

# Ex-President of Chad Freed in Torture Case After Senegal Ruling

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**By REUTERS**

DAKAR, Senegal, Nov. 25 (Reuters) - The former president of [Chad](#) was freed Friday after Senegal's Appeals Court declined to rule on whether to extradite him to Belgium on atrocities charges.

The court here declared itself "not competent" to rule on the Belgian request for the extradition of the former president, Hissène Habré, to face charges of torture and political killings committed during his eight years in power in Chad.

The announcement threw the high-profile extradition case into what appeared to be a legal limbo. President Abdoulaye Wade of Senegal was considering making a statement on the case in the next few days, presidential aides said.

Mr. Habré, 63, has lived in exile in Senegal for 15 years, but was detained last week under an international warrant from Belgium. As he was driven away from the court in a police vehicle, Mr. Habré waved to supporters, some of whom shouted, "We've won!"

The Belgian charges say Mr. Habré is responsible for mass murder and torture carried out by his political police between 1982 and 1990. His lawyers have said their client had no knowledge that his police tortured and killed political prisoners.

Lawyers representing former Chad political prisoners who have made the accusations, some of whom have Belgian citizenship, said they believed the ruling had not closed the door on extradition. "We're looking at the ruling and, contrary to what you might expect, the door is still open," Georges-Henri Beauthier, one of the lawyers, said in Brussels.

The case has stirred a complex international debate over whether former officials wanted for human rights crimes should be judged in the courts of nations other than their own.

The case poses a diplomatic quandary for Mr. Wade, the Senegalese president. He said last week that he would consult the African Union on whether to hand over the former Chadian president.

Mr. Habré was ousted by Chad's current president, Idriss Déby, in 1990. Two years later, a Chadian government inquiry accused his government of 40,000 political killings and 200,000 cases of torture.

In a visit to Brussels on Thursday, Mr. Déby urged Mr. Wade to extradite Mr. Habré to Belgium, saying the Senegalese leader had previously said he would do so if requested.

Diplomats said, though, that Mr. Wade might be reluctant to set the precedent of extraditing an African former head of state to a European former colonial power like Belgium. Historians have accused Belgian colonial authorities of widespread atrocities during their rule over the Congo until independence in 1960.

But the Senegalese president risks international censure if he is seen to be sheltering a former ruler accused of major human rights violations.

"The question is, is Senegal going to align itself with a former dictator and trample on the rights of thousands of victims who have been fighting for 15 years to find a court that will listen to their suffering?" said Reed Brody, a lawyer with United States-based Human Rights Watch.

The Belgian government has said that if Senegal denies Mr. Habré's extradition, it will invoke international conventions against torture signed by both states, and may take the case to the International Court of Justice in The Hague.