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## ENABLING A DICTATOR

The United States and Chad's Hissène Habré 1982-1990



# **Enabling a Dictator**

The United States and Chad's Hissène Habré 1982-1990

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## Summary

President Habré and I are convinced that the relationship between our countries will continue to be strong and productive, one which will serve the interests of both our peoples. It was an honor and a great pleasure to have had him here as our guest.

—President Ronald Reagan, welcoming statement to President Hissène Habré at the White House, June 1987

Government troops in Southern Chad have carried out hundreds of summary executions in the past two months, killing prisoners in custody and shooting unarmed civilians at random.

—Amnesty International press release, “Massive Summary Executions in Chad,” November 8, 1984

I was constantly assisted by a CIA agent who provided me with advice.

—Saleh Younous, former director of Chad's political police, speaking at his torture trial in November 2014

Some released political prisoners presented to the media were unable to walk and bore scars of torture. Chadian television broadcast reports on police detention facilities and featured close-up views of partially covered corpses with bound wrists and feet, as well as of electrical torture instruments.... Habré's government never made a public commitment to investigate possible abuses or to enforce human rights guaranteed by the constitution.

—State Department Country Report on Human Rights Practices in Chad, 1991, after Habré's fall

On July 20, 2015, the trial of the former president of Chad, Hissène Habré—facing charges of crimes against humanity, torture and war crimes—began before the Extraordinary African Chambers in the Senegal court system. The *New York Times* has called the trial a “milestone for Justice in Africa,” the *Guardian* a “major step forward for justice in Africa,” and *Le Monde* “a turning point for justice in Africa.” A verdict is expected on May 30, 2016.

The chambers were inaugurated in February 2013 by Senegal (where Hissène Habré has lived since 1990) and the African Union to prosecute the “person or persons” most responsible for international crimes committed in Chad between 1982 and 1990, when Habré ruled Chad.

The US government has been one of the strongest international supporters of the Extraordinary African Chambers, and of the effort to bring Habré to court. But it was not always so. In the 1980s, the United States was pivotal in bringing Hissène Habré to power, seeing him as a stalwart defense against expansion by Libya’s Muammar Qaddafi, and therefore provided critical military support to his insurgency and then to his government, even as it committed widespread and systematic human rights violations—violations of which, as this report shows, many in the US government were aware.

This report provides one of the most comprehensive analyses to date of that support. Drawing on US government documents obtained under the Freedom of Information Act and documents from Hissène Habré’s own political police uncovered by Human Rights Watch in Chad, as well as the public record, it sets out how US officials were aware of the abuses and atrocities perpetrated under Habré but chose to look the other way in the face of perceived strategic interests.

With the trial of Hissène Habré shedding light on the atrocities committed in Chad under his rule, Human Rights Watch believes that the historical record is served by examining the support Habré’s government received from international actors, and from the United States and France in particular. Such an examination contributes to a discussion of how and why, in the name of *realpolitik*, the United States and other countries, past and present, support governments even though they brutalize their own people, in violation of fundamental international human rights norms—and what responsibility supporting governments should bear, including access to remedies for victims.

In 1981, Habré was a rebel leader with a reputation for brutality, even in the rough and tumble context of Chad—including the 1974 kidnapping of French anthropologist Françoise Claustre—and had recently fled the capital in the continuing heat of a civil war. In March, just over a year before Habré came to power, international media reported that a mass grave had been discovered outside his home in N’Djaména. “Scores of skeletons of

beheaded people, whom they [Chadian soldiers] identify as victims of Mr. Habré's henchmen," the *New York Times* reported. "Flowers have grown through the bones."

That same month, the United States under newly-elected President Ronald Reagan decided to provide covert assistance through the CIA to Habré, whom it saw as a bulwark against the expansionist designs of Muammar Qaddafi, leader of Chad's northern neighbor, Libya.

At the time of Reagan's inauguration in January 1981, some 4,000 Libyan troops were occupying northern Chad. Thanks largely to having access to millions of dollars in US aid and assistance, Habré seized power on June 7, 1982, through a coup d'état.<sup>1</sup> Once in power, Habré put in place a brutal dictatorship that brooked no opposition. With US, French, and other international support, Habré's forces also turned back Libya in a series of military campaigns during the first six years of his reign.

During Habré's rule from 1982 to 1990, his government was responsible for widespread political killings, systematic torture, thousands of arbitrary arrests, and the targeting of particular ethnic groups.<sup>2</sup> "We lived in constant fear," said Clément Abaifouta, president of the Association of Victims of the Crimes of Hissène Habré's Regime (AVCRHH), who as a political prisoner during Habré's rule was forced to dig graves to bury other detainees. "We were even afraid to speak to our spouses and friends, in case our words might be repeated and used against us."

The exact number of those who died during Habré's rule is not known. A 1992 Truth Commission established by current Chadian President Idriss Déby Itno, and led by a distinguished former judge, estimated that Habré's government was responsible for more than 40,000 deaths.<sup>3</sup>

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<sup>1</sup> Michael Bronner, "Our Man in Africa: America Championed a Bloodthirsty Torturer to Fight the Original War on Terror. Now, He is Finally Being Brought to Justice," *Foreign Policy*, January/February 2014, [http://www.foreignpolicy.com/articles/2014/01/23/our\\_man\\_in\\_africa\\_hissene\\_Habré\\_chad\\_reagan](http://www.foreignpolicy.com/articles/2014/01/23/our_man_in_africa_hissene_Habré_chad_reagan), (accessed February 4, 2014). See also Jay Peterzell, "Reagan's Covert Action Policy: Sideshow in Chad," *First Principles*, Center for National Security Studies, vol. 9, no. 3 (Jan/Feb 1984), p. 4, <http://www.cnss.org/data/files/resources/FirstPrinciples/FirstPrinciplesVol9No3.pdf>, (accessed September 22, 2015)

<sup>2</sup> Human Rights Watch, *La Plaine des Morts* (The Plain of the Dead) (New York: Human Rights Watch, 2013), <http://www.hrw.org/fr/reports/2013/12/03/la-plaine-des-morts>.

<sup>3</sup> Commission d'Enquête Nationale du Ministère Tchadien de la Justice, *Les crimes et détournements de l'ex-Président Habré et de ses complices*, (Paris: Éditions L'Harmattan, 1993), p. 97 (Truth Commission Report). The Commission's president, Mahamat Hassan Abakar, explained how the commission reached this number in a subsequent book, *Chronique d'une enquête criminelle au Thad, Le cas du régime de Hissène Habré, 1982-1990*, Editions l'Harmattan, 2007

While Human Rights Watch cannot confirm this figure, there is no doubt that the number of victims was in the thousands. Files of Habré’s political police, the Documentation and Security Directorate (DDS), which Human Rights Watch unearthed in 2001 in the abandoned headquarters of the DDS, reveal the names of 1,208 people who were killed or died in detention and 12,321 victims of torture, arbitrary detention, and other human rights violations.<sup>4</sup> One former detainee, whose survival in prison for five years earned him the nickname “he who runs faster than death,” testified at Habré’s trial that he counted 2,053 dead among his fellow detainees.<sup>5</sup>

The repressive tactics of the Habré government were no secret. While the full extent and scale of the brutality was publicly revealed only after his fall, many of his government’s worst abuses were well documented at the time by major news sources, Amnesty International, and some even included by the US State Department in its annual reports on human rights.

Habré was nevertheless able to count on solid US support throughout his rule. Convinced of his continuing utility as an ally in the fight against Qaddafi, the United States helped him to maintain power with military aid, training, intelligence, and political support.

While there is no evidence of direct US involvement in or active support for international crimes in Chad, the 1992 Truth Commission found that the United States began funding Habré’s political police (the DDS) as soon as it was created in 1983, and that US officials made regular visits to DDS offices for purposes of “advising, or exchanging information.”<sup>6</sup> DDS logs confirm that an embassy official who liaised with the DDS visited the DDS headquarters at the height of one of the waves of repression. The DDS headquarters, which included a torture chamber, and Habré’s underground “Piscine” prison—a colonial-era swimming pool divided into cells and covered with a cement slab—were located in the capital N’Djaména, across the street from the USAID office.

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<sup>4</sup> Human Rights Data Analysis Group, “State Violence in Chad: A Statistical Analysis of Reported Prison Mortality in Chad’s DDS Prisons and Command Responsibility of Hissène Habré, 1982-1990,” (Palo Alto, CA: Benetech, 2010), <https://www.hrdag.org/content/chad/State-Violence-in-Chad.pdf>, (accessed February 4, 2014), pp. 3, 17-18.

<sup>5</sup> Hissène Robert Gambier, Extraordinary African Chambers transcript CAE/29-10-2015/Habré/T35, October 29, 2015, p. 18

<sup>6</sup> Truth Commission Report, pp. 28- 29.

When President Reagan invited Habré for a special visit to the White House in 1987, he expressed his conviction that their relationship would “continue to be strong and productive.”<sup>7</sup> The United States also created a small army of anti-Qaddafi Libyan “Contras” from among the ranks of Habré’s Libyan POWs, some of whom were alleged to have been coerced into joining following inhumane treatment.

