



Plenary sitting

B9-0575/2022

13.12.2022

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on Military junta crackdown on peaceful demonstrations in Chad
(2022/2993(RSP))

Pierrette Herzberger-Fofana, Malte Gallée, Francisco Guerreiro, Hannah Neumann, Ignazio Corrao, Mounir Satouri, Rosa D'Amato
on behalf of the Verts/ALE Group

**European Parliament resolution on Military junta crackdown on peaceful demonstrations in Chad
(2022/2993(RSP))**

The European Parliament,

- having regard to its previous resolutions on Chad,
 - having regard to the African Charter on Human and Peoples' Rights of 1981,
 - having regard to the African Charter on Democracy Elections and Governance of 30th January 2007,
 - having regard to the Cotonou Agreement of 2000 between the European Union and the ACP (African, Caribbean and Pacific) countries,
 - having regard to the Khartoum process signed in 2014 between the European Union and African countries, including Chad,
 - having regard to the Chadian constitution of December 2020,
 - having regard to the report of the African Union fact-finding mission to Chad from 29 April to 5 May 2021;
- A. whereas following the death of former Chad's President Idriss Déby in 2021, the Transitional Military Council (TMC) organised an unconstitutional transfer of power and installed a transitional government headed by Mahamat Idriss Déby, the son of the former Chadian president; whereas the TMC suspended the Constitution, dissolved the government and the National Assembly;
- B. whereas the TMC set up a 'transitional charter' in place of the Constitution for a period of 18 months, renewable once which was supposed to come to an end in October this year but was instead extended to two years;
- C. whereas many Chadians responded to calls for protests to mark the date when Chad's ruling military had initially promised to cede power and oppose its extension; whereas military forces reacted by firing live ammunition on demonstrators resulting in the death of 50 people, including 10 members of the security forces, in N'Djamena and several other cities on October 20, according to an official toll;
- D. whereas a total of 401 people were put on mass trial in Koro Toro high-security prison charged with taking part in an unauthorised gathering, destroying belongings, arson and disturbing public order; whereas 262 people were condemned to jail sentences, while 80 were given suspended terms and 59 were acquitted;
- E. whereas the UN OHCHR Committee against torture concluded in its observation on

the prevalence of prison violence, including violent acts committed by prison staff against detainees, was also alarming and asked that state authorities undertake investigations into all deaths in custody and all allegations relating to acts of torture and ill-treatment by prison personnel;

- F. whereas the trial lasted only four days, with only state television having the right to provide coverage; whereas Chadian lawyers refused to take part to the proceedings on the grounds of the illegal transfer of the defendants for the trial, far from the public gaze;
 - G. whereas the repression and convictions were unanimously condemned by human rights organisations and the international community, including the African Union and the European Union;
 - H. Whereas civil society in Chad have produced a comprehensive transition plan towards the end of the crisis, underlining the imperative necessity for the international community to accompany the country towards a return to democratic stability; whereas civil society have advised international support should take the form of a stabilisation mechanism aiming at reinstating constitutional order and supporting the transition plan, including by monitoring the implementation of resolutions adopted during the inclusive national dialogue;
 - I. whereas Chad is among the 5 worst authoritarian regimes in the world; whereas fundamental freedoms and human rights were already threatened before the death of former president Deby and are still now with his son into power;
 - J. whereas the European Union committed in its Integrated Strategy in the Sahel, adopted by the Council on 16 April 2021, to supporting key moments for democracy in the region, to paying specific political attention to efforts in the areas of governance and the rule of law and to continuing to call for internal security forces to have a more central role in strengthening trust between people and the State;
-
- 1. Condemns the restriction of the right to demonstrate and the use of violence by military forces against demonstrators in recent protests;
 - 2. Calls for the immediate release of all demonstrators arrested, unlawfully transferred to prison and unfairly condemned for their participation in the recent protests against the extension of the military order;
 - 3. Calls on the establishment of an independent and impartial commission of enquiry to investigate into the abuses committed during the demonstrations as well as into reported violence and torture in Chadian prisons and any human rights violations that may have occurred, including the use of unnecessary or disproportionate force as well as use of live ammunition on civilians;
 - 4. calls to ensure that all those responsible for the unlawful use of force, in particular security force members implicated in human right violations are appropriately prosecuted and condemned; urges Chadian authorities to ensure that the Chadian

military, gendarmes and police comply with the United Nations Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

