all Chadian actors and charged with the monitoring of the respect of the agreements that may be passed between different actors as part of this dialogue.

We remain at your disposal to exchange with you on these suggestions.

Sincerely yours,

[Signature]

Souhayr BELHASSEN
FIDH President

[Signature]

Massalbaye TENEBAYE
LTDH President

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Jacqueline MOUDEİNA
ATPDH President