For 25 years, Habré’s victims have engaged in what the *Toronto Globe and Mail* called “one of the world’s most patient and tenacious campaigns for justice.”<sup>8</sup> “The victims have been ignored for too long,” Jacqueline Moudeïna, Chadian lawyer for the victims, said. “We have been waiting more than two decades for justice and acknowledgement of the abuses.”

The Obama administration has supported the victims in their campaign. In September 2011, then-Secretary of State Hillary Clinton wrote to Abdoulaye Wade, former president of Senegal, to urge a speedy trial after a delay of over a decade. In a June 2012 report to Congress, Secretary Clinton stated that “[a]fter 20 years, the victims deserve justice and their day in court.”<sup>9</sup>

In June 2013, during a meeting in Dakar with the country’s president, Macky Sall, President Obama himself hailed Senegal’s efforts to prosecute Habré.<sup>10</sup> Four months later, in a meeting with Senegalese Justice Minister Sidiki Kaba, Stephen J. Rapp—then US ambassador-at-large for war crimes—congratulated the minister for Senegal’s commitment to fighting impunity in Africa with the establishment of the Extraordinary African Chambers. Ambassador Rapp also traveled to Chad to press for full Chadian cooperation with the

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<sup>7</sup> “As you know, ambassadors very often will recommend to Washington that their heads of state be invited for a visit. Now this has happened at every post I have ever served at, with the exception of Chad. I did not recommend that visit. I got a cable one day saying the president would love to see Mr. Habré. So I trotted over to see the boss, and Mr. Habré said he would be delighted to go.” Interview with US Ambassador John Propst Blane by Charles Stuart Kennedy on August 8, 1990, Association for Diplomatic Studies and Training Foreign Affairs Oral History Project, Library of Congress, <http://www.loc.gov/item/mfdipbib000099>, (accessed September 24, 2015).

<sup>8</sup> Geoffrey York, “Former dictator of Chad arrested on allegations of 40,000 murders,” *Toronto Globe and Mail*, June 30, 2013, <http://www.theglobeandmail.com/news/world/former-dictator-of-chad-arrested-in-senegal-on-allegations-of-40000-murders/article12901175/>, (accessed September 22, 2015).

<sup>9</sup> US Department of State, Office of Global Criminal Justice, “Report to Congress: Report on Steps Taken by the Government of Senegal to Bring Hissene Habré to Justice,” June 6, 2012, [http://www.state.gov/j/gcj/us\\_releases/reports/2012/193222.htm](http://www.state.gov/j/gcj/us_releases/reports/2012/193222.htm), (accessed September 22, 2015).

<sup>10</sup> White House press briefing, June 27, 2013, <http://iipdigital.usembassy.gov/st/english/texttrans/2013/06/20130627277808.html#axzz3leSXzPwh> (“This is a trial that we have supported, and we’ve welcomed Senegal’s leadership in undertaking this effort to see that justice is done. And in fact, we have committed resources to support their efforts. So it came up in the context of the President commending Senegal working with us and others to see that justice is done”), (accessed September 22, 2015).

chambers, and on July 20, 2015, attended the opening day of Habré's trial. The US government has also contributed US\$1 million to the court's budget of US\$11 million. And in April 2016, after the trial, US Ambassador to the UN Samantha Power met in Chad with the victims and their lawyers and praised their pioneering efforts.

Nonetheless, ample evidence shows that previous US administrations were well aware of the Habré government's brutality while it was happening, and yet continued to provide support to Habré throughout his rule.

## Methodology

This report is based on information that Human Rights Watch and its Chadian and international partners have gathered over 13 years. In particular, the section on abuses under Hissène Habré's government is drawn largely from a 2013 Human Rights Watch study entitled *La Plaine des Morts (The Plain of the Dead)*.<sup>11</sup>

It is based in part on documents released to Human Rights Watch by the United States government under the Freedom of Information Act beginning in 2000, as well as public US government sources. Many of the details of the US government's assistance to Habré and his government remain classified.

An extensive review was also conducted of human rights reporting during Habré's rule, including the publications of Amnesty International, as well as press and broadcast sources. Human Rights Watch also reviewed the Foreign Affairs Oral History Collection of the Association for Diplomatic Studies and Training.

Human Rights Watch also drew on a number of secondary sources, including UN reports, local and international news articles, academic studies and other publications, previous Human Rights Watch reporting, and other NGO reports.

This report, and *The Plain of the Dead*, are also based in part on information drawn from the two following sources:

- **DDS files:** In 2001, two Human Rights Watch researchers came across files in the abandoned DDS headquarters in N'Djaména, which had also later served as the offices of a Truth Commission established by the new government in 1991. Among the tens of thousands of documents strewn on the floor across several rooms were daily lists of prisoners and of deaths in detention, interrogation reports, surveillance reports, and death certificates. Copies of these files were entered into a database and analyzed by the Human Rights Data Analysis Group (HRDAG), a California-based organization that describes its mission as applying "rigorous science to the analysis of human rights violations around

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<sup>11</sup> Human Rights Watch, *La Plaine des Morts*.

the world.”<sup>12</sup> These files alone contain the names of 1,208 persons who were killed or died in detention, and 12,321 victims of torture, arbitrary detention, or other human rights violations.

- Over 300 interviews in Chad and elsewhere with victims, witnesses, and former DDS agents. Most of these were conducted in Chad in 2001 and 2002 by two researchers with Human Rights Watch and the International Federation for Human Rights (FIDH). Human Rights Watch and Chadian nongovernmental and victims’ associations continued to interview witnesses during the following 13 years, including a 2014 interview with former Chadian president Goukouni Oueddei.

The report also draws on transcripts of interviews with Habré-era security officials conducted by the Chadian Truth Commission in 1991, and reports of the Association for the Victims of Repression in Exile, a French medical organization that examined 581 Habré-era torture victims between 1991 and 1996.

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<sup>12</sup> Human Rights Data Analysis Group homepage, <https://hrdag.org/> (accessed October 2, 2015).

## Early Years and Warning Signs of Future Atrocities

Since gaining independence from France on August 11, 1960, Chad has known few periods of real peace. A long-running civil war from 1966-1979, several invasions by Libya, and rebel movements in different regions ripped apart the country for decades. The division between the country's north, a desert and savannah area populated by Muslims, and the south, a more fertile area largely inhabited by Christians, was reinforced by France, which during its period of colonization favored the south and reversed the "historic" domination of the north.

Beginning in 1969, Libya under Col. Muammar Qaddafi intervened directly in Chad's political affairs. In 1973, Libya even occupied, and in 1975 annexed, the Aouzou Strip, a territory in northern Chad claimed by both countries, and which the International Court of Justice later found in 1994 belonged to Chad.<sup>13</sup> The Libyan government also supported several northern Chadian rebel groups, notably the Chad National Liberation Front (FROLINAT), a loosely structured northern coalition founded in 1966, which fought to end the south's monopoly of power.

Even before seizing power in 1982, Hissène Habré had already begun to acquire an international reputation for abusive methods. In 1974, Habré's wing of FROLINAT—the *Conseil de Commandement des Forces Armées du Nord* (CCFAN)—kidnapped three Europeans, including Françoise Claustre, a French anthropologist and wife of a French government official. Habré used the opportunity to exact a substantial ransom from the French and German governments in the form of cash, armaments, and medical supplies.<sup>14</sup> In 1975, Habré's forces executed the French captain, Pierre Galopin, who went to Chad to negotiate Claustre's release.<sup>15</sup>

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<sup>13</sup> Truth Commission Report, p. 97. In 1994, the International Court of Justice resolved the dispute in Chad's favor, finding that the boundary was defined by the Treaty of Friendship and Good Neighborliness concluded between Libya and France on August 10, 1955, and to which Chad is a successor state. Territorial Dispute (Libyan Arab Jamahiriya/Chad), International Court of Justice, February 3, 1994, paras. 75-77.

<sup>14</sup> Rene Lemarchand, "Chad: The Roots of Chaos," *Current History*, December 1981, p. 435. Claustre was released in January 1977.

<sup>15</sup> The exact circumstances of Galopin's execution remain controversial. See, e.g., Robert Buijtenhuijs, "La Mort du Commandant Galopin, une Mise au Point, ("The death of Commandant Galopin, a clarification") *Politique Africaine*, 1985 <http://www.politique-africaine.com/numeros/pdf/020091.pdf#search=%22commandant%20Galopin%20Tchad%22> (consulted March 14, 2016). According to the French government, Habré warned that Galopin would be executed if it did not

In 1975, François Tombalbaye, the first president after Chad's independence, was killed in a military coup d'état, and Gen. Félix Malloum, a southerner like Tombalbaye, became president. In 1978, following negotiations to bring Habré into the fold, Malloum appointed Habré as prime minister, but relations between the two soon deteriorated and fighting broke out again in N'Djaména in February 1979.

Scholar René Lemarchand, who has written on Chad and the Great Lakes, describes how by 1979, the civil war had turned into a veritable “alphabet soup” of factions and “tendencies.”<sup>16</sup> These included Habré's *Forces armées du Nord* (FAN), which had splintered from the CCFAN, the *Forces armées populaires* (FAP) of future president Goukouni Oueddeï's—a former FROLINAT colleague of Habré's—and President Malloum's *Forces armées tchadiennes* (FAT) under the military command of Wadal Abd al-Kader Kamougué.

