

Ex-Chad leader 'must be tried'

20 July 2012



Hissene Habre has lived in exile in Senegal for more than 20 years

The International Court of Justice has ruled that Senegal must begin proceedings to try Chad's former leader Hissene Habre "without delay".

Otherwise, he should be extradited to face trial in Belgium, the court's legally binding ruling said.

The 69 year old has been under house arrest since 2005 in Senegal, where he fled after being deposed.

He denies charges of killing and torturing tens of thousands of his opponents.

The charges relate from 1982, when Mr Habre came to power in a coup, until he was ousted in 1990.

The UN's highest court has been investigating whether he should be tried in Senegal or extradited to Belgium, after Senegal previously refused four extradition requests.

President Macky Sall, who came to power in March, has indicated that he would be willing to prosecute Mr Habre in a special tribunal.

'Policy of terror'

Dubbed "Africa's Pinochet", Mr Habre was first indicted in Senegal in 2000 – but the country's courts ruled at the time that he could not be tried there.

His alleged victims then filed complaints under Belgium's universal jurisdiction law, which allows the country's judges to prosecute human rights offences committed anywhere in the world.

In 2005, he was charged by Belgium with crimes against humanity and torture.

There have been years of wrangling in Senegal over what to do about Mr Habre.

The government of former President Abdoulaye Wade changed its position on whether to try him several times – at one stage demanding international funding for a trial.

Last year, it unexpectedly announced that it would repatriate Mr Habre to Chad, where a court in 2008 sentenced him to death in absentia for planning to overthrow the government.

This plan was stopped following a plea from the UN, which feared he could be tortured on his return.

The BBC's Mamadou Moussa Ba in the Senegalese capital, Dakar, says unlike its predecessor, the government of newly elected President Macky Sall has made it clear it wants Mr Habre to be tried in Senegal.

Legal experts from the African Union are currently in Senegal to discuss how the trial could take place, he says.

Our reporter says Mr Habre and his wife keep a low profile in Dakar and he lives in relative freedom – guarded by two security agents – and is occasionally seen at a mosque for Friday prayers.

A 1992 Truth Commission in Chad accused Mr Habre of being responsible for widespread torture and the death of 40,000 people during his eight-year rule.

He was accused of carrying out a deliberate policy of terror to discourage any opposition.

Survivors of torture say that, among other things, they were subjected to electric shocks, near-asphyxia and “supplice des baguettes”, when their heads were squeezed between sticks.