



TIME TO REPAIR THE HARM TO THE VICTIMS OF THE HABRÉ'S REGIME

30 May 2016 – Today's judgment against ex Chadian dictator Hissène Habré (convicted for crimes against humanity, torture and war crimes committed during his period as President, from 1982-1990) is a landmark and should be celebrated. His victims fought tirelessly for 16 years to see him convicted for the horrible crimes he committed and ordered. However, as significant as today is, it is not yet the end of the fight: full justice will not be achieved until his victims receive meaningful reparation.

Today's ruling is also significant for its powerful recognition of Habré's role in relation to sexual violence and slavery committed against women who were detained under his rule. The Chamber decided to use its own power to change the charges and found that he was also responsible for rape and slavery as crimes against humanity. Also significant is the recognition of Habré's personal responsibility for the rape of a woman who had testified at his trial after years of silence.

“Now that Habré has been convicted, it is essential that the same states who supported the establishment of the Extraordinary African Chambers, also support the implementation of meaningful reparation to victims,” said Carla Ferstman, Director of REDRESS. **“Today's judgment is already a form of satisfaction to many victims, but it must be accompanied by adequate compensation and rehabilitation measures for those who were permanently marked by the horrible torture suffered or had a loved one executed or disappeared. This will help victims to be able to move forward with dignity and help Chadian society to be able to come to terms with its past.”**

The 1992 Chadian Truth Commission estimated the damages during Habré's rule at “more than 40,000 victims, more than 80,000 orphans, more than 30,000 widows and more than 200,000 people who found themselves without moral or material support”.¹ Systematic torture, widespread political killings, thousands of arbitrary arrests, sexual slavery and the targeting of civilian populations, including specific ethnic groups, were some of the crimes committed during Habré's reign of terror, whose details were dramatically recounted by many survivors during the trial.

Despite Chad's obligation under international law to provide reparations to victims of gross human rights violations – including rehabilitation, compensation and satisfaction – victims have not yet received reparation.

¹ *Les crimes et détournements de l'ex-Président Habré et de ses complices*, Rapport de la Commission d'Enquête Nationale du Ministère tchadien de la Justice, Éditions L'Harmattan, 1993, p. 97.

In March 2015, a Chadian criminal court awarded over US\$125 million in reparations to 7,000 of Habré's victims, and ordered the Chadian Government and the convicted to pay the costs. But more than one year later victims have not received compensation. Symbolic reparations ordered by the Court have not been implemented either, including erecting a monument to those who were killed under Habré and turning the former headquarters of his feared political police (responsible for most of the abuses) into a museum.

“Chad and the international community – who have provided significant support to the cost of Habré’s trial – should not consider their work done with this judgment. They should not abandon Habré’s victims, especially now that they are closer to receiving the full justice they deserve”, said Ferstman. **“Reparations already ordered in Chad as well as any the Extraordinary African Chambers may award, should be implemented as a matter of priority.”**

A second set of hearings on damages is expected to take place following today's judgment. If the Extraordinary African Chambers in Senegal orders reparations against Habré, support from Chad and international donors will be crucial for the victims to receive reparations.

Under the Extraordinary African Chambers' statute, reparations can be paid into a victims' fund that can also receive voluntary contributions by foreign governments, international institutions and non-governmental organisations. The fund will be open to all victims, whether or not they participated in the trial.

“The commitment of Chad and the international community to the victims’ fund is crucial as very few assets from Habré – who is alleged to have fled power with large amounts of money – have been identified. The assets identified will clearly be insufficient to compensate the vast number of victims,” said Ferstman.

The trial against Hissène Habré is the first trial in the world in which the courts of one country have successfully prosecuted the former head of state of another country and is the first universal jurisdiction case to proceed to trial in Africa. The long quest for justice for victims began in 2000, when a group of victims, inspired by the arrest in London of the former Chilean dictator Augusto Pinochet, filed a complaint against Habré in Senegal, after they saw no prospects for achieving justice in Chad. Other groups of victims filed another case in Belgium the same year.

After many years of delays and political wrangling, in February 2013, the Extraordinary African Chambers were inaugurated in Dakar, Senegal, to try Habré. The trial began on 20 July 2015 and ended on 11 February 2016, after hearing dramatic testimonies from many survivors. In total, 93 witnesses testified. The Chambers will be dissolved once all the judgments against Habré are final.

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