1979 also proved to be an especially bloody year, with all sides engaging in abuses. In February 1979, the *Washington Post* and AFP reported that evacuees arriving in Yaoundé, Cameroon, fleeing the fighting in N'Djaména between the forces of Malloum and Habré, said they had witnessed a “horrible massacre of Chadian women and children.”<sup>17</sup> These massacres have been widely attributed to Habré's forces.<sup>18</sup> Overwhelmed by Habré's FAN, Malloum's armed forces under the command of Kamougué withdrew from the capital to the south in February 1979. Following the withdrawal, armed members of the Sara populations in the south carried out revenge attacks on some 800 Muslims in the southern towns of Sahr and Moundou.<sup>19</sup> According to the *Boston Globe*, Moundou's 1000-strong Muslim minority was nearly wiped out, and gangs of youths “surged through Moundou and neighboring settlements in a three-day rampage, murdering any Moslems they could find, taking the victim's property and destroying their mud-brick homes.”<sup>20</sup>

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meet his request for arms. See also, « Comment le commandant Galopin fut arrêté et pendu par les rebelles toubous », Christian Millet, *Le Monde*, 29 décembre 1984.

<sup>16</sup> Lemarchand, “Chad: The Roots of Chaos,” p. 435.

<sup>17</sup> “4,000 Reported Dead,” Agence France-Presse, February 17, 1979, 15:14 GMT; “4,000 Feared Killed in Chad,” *Washington Post*, February 18, 1979, p. A.28.

<sup>18</sup> Bernard Lanne, *Le Sud du Tchad dans la guerre civile (1979-1980)*, *Politique Africaine*, n. 3 September 1981. <http://www.politique-africaine.com/numeros/pdf/003075.pdf> (accessed March 14, 2016); Lemarchand, “Chad: The Roots of Chaos,” p. 436.

<sup>19</sup> *Ibid.*

<sup>20</sup> “Africa: Turmoil in three nations: French confirm 800 slaughtered in Chad,” *Boston Globe*, March 7, 1979, p. 3.

The situation was spiraling out of control, with massacre begetting massacre. After the massacre of Muslims, some 400 civilians, mostly Sara, were reportedly killed in the localities of Pala, Ere and Gouno-Gaya in February and March 1979.<sup>21</sup> Then on March 13, 1979, another massacre—this time of an estimated 200 Muslims—was reported in the villages of Koumra and Moissala, reportedly under the direction of the pro-government leader, Kamougué himself.<sup>22</sup>

On August 21, 1979, a peace agreement was finally signed by representatives of the major factions in Chad's long-running civil war after a conference in Lagos, Nigeria. The Lagos Accord established procedures for setting up the Transitional Government of National Unity (GUNT). Goukouni Oueddeï was named president, Kamougué was appointed vice president and Habré was named minister of defense.

In March 1980, however, the coalition collapsed when Habré broke with the GUNT, unleashing a nine-month battle that devastated the capital, N'Djaména. The resulting stalemate broke only when Qaddafi intervened strongly and directly on Oueddeï's side. On June 15, Libya and Chad signed a mutual defense agreement. On September 17, at Oueddeï's request,<sup>23</sup> Libya deployed in Chad with an estimated 7,000 troops and heavy armaments, forcing Habré and his men to flee the capital.

Upon Habré's retreat from N'Djaména, the skeletons of several hundred people allegedly executed by Habré's forces were found in the marshlands behind his house.<sup>24</sup> The discovery made international headlines. The *New York Times* reported:<sup>25</sup>

In N'Djaména, Mr. Habré's old villa by the Shari has become a tourist spot. Chadian soldiers are fond of taking visitors down into the dry riverbed in front and showing off scores of skeletons of beheaded people, whom they

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<sup>21</sup> Lemarchand, "Chad: The Roots of Chaos," p. 436.

<sup>22</sup> "2d massacre of Moslems in Chad told," *Chicago Tribune*, March 13, 1979, p. 4.

<sup>23</sup> Interview with Goukouni Oueddeï, October 26, 2014.

<sup>24</sup> Jay Peterzell, "Reagan's Covert Action Policy: Sideshow in Chad," *First Principles*, Center for National Security Studies, vol. 9, no. 3 (Jan/Feb 1984), p. 4, <http://www.cnss.org/data/files/resources/FirstPrinciples/FirstPrinciplesVol9No3.pdf>, (accessed September 22, 2015).

<sup>25</sup> Gregory Jaynes, "Black Africa Outraged by Qaddafi's Chad Adventure," *New York Times*, March 2, 1981, p. A2, <http://www.nytimes.com/1981/03/02/world/black-africa-outraged-by-quaddafi-s-chad-adventure.html>, (accessed September 22, 2015).

identify as victims of Mr. Habré's henchmen. Flowers have grown through the bones.

Tanguy Loyzance, a French journalist who arrived on the scene shortly after Habré's retreat, told Human Rights Watch that "the cadavers were less than 40 meters from his house. Some of the corpses were still warm. They had been shot. Some had only their heads, the rest had been eaten by the vultures. There must have been at least 50 cadavers."<sup>26</sup>

An article in the *Christian Science Monitor* in March 1981, as the United States was beginning its first covert assistance program to Habré, expressed concern at Habré's bloody tactics:<sup>27</sup>

'He could have been president of the country, except for things like this,' a young corporal from the south said as he led this correspondent along the bank of the Chari River last month.

'This' was a stretch of dry riverbed with the skeletons of at least 100 men, most with cheap red or blue cord still binding hands and feet. All had been shot.

The site was only 200 meters from Mr. Habré's old headquarters in the African quarter of Ndjamena.

Disclosure of the killings of prisoners destroyed whatever remained of the oft-expressed Western hope that Habré and Kamougue might join forces, based on their mutual opposition to the Libyans, to expel Qaddafi's troops from Chad.

The Libyan troops remained in Chad to help preserve the temporary stability of Oueddeï's regime and expand Tripoli's influence in N'Djaména, but unrest continued in other parts of the country.

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<sup>26</sup> Interview with Tanguy Loyzance, June 29, 2015.

<sup>27</sup> Tom Gilroy, "Chad guerrilla leader wants US arms to fight Libyans," *Christian Science Monitor*, March 31, 1981, <http://www.csmonitor.com/1981/0331/033146.html>, (accessed September 22, 2015).

## Bringing Hissène Habré to Power

When Ronald Reagan won the 1980 US presidential elections, President Goukouni Oueddeï was struggling to hang on to power in Chad at the head of the GUNT. Habré—who had served as Oueddeï’s minister of defense—had broken with the GUNT in March 1980. After losing the bloody battle for N’Djaména, he was continuing the fight from neighboring Sudan and Cameroon.

Habré had distinguished himself from Goukouni and his other rivals by consistently rejecting Libya’s claim to the Aouzou Strip<sup>28</sup> and to a role in Chad’s affairs. The future Chadian dictator thus came to be perceived by many outsiders as a nationalist and as the leader of Chad’s “anti-Libya” faction.

Just days after the 1980 US election, the Command Council of the CCFAN headed by Habré made an “urgent and solemn appeal to all the countries of Africa and the world” to help them fight the “Libyan invasion of Chad.”<sup>29</sup>

In an interview in *Le Monde* in December 1980, Habré stated that he was pleased that the Americans were “concerned” about the Chad conflict.<sup>30</sup>

‘However, I can see nothing concrete coming,’ he complained, while asserting that his men constitute the only African army which is resisting Libyan interference ‘since France is no longer carrying out its task.’ ... ‘It is all of Africa we are protecting.’<sup>31</sup>

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<sup>28</sup> The Aouzou Strip runs the length of the border between the two countries. Following the Laval-Mussolini accords of 1935, it was formally ceded by France to Italy. The relevant treaty was never ratified, however, and the transfer of sovereignty never implemented. In 1972, Chad’s President Tombalbaye is said to have offered Qaddafi the territory in exchange for an end to his support for the Frolinat, along with cash from Libya. Libya occupied the strip from 1973 to 1994, when the International Court of Justice awarded the Strip to Chad and Libya finally removed its troops.

<sup>29</sup> “Habré forces ask aid against Libyan Invasion,” Agence France-Presse, November 18, 1980.

<sup>30</sup> Philippe Boggio, “Les combattants de M. Hissène Habré assurent mener désormais la ‘lutte nationale’ contre l’envahisseur,” *Le Monde*, December 5, 1980, [http://www.lemonde.fr/archives/article/1980/12/05/les-combattants-de-m-hissene-habre-assurent-mener-desormais-la-lutte-nationale-contre-l-envahisseur\\_2808211\\_1819218.html?xtmc=Habré&xtcr=1350](http://www.lemonde.fr/archives/article/1980/12/05/les-combattants-de-m-hissene-habre-assurent-mener-desormais-la-lutte-nationale-contre-l-envahisseur_2808211_1819218.html?xtmc=Habré&xtcr=1350), (accessed May 12, 2016).