5. Reiterates its condemnation of the military coup d'état perpetrated on 20 April 2021 by the TMC and the subsequent suspension of the Chadian Constitution, the dissolution of the National Assembly and the government; condemns the unconstitutional nature of this seizure of power and the establishment of a charter by the TMC which has not been subject to democratic consultation;
6. Calls for a return to constitutional order as provided for in the Chadian Constitution, the withdrawal of the transitional military power, the establishment of a civilian-led transition, and the organisation of free and transparent elections as soon as possible; calls on the EU to mobilise an electoral observation mission to accompany the national electoral process;
7. Calls on the EU and HR/VP to support the decisions taken by the African Union bodies with a view to enabling a rapid return to constitutional order and stability in Chad and to ensuring the credibility of the continental institution;
8. Calls on the HR/VP, EU delegation and EU missions in Chad to ensure the full implementation of the EU Guidelines on Human Rights Defenders and the EU Action Plan on Human Rights and Democracy, including by observing protests and by providing the requested support identified in civil society's transition plan towards the end of the crisis;
9. calls on the EU and its member states to implement rapidly the proposal of 'Team Europe Initiative' for Chad on governance, democratisation, peace and security (priority area 1), and assess the relevance of joint programming on this priority area in order to achieve the expected results;
10. Calls on the EU and its member states to facilitate the setting up of mechanisms for the participation of civil society and engage in a sustained dialogue with civil society organisations in Chad to ensure an inclusive and transition process towards democratic power; urges to allocate dedicated funding for civil society capacity building in Chad under the Neighbourhood, Development Cooperation and International Cooperation Instrument- Global Europe financial instrument (NDICI-GE);
11. Calls on the Commission, the EEAS and the Member States to increase support for independent non-governmental organisations, human rights defenders and the independent media active in Chad, including funding and support for those in need of protection;
12. Underlines that the important role that Chad plays in the fight against terrorism and the preservation of security in sub-Saharan Africa in no way justifies the violation of the Chadian democratic and constitutional framework or of international treaties;
13. Stresses the importance of increasing the accountability of the armed forces in Chad and to ensure that the judiciary as well as civil society can safely document human rights abuses committed by members of the armed forces and officials currently into

power without facing dissimulation of information or threats;

14. Calls on all EU member states' military forces present on Chadian soil and in the Sahel region, including France, to adopt strict neutrality in Chad's internal affairs;
15. Calls on EU member states to freeze the financial assets on their soil for the perpetrators of the coup d'état of 20 April 2021, in particular for Mahamat Idriss Deby Itno and the other members of the military forces;
16. Calls for an evaluation of the EU funding allocated to Chad, in particular through the Emergency Trust Fund for Africa, in order to assess that the funds allocated have not been misused, in particular for military purposes; overall, calls on the European Commission to be more transparent in the allocation of resources from the Emergency Trust Fund for Africa and to ensure that such flexible funding mechanisms, is financed in full from the Union budget and allow for democratic oversight and scrutiny of the European Parliament;
17. Calls on the European Commission to open a procedure under Article 96 of the Cotonou Agreement, which may lead, in last resort to the suspension of EU development cooperation with Chad until legitimate constitutional order is re-established;
18. Calls on the European Union, its member states and the international community to urgently respond to the humanitarian situation arising from the human right situation in Chad and to provide the country with the necessary assistance to rapidly address its urgent needs for the necessary protection of IDPs and refugees;
19. Instructs its President to forward this resolution to the Council, the Commission, the EEAS, the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, the parliaments and governments of the Member States, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly, the African Union Commission and the Pan-African Parliament and the current political structure having taken power in Chad;