

Bringing a Dictator to Justice – The Case of Hissène Habré

The most brutal U.S.-backed dictator you've never heard of—Hissène Habré of Chad—is slated to stand trial in Senegal on charges of mass murder and torture. His trial will mark the culmination of years of effort by a Chadian torture victim who did not give up and a New York “dictator hunter.”

Souleymane Guengueng, a modest and deeply religious civil servant who watched hundreds of his cellmates perish from torture and disease during two years in Habré's prisons, took an oath before God that if he ever got out of jail alive, he would bring his tormentors to justice. When Habré fell in 1990 and fled to Senegal, Guengueng used his considerable charm to persuade still-frightened victims to seek the trial of the former dictator. However, the government that's been in power ever since has brought on many of Habré's henchmen, while the former tyrant has lived in quiet luxury in Senegal.

Then, after former Chilean dictator Augusto Pinochet was arrested in London, Reed Brody of Human Rights Watch took an interest in the Habré case. Brody, whose legal brief helped persuade the House of Lords to strip Pinochet of his immunity, was looking to extend the “Pinochet precedent” to other abusive tyrants. Brody sent two secret missions to Chad to meet Guengueng and gather evidence. In a surprise operation, Brody and Guengueng—together with other activists—filed charges against Habré in Senegal in January 2000. Within a week, Habré was under house arrest, charged with crimes against humanity.

Back in 1981, Ronald Reagan saw Habré, then a local warlord, as a man who could be used to help contain the ambitions of Muammar el-Qaddafi of Libya, Chad's expansionist northern neighbor. The United States helped Habré take power and then provided him with tens of millions of dollars in military aid each year and gave financial and logistical support to his secret police, the feared “DDS,” while it engaged in torture and other atrocities.

To build the case against Habré, Brody made frequent trips to Chad. Once, he stumbled onto the abandoned archives of the DDS. Tens of thousands of documents strewn on the floor detailed how Habré's regime attacked rival ethnic groups and organized the repression of political opponents. They also describe U.S. training programs for DDS agents, including a course outside of Washington that was attended by some of the DDS' most feared torturers.

Habré used some of the millions he had stolen from Chad's treasury to get the case in Senegal dismissed. But by then, Brody, Guengueng and their colleagues had already filed charges against Habré in Belgium, whose anti-atrocity law allowed its courts to hear cases from all over the world.

A Belgian judge took up the case and visited Chad, inspecting Habré's prisons and mass graves together with Guengueng and other former detainees.

After four years of investigation, the Belgian judge indicted Habré on charges of crimes against humanity, and asked Senegal for his extradition. Under the influence of Habré's money, Senegal again balked, passing the case to the African Union. In July 2006, the African Union, constrained by the opinion of its legal experts, ordered

Senegal to try Habré in “the name of Africa,” and Senegal’s president finally agreed to do so. In July 2007, Senegal presented a plan and a budget for the investigation and trial to the African Union and the donor community. France, Switzerland and Belgium have already announced that they will provide financial and technical support to the trial. Investigating judges are expected to be named shortly.

Habré’s trial will be a wake-up call to dictators in Africa and elsewhere, warning them that if they commit similar atrocities, they could also be brought to justice one day. As well as serving as another feather in Brody’s dictator-hunting cap, bringing Habré to trial will allow Souleymane Guengueng to fulfill his oath.

More information on the case can be found at <http://www.hrw.org/justice/habre/>