<sup>31</sup> Ibid.

Qaddafi had come to be seen as an increasing threat to the United States. Among the groups said to be aided by Qaddafi were the Irish Republican Army, Spain's ETA, Italy's Red Brigades, and Palestinian groups such as the Palestine Liberation Organization. As soon as Reagan took office, he placed the containment of Qaddafi high on his foreign policy agenda, severing diplomatic relations with Tripoli.<sup>32</sup> Oueddeï was seen in Washington as a Libyan “stooge.” Qaddafi and Oueddeï forced the issue just before Reagan’s inauguration by publicly declaring on January 6, 1981, their intention to merge Libya and Chad into a single nation.<sup>33</sup>

Qaddafi was also seen as a Cold-War surrogate of the Soviet Union, which together with East Germany had large contingents training his army and helping it use Soviet weapons. Indeed, when Reagan was asked shortly after his inauguration about Soviet feelers for a summit conference, he answered that “it would make it a lot easier” if the imperialism of Soviet surrogates were to be moderated. The first example he pointed to: “Qaddafi in Chad.”<sup>34</sup>

According to scholar René Lemarchand, “Chad as such was not the issue; at stake was the stability of Chad’s neighbors,”<sup>35</sup> in particular Sudan, Niger, Nigeria, Egypt, Cameroon, the Central African Republic and Senegal. These countries were “pro-Western” and they all felt, “in varying degrees, threatened by Libya.”<sup>36</sup>

In a question-and-answer session on August 11, 1983, Reagan stated that he was not only concerned with maintaining political stability in Chad, but that “the whole attitude of Qaddafi and his empire-building is of concern to anyone, but the main concern is to the surrounding African States.”<sup>37</sup>

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<sup>32</sup> Ibid.

<sup>33</sup> Gaddafi and Goukouni expressed their intention to “work to achieve full unity between the two countries with the authority, arms and resources vested in the hands of the people; and to regard any aggression on one country as aggression on the other, both being prepared to fight alongside the other.”; “Libya and Chad Say Border Will Be Opened,” *New York Times*, January 7, 1981, <http://www.nytimes.com/1981/01/07/world/no-headline-213329.html>, (accessed September 22, 2015); Rondos, “Why Chad?” CSIS Africa Notes, p. 7.

<sup>34</sup> Ronald Reagan: “Excerpts from an Interview with Walter Cronkite of CBS News”, March 3, 1981, The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=43497> (accessed April 5, 2015).

<sup>35</sup> René Lemarchand, “The Crisis in Chad,” in Gerald Bender, James S. Coleman and Richard Sklar, eds., *African Crisis Areas and US Foreign Policy* (Berkeley and Los Angeles: University of California Press, 1985), p. 253.

<sup>36</sup> Bernard Gwertzman, “U.S. Sees Chad as a Portent of Qaddafi’s Ambition,” *New York Times*, August 19, 1983, p. A6.

<sup>37</sup> Reagan’s Remarks and Questions, August 11, 1983, <http://www.presidency.ucsb.edu/ws/?pid=41705> (accessed April 4, 2016).

Warning that “Chad [could] become this generation's Sudetenland,” conservative *New York Times* columnist William Safire laid out in March 1981 the case for countering Qaddafi in Chad:

Qaddafi systematically supports rebellion and terrorism throughout the Arab world, from the Polisario gunning for the King of Morocco to the Palestinian Arabs gunning for the Egyptian President. He is putting together his "pan-Arab Legion" and has achieved new momentum with the conquest of Chad.

From Chad, he gathers new forces to threaten the Sudan, which would give him control of the headwaters of the Nile, and an ability to inflict great damage on his hated Egyptian rival. Chad also borders on Niger, which is thought to be as rich in uranium as Chad.<sup>38</sup>

While the United States and France shared the principal objective of a Libyan withdrawal, their strategies diverged, exhibiting preferences and tactics that would characterize their respective policies in Chad throughout the 1980s. The French believed that if Oueddeï were persuaded to expel Libya's troops and accept the presence of OAU peacekeepers in their stead, his GUNT could retain power and legitimacy. The OAU endorsed just such a solution in February 1981, and by November the Libyan contingent of 10,000 troops was replaced by an OAU force of 4,000.

Publicly, Washington endorsed the OAU solution. The Reagan administration gave \$12 million for supplies of a “non-lethal” nature, and the appearance of political support, to the OAU peacekeeping force.<sup>39</sup> According to the US Defense Department, “from December 1981 through the spring of 1982 the United States airlifted and sea lifted supplies to the OAU force and assisted in airlifting OAU troops into and out of Chad. These were mainly Nigerian and Zairian troops with some Kenyans.”<sup>40</sup>

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<sup>38</sup> William Safire, “Qaddafi in Chad,” *New York Times*, March 5, 1981, <http://www.nytimes.com/1981/03/05/opinion/essay-qaddafi-in-chad.html> (accessed April 4, 2016).

<sup>39</sup> “US Response to the Challenge of Regional Security in Africa,” address by US Assistant Secretary for African Affairs, Chester Crocker before the Baltimore Council on Foreign Relations on October 28, 1982, reprinted in Department of State Bulletin, vol. 82, December 1982, p. 23.

<sup>40</sup> US Department of Defense, “Information Paper: Chad Security Assistance Program,” February 4, 1983, released to Human Rights Watch under the Freedom of Information Act.

At the same time, however, the United States also began quietly to ensure that Habré, then still in exile in Sudan, would overthrow Oueddeï and deal a blow to Libyan expansionism.

In early 1981, President Reagan issued a still-secret presidential finding authorizing covert operations to bring Hissène Habré to power.<sup>41</sup> Members of the Intelligence Committee of the US House of Representatives opposed the decision.<sup>42</sup>

According to journalist Bob Woodward:

[S]ome of the congressmen wondered whether Habré was the ideal choice to receive covert aid. From the left there were questions about his past involvement in massacres. From the right, some recalled his statements that he admired Mao, Castro and Ho Chi Minh... The House committee members [...] sent a top-secret letter to President Reagan protesting the operation.<sup>43</sup>

From within the state department, the ambassador to Chad, Donald Norland, also vehemently objected to supporting Habré saying that “Habré's movement was unpopular because he had committed atrocities in the south in 1979, and was known for that.”<sup>44</sup>

The international community, France in particular, had also not forgotten the 1974 kidnapping of Françoise Claustre<sup>45</sup> and the execution of the French officer sent to negotiate her release.

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<sup>41</sup> Michael Bronner, “Our Man in Africa: America Championed a Bloodthirsty Torturer to Fight the Original War on Terror. Now, He is Finally Being Brought to Justice,” *Foreign Policy*, January/February 2014, [http://www.foreignpolicy.com/articles/2014/01/23/our\\_man\\_in\\_africa\\_hissene\\_Habré\\_chad\\_reagan](http://www.foreignpolicy.com/articles/2014/01/23/our_man_in_africa_hissene_Habré_chad_reagan), (accessed February 4, 2014). The contents of the finding were described to Bronner by CIA and State Department officials who were directly involved in carrying it out. Michael Bronner email to Reed Brody, Human Rights Watch, October 1, 2015.

<sup>42</sup> Bob Woodward, *Veil: The Secret Wars of the CIA, 1981-1987* (New York: Simon & Schuster, 1987), pp. 135-36.

<sup>43</sup> *Ibid.*, pp. 135-36.

<sup>44</sup> Interview with Donald R. Norland, Association for Diplomatic Studies and Training Foreign Affairs Oral History Project, Library of Congress, <https://www.loc.gov/item/mfdipbib000873/> (accessed March 14, 2016).

<sup>45</sup> Donald Norland, *Chad: A Case Study in Covert Action*, p.7. Unpublished manuscript on file with Human Rights Watch.

According to a former US intelligence official who worked with Habré, however:

Little to no attention was paid to the human rights issues at the time for three reasons [...] (1) We wanted the Libyans out and Habré was the only reliable instrument at our disposal, (2) Habré's record suffered only from the kidnapping (the Claustre Affair), which we were content to overlook, and (3) Habré was a good fighter, needed no training, and all we had to do was supply him with material.<sup>46</sup>

The United States was not alone in this assessment. Roland Dumas, French emissary to Qaddafi and later foreign minister under François Mitterrand, told a filmmaker in 2009:

It was totally political. If France hadn't supported Chad against the Libyan invasion that would have meant that we had given up. In the minds of our foreign policy experts and ambassadors, if Qaddafi wasn't stopped at that point, all of French-speaking Africa would topple. Because everyone was afraid of his regime [...]. It's strange to say it now, but at that time Hissène Habré was the leader of the "good guys" of Africa against Qaddafi. Because Qaddafi was the danger [...]. We knew a little bit [about human rights abuses] — we knew that he was a tough guy. But that was not our first worry. Unfortunately. And what could we have done anyway? Would we, in the West, have sacrificed our strategic policy because there was torture in Chad? Today, yes. But at the time it was not a priority.<sup>47</sup>

The Pentagon believed that the Libyan troops stationed in Chad, tenuously connected to Tripoli by a supply line that stretched thousands of miles, were an "Achilles' Heel" for Libya and therefore represented a golden opportunity to "bloody Qaddafi's nose" and "increase the flow of pine boxes back to Libya," in the reported words of Secretary of State Alexander Haig.<sup>48</sup>

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<sup>46</sup> Quoted in Michael Bronner, "Our Man in Africa: America Championed a Bloodthirsty Torturer to Fight the Original War on Terror. Now, He is Finally Being Brought to Justice," *Foreign Policy*, January/February 2014, [http://www.foreignpolicy.com/articles/2014/01/23/our\\_man\\_in\\_africa\\_hissene\\_Habré\\_chad\\_reagan](http://www.foreignpolicy.com/articles/2014/01/23/our_man_in_africa_hissene_Habré_chad_reagan), (accessed October 2, 2015).

<sup>47</sup> Florent Chevolleau, "Hissène Habré : la traque d'un dictateur," 2009.

<sup>48</sup> Woodward, *Veil*, p. 97.

The United States began actively working to help Habré seize power, undermining the entire OAU effort. Habré appealed again to the United States for arms in March 1981,<sup>49</sup> just as US media were breaking the news of the mass grave discovered behind Habré's villa in N'Djaména. In an interview with AFP on April 7, 1981, Habré stated that it would be necessary to seek external aid to fight the over-equipped Libyan forces helped by the Soviet Union and East Germany.<sup>50</sup> "We are negotiating this aid and we are optimistic."<sup>51</sup>

CIA covert paramilitary operations in Chad began in 1981,<sup>52</sup> and consisted primarily of secretly supplying funds and military equipment to Habré's forces.<sup>53</sup> William Foltz, professor of African Studies and Political Science at Yale University, explained how provision of light military equipment and transport by the United States and other friends during the difficult days of 1981 made it possible for the FAN to survive and begin to fight its way back into power.<sup>54</sup>

US support to Habré during this period was coordinated in part with Egypt and Sudan, two OAU members also worried about Libyan expansionism.<sup>55</sup> Egypt had been providing support to Habré for some time and agreed to furnish him weapons and ammunition from its own stockpiles in exchange for US replacements.<sup>56</sup> According to former US ambassador to Chad, Donald Norland, "Habré was getting assistance directly and indirectly, i.e., the United States was replacing military equipment that the Sudanese and the Egyptians turned over to Habré. We were, in effect, filling in behind these parties that we enlisted to support Habré."<sup>57</sup>

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<sup>49</sup> Tom Gilroy, "Chad guerrilla leader wants US arms to fight Libyans," *Christian Science Monitor*; Jay Peterzell, "Reagan's Covert Action Policy," Center for National Security Studies, p. 2.

<sup>50</sup> "Habré Calls for Patriotic Front against Libyans," Agence France-Presse, April 7, 1981.

<sup>51</sup> Ibid.

<sup>52</sup> David Isenberg, "The Pitfalls of U.S. Covert Operations," *Cato Policy Analysis*, no. 118, April 7, 1989, p. 7; Jay Peterzell, "Reagan's Covert Action Policy," Center for National Security Studies, p. 1.

<sup>53</sup> Jay Peterzell, "Reagan's Covert Action Policy," Center for National Security Studies, p. 1.

<sup>54</sup> William J. Foltz, "Chad's Third Republic: Strengths, Problems, and Prospects," CSIS Africa Notes, No. 77, October 30, 1987, [http://csis.org/files/publication/anotes\\_1087.pdf](http://csis.org/files/publication/anotes_1087.pdf), (accessed September 22, 2015), p. 4.

<sup>55</sup> Jay Peterzell, "Reagan's Covert Action Policy," Center for National Security Studies, p. 2.; "50 Covert Operations Disclosed," *Daily News of Los Angeles*, November 16, 1986; "Covert Actions a Large part of Reagan Foreign Policy," *Lexington Herald-Leader*, November 16, 1986.

<sup>56</sup> Jay Peterzell, "Reagan's Covert Action Policy," Center for National Security Studies, p. 2.

<sup>57</sup> Interview with Donald R. Norland, Association for Diplomatic Studies and Training Foreign Affairs Oral History Project, Library of Congress, <https://www.loc.gov/item/mfdipbib000873/>, p. 104 (accessed March 14, 2016).

The Middle East News Agency reported in January 1981 that President Anwar Sadat had expressed readiness to allow use of Egypt's territory for the "combat training of Habré's gangs and make efforts for rallying closely around it all of Chad's separatist groupings."<sup>58</sup> A similar arrangement was made with Sudan, which also provided Habré with a base of operations and a supply-line.<sup>59</sup>

According to *Jeune Afrique*, the first interaction between Habré and US officials took place in 1981, when CIA agents visited bases of Habré's FAN in Darfur, Sudan. "Stocks of Soviet arms, retained by Israel, made their way, via Cairo, to the bush in the east of Chad. The CIA organized the operation and solicited Saudi Arabia, which financed it."<sup>60</sup>

Scholar René Lemarchand describes "an elaborate network of intermediaries running from Cairo to Khartoum, [which] in early 1981 proceeded to funnel important quantities of cash, armaments, and vehicles into Habré's hands."<sup>61</sup> According to Chad's former foreign minister, (an erstwhile Habré envoy who later switched allegiance to Déby), CIA agents were operating just on the Sudanese side of the border.<sup>62</sup>

International pressure, combined with heavy-handed Libyan attempts to limit Chad's independence, finally meant that Oueddeï asked Libyan forces to withdraw from Chad,<sup>63</sup> which they did in October and November 1981, ostensibly negating the *raison d'être* of US intervention. The Libyan withdrawal did not lead, however, to any review of US policy, and the United States continued and even increased its role. The United States is reported to have funneled some \$10 million in covert assistance to Habré in 1981 and the first half of 1982.<sup>64</sup>

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<sup>58</sup> "Comment on Egyptian Interest in Chadian Affair," Middle East News Agency, January 17, 1981.

<sup>59</sup> Jay Peterzell, "Reagan's Covert Action Policy," Center for National Security Studies, p. 1.

<sup>60</sup> François Soudan and Jean-Marc Zaidi, "Tchad: Habré et La France," *Jeune Afrique*, July 22, 1987, p. 26.

<sup>61</sup> René Lemarchand, "Chad: The Roots of Chaos," *Current History*, December 1981.

<sup>62</sup> Ahmad Allam-Mi, *Autour du Tchad en guerre: tractations politiques et diplomatiques 1975-1990*, (Paris: L'Harmattan, 2014), p. 82.

<sup>63</sup> With Libyan tanks around the presidential palace in Ndjaména, Oueddeï sent an emissary to Paris to warn the French of Libyan intensions. Goukouni Oueddeï, *Témoignage pour l'histoire du Tchad*, *Radio France internationale*, 2008, [http://www1.rfi.fr/actu/fr/images/104/Goukouni\\_Oueddeï\\_Entretiens.pdf](http://www1.rfi.fr/actu/fr/images/104/Goukouni_Oueddeï_Entretiens.pdf), p. 111 and interview with Goukouni Oueddeï, October 26, 2014. A GUNT council of ministers then voted by 14 to 4 to request a Libyan withdrawal; Ahmad Allam-Mi, *Autour du Tchad en guerre*, p. 76.

<sup>64</sup> This was slightly less than the US gave to the OAU effort, however. Rondos, "Why Chad?" CSIS Africa Notes, pp. 4, 8; "U.S. Military Aid to Chad," *New York Times*, p. A8, July 20, 1983, <http://www.nytimes.com/1983/07/20/world/us-military-aid-to-chad.html>, (accessed September 23, 2015); Peter Maass, "'Raw Power Struggle' in Chad: President, Rebel Leader Were Once Comrades-in-Arms," *Washington Post*, August 11, 1983, p. A14.

With the United States backing Habré, Libya's withdrawal led inexorably to Habré's triumphant march on N'Djaména in June 1982. The OAU troops on the scene—who according to Oueddeï were “completely in the pocket of the United States,”<sup>65</sup> put up no resistance. Faced with this *fait accompli*, the French recognized and began to bolster Habré's government, following years of having frantically sought alternatives.

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<http://www.washingtonpost.com/archive/politics/1983/08/11/raw-power-struggle-in-chad/959769ab-44d1-4coa-869b-79c42344a59e/>, (accessed September 22, 2015). The United States also provided \$17.8 million to Chad in 1982 for “emergency economic assistance,” including food aid. FY 1984 Assistance Requests for Africa, Chester A. Crocker, assistant secretary for African Affairs, Statement before the Subcommittee on Africa of the House Foreign Affairs Committee on March 22, 1983, reprinted in Department of State Bulletin, vol. 83, May 1983, p. 25.

<sup>65</sup> Goukouni Oueddeï, Témoignage pour l'histoire du Tchad, *Radio France internationale*, 2008, [http://www1.rfi.fr/actu/fr/images/104/Goukouni\\_Oueddeï\\_Entretiens.pdf](http://www1.rfi.fr/actu/fr/images/104/Goukouni_Oueddeï_Entretiens.pdf), p. 113 et 114.

## Habré's Government Committed Systematic Atrocities<sup>66</sup>

Habré seized power on June 7, 1982, by successfully ousting the Libyan-backed Oueddeï. He established the single-party rule of the National Union for Independence and Revolution (UNIR), over which he maintained a firm grip. All other political parties were marginalized.

Habré ruled Chad until December 1990, when current President Idriss Déby Itno deposed him in an insurrection, and fled to Senegal. A 2013 Human Rights Watch study *La Plaine des Morts (The Plain of the Dead)*,<sup>67</sup> based on 13 years of research, found that Habré's government was responsible for widespread political killings, systematic torture, thousands of arbitrary arrests, and targeting particular ethnic groups from 1982 to 1990.<sup>68</sup>

The exact number of victims is not known. A 1992 Truth Commission report estimated that Habré's government was responsible for more than 40,000 deaths, a figure which Human Rights Watch cannot confirm.<sup>69</sup> DDS files, which Human Rights Watch unearthed in 2001, reveal the names of 1,208 people who were killed or died in detention and 12,321 victims of torture, arbitrary detention, and other human rights violations.<sup>70</sup>

Habré put in place a security apparatus composed of a number of institutions, the political police or the Documentation and Security Directorate (DDS) being the one that became the most notorious. The DDS was headed by agents who reported directly to the president. Its mandate included "the suppression, through the creation of files, concerning individuals, groups, collectivities, suspected of activities contrary to or merely detrimental to the national interest."<sup>71</sup>

The agency's four successive directors all came from the president's inner circle, three from his own ethnic group, the Goranes. One was his nephew. In one unearthed memo from 1987, the DDS director proudly affirmed that the agency, "thanks to the spider's web

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<sup>66</sup> The facts outlined in this section are drawn from Human Rights Watch, *La Plaine des Morts*, unless otherwise indicated.

<sup>67</sup> Human Rights Watch, *La Plaine des Morts*, pp. 498-589.

<sup>68</sup> Human Rights Watch, *La Plaine des Morts*.

<sup>69</sup> Truth Commission Report, p. 97.

<sup>70</sup> Human Rights Data Analysis Group, "State Violence in Chad," pp. 3, 17-18.

<sup>71</sup> See Décret du 26 janvier 1983, art. 4 for a detailed list of the powers of the DDS. See also Truth Commission Report, p. 21.

it has spun over the whole length of the national territory, keeps exceptional watch over the security of the State,” as the “eyes and ears of the President of the Republic,” whose control it is under and to whom it reports on its activities.<sup>72</sup>

The 1992 Truth Commission found that the DDS alone had 1,076 permanent agents and 584 soldiers who belonged to its armed wing—the Special Rapid Action Brigade (BSIR)—which carried out arrests, torture, and executions.<sup>73</sup>

Other Chadian government agencies also participated in the repression, such as the Intelligence Agency (*Renseignements généraux*), Presidential Security, and the National Armed Forces of Chad (FANT). Habré also put in place a form of parallel government, the so-called N’Galaka Committee, composed of a small circle of those closest to Habré, typically drawn from his ethnic group, which made the important decisions in place of the official cabinet.<sup>74</sup> According to testimony from a former minister, Facho Balaam, at the trial of Hissène Habré, cabinet meetings were mere formalities with no substantive discussion.<sup>75</sup>

Political prisoners and captured fighters were held in detention centers throughout N’Djaména and in each prefecture that housed an office of the DDS.<sup>76</sup> The BSIR monitored all the detention centers under DDS control, and all information related to “the enemy” and political opponents was centralized and stored at DDS headquarters.

## Arbitrary Arrests

The government carried out widespread arbitrary arrests of known and suspected political opponents throughout its eight years. Persons arrested for “political” reasons were detained without warrants or recourse to a court of law to challenge their arrest and detention.

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<sup>72</sup> DDS Director, Note of Guidance (“Note d’Instruction”) No. 502/PR/DDS/1987, August 26, 1987.

<sup>73</sup> Truth Commission Report, p. 25.

<sup>74</sup> Human Rights Watch, *La Plaine des Morts*, pp. 114-15.

<sup>75</sup> Facho Balaam testimony before the Extraordinary African Chambers, September 10, 2015; CAE/10-09-2015/Habré/Procès/T6.

<sup>76</sup> Human Rights Watch, *La Plaine des Morts*, p. 9.

In an effort to prevent opposition from taking shape, the government sometimes resorted to mass arrests. Those suspected of supporting the “Libyan enemy” were often targeted.

In certain instances, a simple insult against the head of state or public criticism of the government could lead to an arrest.<sup>77</sup>

Numerous Chadians who returned home from abroad, whether they had initially left Chad for political reasons or not, were suspected of being involved in prohibited political activities, and many were arrested after their return. Foreigners in Chad were also frequently placed under surveillance. A special service dedicated to airport security was created to monitor the entry and departure of all persons transiting through Chad. In particular, Chadians who had travelled to Benin, where the GUNT was headquartered, were subject to arrest.<sup>78</sup>

Arrests were also sometimes made based on private disputes, with some DDS agents taking advantage of their position to resolve personal matters. Some wealthy businessmen, including those who had worked with Habré’s government, were also imprisoned for alleged involvement with the political opposition. The real motivation was primarily financial, with assets typically seized when the person was detained.

In almost no case was there a judicial procedure to determine the merits of the arrests, detentions, or releases. Arrested persons were interrogated, detained, and sometimes released after a few days or weeks without ever being brought before a court. If they remained in detention longer than a few weeks, they were rarely released. Only when political agreements were signed and an opposition group decided to join Habré’s government were detainees from these opposition groups freed.

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<sup>77</sup> Among the reasons why people were arrested under Habré, according to the DDS documents uncovered by Human Rights Watch: “sorcery (maraboutage) on behalf of the enemy”; “in possession of a photo of Qaddafi,” “said that the Head of State had put millions in foreign accounts,” “injurious words regarding the president,” possession of “a letter denouncing the insecurity in the south of the country,” See Henri Thulliez, “Sous la dictature d’Hissène Habré, le ridicule tuait,” *Le Monde.com*, July 16, 2015, [http://www.lemonde.fr/afrique/article/2015/07/16/sous-la-dictature-d-hissene-Habre-le-ridicule-tuait\\_4685160\\_3212.html](http://www.lemonde.fr/afrique/article/2015/07/16/sous-la-dictature-d-hissene-Habre-le-ridicule-tuait_4685160_3212.html) (accessed March 16, 2016).

<sup>78</sup> One victim said at Habré’s trial that in 1987, he was arrested because he had a Benin stamp on his passport. Maïbé Commandié Gabin testimony in front of the Extraordinary African Chambers, November 19, 2015, CAE/19-11-2015/Habré/T43. Another victim asserted that, people coming back from Benin were systematically suspected of being part of the opposition and jailed Ginette Ngarbaye testimony in front of the Extraordinary African Chambers, November 19, 2015, CAE/19-11-2015/Habré/T43.

## Crimes and Oppression in Southern Chad

The war, instability, and discriminatory practices that Habré's predecessors imposed and directed at administration officials of southern origin had led many southern Chadians living in N'Djaména to return to the south. Little by little, the south slipped out of N'Djaména's control and came under the *de facto* rule of a "standing committee" ("*Comité permanent*") led by former Vice-President Wadal Abd al-Kader Kamougué and composed of southern intellectuals and civil servants.

When Habré came to power in 1982, he sought to regain central control over southern Chad. Habré's FAN, which had become the regular army and would eventually be called the National Armed Forces of Chad (FANT), took over the main southern towns. Its brutal methods, however, led to the emergence of a heterogeneous armed opposition, the "CODOS" (for "commandos").

Habré negotiated with the CODOS in 1983 and 1984 to join the national army, but in practice continued to marginalize them, leading them to take up arms against the government once again. Following negotiations in 1984, hundreds of CODOS travelled to a farm in the village of Déli for a reconciliation ceremony and integration into the Chadian army later that year. The event was in fact a trap, and when the Chadian army arrived, some 200 CODOS and civilians who worked at the farm were killed.<sup>79</sup>

This event marked the high point of the so-called Black September, a murderous wave of repression that Habré's forces waged from June 1984 to early 1985, and which targeted not only the CODOS, but also the civilian population and members of the elite suspected of complicity with the rebels.<sup>80</sup>

Beginning in September 1984, government forces arrested and executed educated Chadians in southern towns. Many people who worked at various levels of the local governments were also killed, as well as numerous merchants and businessmen. Teachers

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<sup>79</sup> During the investigation by the Extraordinary African Chambers, experts from the Argentine Forensic Anthropology Team located 21 bodies at Déli, almost all military-age men, most of whom were killed by gunshot. "Ordonnance de non-lieu partiel, de mise en accusation et de renvoi devant la Chambre africaine extraordinaire d'assises," Chambres Africaines Extraordinaires, p.138. [http://www.chambresafraicaines.org/pdf/OrdonnanceRenvoi\\_CAE\\_13022015.pdf#page=138](http://www.chambresafraicaines.org/pdf/OrdonnanceRenvoi_CAE_13022015.pdf#page=138) (accessed September 23, 2015).

<sup>80</sup> Human Rights Watch, *La Plaine des Morts*, pp. 289-339.

and intellectuals were also targeted in an effort to rid the south of educated elites who might oppose Habré.

Unlike the targeted repression in cities in the south, attacks in villages and the countryside affected the population haphazardly. In the name of fighting the armed opposition, Habré's forces attacked, pillaged, burned and destroyed numerous villages, killing civilians, including women and children, and raping women and girls—creating a climate of terror. Villages were targeted when they were suspected of collaborating with the CODOS, or sometimes in retaliation for CODOS-led attacks against government forces.

The CODOS captured during armed confrontations were often summarily executed. In many cases, Chadian armed forces made no effort to determine whether the people they had captured were really combatants or only suspected of being CODOS.

## Targeting of Ethnic Groups

The Hadjeraï and the Zaghawa ethnic groups, whose leaders originally took power alongside Habré, were savagely persecuted when some of their members fell out with him.

Hadjeraï leaders had long been friends of Habré and even constituted the principal force that brought him to power in June 1982. Nevertheless Habré began to mistrust the Hadjeraï as early as 1984 when his minister of foreign affairs, Idriss Miskine, a Hadjeraï, became increasingly popular and began to overshadow Habré. Miskine died under mysterious conditions that year, creating mistrust between Habré's Goranes and the Hadjeraï. In 1987, when Habré learned that some Hadjeraï leaders had created an armed opposition movement, the MOSANAT, his forces began attacking Hadjeraï dignitaries, their families, and the entire ethnicity in general. Many Hadjeraï villages were completely destroyed.

In 1989, Hissène Habré suspected Idriss Déby, his advisor on defense and security matters, Mahamat Itno, minister of the interior, and Hassan Djamous, commander-in-chief of the Chadian army and the man who defeated the Libyans, of plotting a coup against him. All three men were ethnic Zaghawa.

Itno and Djamous were arrested and killed (Déby managed to escape and later overthrew Habré in December 1990). The government turned on the rest of the Zaghawa as well,

whether or not they were linked to the rebellion. Hundreds were seized in raids, tortured, and imprisoned. Dozens died in detention or were summarily executed.

## Torture, Rape and Inhuman Conditions of Detention

Torture was common in DDS detention centers during interrogations to extract confessions or information. The most common forms of torture included:

- “Arbatachar” binding, involving tying the arms and ankles together behind the back, causing the chest to expand and arch. The word “arbatachar” derives from the Arabic word for the number “14” because the body is extended like a “1” and the body’s “4” limbs are tied;
- Forced intake of water;
- The “exhaust pipe,” when the exhaust pipe of a running vehicle was inserted into the victim’s mouth;
- Burning the most sensitive parts of the body with hot objects;
- Torture with sticks, whereby two sticks attached at both ends by cords were placed at the temples and encircled the victim’s head to put pressure on the skull; and
- Electric shocks, beatings, whippings, and extraction of fingernails.

Women detainees in the *Locaux* prison were regularly raped by DDS officials.<sup>81</sup> Male guards forced women to have sexual relations with them in exchange for necessities of survival, like food and medicine.<sup>82</sup> Rape by agents of the DDS caused several women to become pregnant in detention.<sup>83</sup>

Most survivors interviewed by Human Rights Watch said they still do not understand how they were able to make it out alive. Severe dietary deficiencies, lack of space, overcrowding, deplorable sanitary conditions, lack of medical services, lack of physical activity, heat, and insects all directly contributed to the physical deterioration of the prisoners. This reality also broke the prisoners down psychologically, and was

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<sup>81</sup> Fatimé Sakine testimony before the Extraordinary African Chambers, October 22, 2015, CAE/22-10-2015/Habré/T31 ; Clément Dokhot Abaifouta testimony before the Extraordinary African Chambers, November 9, 2015, CAE/09-11-2015/Habré/T36 ; Ginette Ngarbaye testimony before the Extraordinary African Chambers, November 19, 2015, CAE/19-11-2015/Habré/T43.

<sup>82</sup> Human Rights Watch, *La Plaine des Morts*, p.234.

<sup>83</sup> *Ibid*, p.236.

compounded by lack of communication with the outside world, and the atmosphere of constant fear created by enforced disappearances, summary executions, and the daily deaths of detainees due to torture or poor conditions.

Gali Ngothe says that what he remembers most about the five months he spent being interrogated and tortured at the headquarters of Chad's secret police here is the voice of the man giving the orders. It was that of former President Hissen [sic] Habré. ...

As he was being interrogated at security headquarters, he said, he heard Mr. Habré's voice over a walkie-talkie that was held by guards. "I'm absolutely sure," Mr. Ngothe said. "I had been his adviser, after all."

The ordeal began in earnest soon afterward. Mr. Ngothe said the guards tied his arms and legs, thrust a wooden plug into his mouth to keep it open and filled his stomach with water.

"It was a barbarous torture technique," Mr. Ngothe said, "but they knew the limits they could go without killing you."

-*New York Times*, December 7, 1990, p. A5

Corpses were not always cleared out of cells or the prison on the day of death, but instead often left on the cell floor for several days, even during periods of extreme heat. Prisoners who died in detention in N'Djaména were buried in mass graves, usually at Hamral-Goz, the "Plain of the Dead," located some 5 kilometers from the capital. DDS prisoners were forced to dig the graves of their fellow detainees.

One particularly infamous prison called the *Piscine* was set up in a former swimming pool, which families of French soldiers had used during the colonial period. Dozens of detainees were jammed into cells that measured just a few square meters—including in the unbearable heat of summer. Jailers would often wait until several people had died before clearing the decaying corpses out of their cells. For many Chadians, the *Piscine* has come to symbolize the abuses of the Habré era.

## Sexual Enslavement

According to DDS documents recovered by Human Rights Watch,<sup>84</sup> as well as testimony at the trial of Hissène Habré,<sup>85</sup> in at least two instances, groups of women were sent to the desert north of Chad, where they were used as sex slaves and domestic servants. The women were given “medicine,” which they believe were oral contraceptives.

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<sup>84</sup> Fact Sheet to the attention of the President of the Republic (“Fiche d’information à l’attention du Président de la République”), January 21, 1986 ; Extraordinary African Chambers, Investigation file “D2024-62,” Head of Penitentiary Service, Letter to the Director of DDS, November 29, 1988 ; Extraordinary African Chambers, Investigation file “D2027-461,” DDS Director and Second Commander of the FANT, Note on the transfer of prisoners (“Note sur le transfert des prisonnières”), March 23, 1985.

<sup>85</sup> “Senegal: At Hissène Habré Trial, Sexual Slavery Accounts,” Human Rights Watch, October 22, 2015, <https://www.hrw.org/news/2015/10/22/senegal-hissene-Habré-trial-sexual-slavery-accounts> ; Khadidja Hassan Zidane testimony before the Extraordinary African Chambers, October 19, 2015, CAE/19-10-2015/Habré/T28 ; Kaltouma Défallah testimony before the Extraordinary African Chambers, October 20, 2015, CAE/20-10-2015/Habré/T29 ; Hawa Brahim Faradj testimony before the Extraordinary African Chambers, October 21, 2015, CAE/21-10-2015/Habré/T30 ; Romain Gagibati testimony before the Extraordinary African Chambers, November 24, 2015, CAE/24-11-2015/Habré/T45.

## The US and Hissène Habré's Government

During Habré's first year in power, many in the West hoped that Habré would prove able to keep his promises to restore order in a country that had suffered through decades of bloodshed and instability. William Foltz, professor of African Studies and Political Science at Yale University, told Human Rights Watch that "one had to remember the paucity of choices for good leaders. All things considered, Habré was the only option."<sup>86</sup>

Qaddafi, however, was doing his utmost to destabilize Habré, who was to use the Libyan threat as a perennial excuse for reprisals against his enemies and brutally repressing dissent.

During the year following his expulsion from N'Djaména, Oueddeï sought desperately to maintain international recognition for his deposed GUNT, with Qaddafi as his main advocate. When this approach failed decisively at the OAU summit in Addis Ababa in June 1983, Oueddeï and Qaddafi returned to armed struggle.

In May 1983, a force including the remnants of various northern and southern factions, nominally commanded by Oueddeï but trained, equipped, and reinforced by Libya and its Islamic Legion, launched a new offensive. They attacked the northern Chadian outpost of Faya-Largeau and pushed Habré's forces back, soon extending their victories as far as to the southeast as Abéché.

In the wake of these reversals, Habré received funds and material from France and the United States, and a small defensive force from Zaire. Zaire assisted the Chadian government by "sending troops to Chad to permit that country to defend itself against the Libyan invasion in 1983, and it provide[d] training in Zaire to Chadian troops."<sup>87</sup> These troops were entirely equipped by the United States.<sup>88</sup>

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<sup>86</sup> Telephone interview with William Foltz, New York, New York, July 5, 2001.

<sup>87</sup> "FY 1987 Assistance Requests for Sub-Sahara Africa," Statement before the Subcommittee on International Operations of the House Foreign Affairs Committee on March 18, 1986 by Chester Crocker, assistant secretary for African Affairs, reprinted Department of State Bulletin, July 1986, p. 30.

<sup>88</sup> Guy Jérémie Ngansop, *Tchad, vingt ans de crise*, (Paris: L'Harmattan, 1986).

Nevertheless, Habré's troops successfully counterattacked Oueddeï's overextended army, beginning with Abéché and eventually retaking Faya-Largeau on July 30, 1983. Qaddafi then sent a large contingent of troops, reinforced with heavy armaments, which retook Faya-Largeau on August 10. That same day, after months of incessant appeals from Habré and lobbying by Washington, France finally committed itself directly to Habré's side. Its "Operation Manta" installed 3,500 men and eight fighter-planes in defensive positions north of N'Djaména and along the 16th Parallel, south of Faya-Largeau.

This cautious deployment left Oueddeï and the Libyans in possession of nearly all of the north of Chad. After extended negotiations from which Chad was excluded, on September 16, 1984, France and Libya agreed to a mutual withdrawal of all their troops. France complied on November 10. Libya merely shuffled its forces around, leaving a substantial presence in northern Chad. The result was a de facto partition of the country.

Habré was also preoccupied with the pacification of the south of the country, which he considered to be populated with traitors led by the "CODOS" and headed towards secession.

Caught between former President Oueddai and Qaddafi's occupation of the northern regions and the spread of conflict and resistance throughout the south, Habré might well have been unable to hold onto power had it not been for continued French and US support.

The United States invested in building a strong anti-Qaddafi presence in north central Africa and continued to intervene in the delicate situation of 1983. While French President François Mitterrand was reticent to get more deeply involved, the Americans leaped in, delivering emergency aid and military supplies to Habré's government.

American military assistance to Habré was delivered via several channels. The most important were Foreign Military Sales (FMS), the Military Assistance Program (MAP) and the International Military Education and Training Program (IMET).<sup>89</sup>

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<sup>89</sup> In FY 1985, the US government completed a general shift from foreign military (FMS) loans to MAP grant assistance begun in FY 1983 "in response to the deep financial crisis our African friends face." While in FY 1983, the US sought a total of 37.7 million in FMS loans for eight countries, it sought only 10 million for just two countries in 1985. In contrast, the US government in 1985 sought a total of 109.5 million in MAP grant assistance. FY 1985 Foreign Assistance Requests for Sub-Saharan Africa, Statement before the Subcommittee on Africa of the House Foreign Affairs Committee on February 7, 1984, by Princeton Lyman, Deputy Assistant Secretary for African Affairs, reprinted Department of State Bulletin, May 1984, p. 45.

The *Washington Post* reported in 2000 that “[i]n addition to covert aid, U.S. assistance totaled \$182 million during Habré’s rule.”<sup>90</sup> Certain US Department of Defense documents put the figure for all military aid between 1982 and 1988 at \$56 million. This included funds for military equipment, including four C-130A aircraft, 10 Stinger launchers with 20 reloads, 10 2.5-ton trucks, and an undisclosed number of redefeye missiles, ammunition, and 0.25-ton jeeps.<sup>91</sup>

Many of the details of the US government’s assistance still remain classified. It appears, however, that the United States was attempting to help Habré create a small, efficient army that would eventually be able to defend Chad against Libya without an international presence. The US government maintained this policy until the very end of Habré’s rule. A May 1990 memo from the US embassy in N’Djaména stated: “Military power remains the basic and vital support for Habré’s power. The need is to reduce the size of the military and make it a leaner, more efficient and less expensive force.”<sup>92</sup>

In early 1983, the United States signed a formal accord with Chad concerning the provision of training under the IMET Program.<sup>93</sup> The agreement provided for the training of Chadians in military administrative organization, weapons, military engineering and the military police.<sup>94</sup> It also stated that:<sup>95</sup>

The recipient country will permit continuous observation and review by, and furnish necessary information to representatives of the United States Government with regard to the use of such training (including training materials); and that the recipient country will return to the United States Government such training (including training materials) as is no longer

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<sup>90</sup> Douglas Farah, “Chad’s Torture Victims Pursue Habré in Court,” *Washington Post*, November 27, 2000, <https://www.washingtonpost.com/archive/politics/2000/11/27/chads-torture-victims-pursue-habre-in-court/gdao3c6bed13-477e-9e94-7f80450ca3b8/> (accessed May 12, 2016).

<sup>91</sup> Lt. Col. J. Dwyer, United States Department of Defense, “Information Paper: Security Assistance Summary- Chad,” March 16, 1988; From miscellaneous documents related to Chad, released to Human Rights Watch under the Freedom of Information Act.

<sup>92</sup> Memo from the US embassy in N’Djaména to the secretary of state, Washington, D.C., “Official – Informal No. 46,” May 1990, released to Human Rights Watch under the Freedom of Information Act.

<sup>93</sup> “Defense: International Military Education and Training (IMET): Agreement effected by exchange of notes dated at N’Djaména February 22 and April 22, 1983,” entry into force April 22, 1983, 10822 TIAS 2841-46.

<sup>94</sup> *Ibid.*

<sup>95</sup> *Ibid.*

needed for the purposes for which furnished, unless the United States Government consents to some other disposition.

Jay P. Moffat, US ambassador to Chad from May 1983 to July 1985, explained in an interview that “American interest was entirely derived from Libya.”<sup>96</sup>

Necessity made me deal with [Habr ] a lot and then, I think, inclination took over. We both benefited from it.... He wanted to keep in touch and we wanted to keep in touch. He was fascinated with the possibilities of military equipment.

The United States entered into another agreement under the Military Assistance Program, affected by exchange of notes in N’Djam na on July 19 and 20, 1983.<sup>97</sup> The 1983 agreements remained in force until a new agreement superseded them on July 19, 2006.<sup>98</sup>

On July 19, 1983, the State Department announced that under provisions of Chapter 2 and 5 of Part II of the Foreign Assistance Act of 1961, President Reagan had authorized \$10 million in defense articles and services by the Department of Defense to Chad to assist in defeating antigovernment forces.<sup>99</sup> Department officials stated that failure to take emergency action to aid Habr ’s government “would have involved a grave risk of allowing Libya to establish a regime favorable to Libya in N’Djam na and to use Chad as a base for subverting neighboring states.”<sup>100</sup>

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<sup>96</sup> Interview with Jay P. Moffat by Charles Stuart Kennedy on November, 15, 1989, Association for Diplomatic Studies and Training Foreign Affairs Oral History Project, Library of Congress, <http://www.loc.gov/item/mfdipbib000823/> (accessed September 24, 2015).

<sup>97</sup> Note number 249, Communication by the US embassy in N’Djam na to the Republic of Chad, July 19, 2006, <http://www.state.gov/documents/organization/105750.pdf>, (accessed September 24, 2015); Department of State Bulletin, vol. 83, no. 2079, (Oct. 1983), p. 82.

<sup>98</sup> *Ibid.*

<sup>99</sup> “U.S. Military Assistance to Chad,” Department of State Statement of July 19, 1983, reprinted in Department of State Bulletin, vol. 83 (Sept. 1983), p. 50; See also Chronology, p. 90.

<sup>100</sup> *Ibid.*, p. 90.

At a question and answer news session on August 11, 1983, President Reagan announced publicly that the United States had “provided weapons [to Chad] and some trainers in the use of those weapons.”<sup>101</sup>

On August 2, three US military advisers had arrived in Chad to train government forces in using American-supplied antiaircraft rockets.<sup>102</sup> On August 7, two US airborne warning and control systems (AWACS) E-3A aircraft reconnaissance planes, accompanied by eight F-15 (Eagle) all-weather fighter aircraft and air and ground logistical support forces, arrived in Sudan “to monitor the conflict in Chad.”<sup>103</sup>

On August 23, 1983, the State Department announced that it was returning the two AWACS aircraft to US bases, but specified that this action was not to be taken “as a lessening of concern or a reduction of support” for Chad.<sup>104</sup>

In its statement, the State Department explained that the AWACS had been deployed to Sudan after consultations with the governments of Chad, Sudan, and France “to perform a monitoring role should that become necessary,”<sup>105</sup> and to send the clear signal to Libya of the “close ties between the United States and its friends and the ability of the United States to respond quickly and appropriately when circumstances dictate.”<sup>106</sup> The State Department also confirmed that it was continuing its \$25 million “emergency assistance program” to Chad.<sup>107</sup>

According to documents released under the Freedom of Information Act to Human Rights Watch, President Reagan signed two presidential declarations in the summer of 1983 for a \$25 million drawdown in military equipment to Chad. Items sent included one C-130A

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<sup>101</sup> President Reagan’s remarks and a question-and-answer session with news correspondents on August 11, 1983, reprinted in Department of State Bulletin, vol. 83, no. 2079, (Oct. 1983), p. 31.

<sup>102</sup> Chronology, Department of State Bulletin, vol. 83, no. 2079, (Oct. 1983), p. 83.

<sup>103</sup> Ibid, p. 84.

<sup>104</sup> Ibid.

<sup>105</sup> “AWACS Withdrawn from Sudan,” State Department Statement of August 23, 1983, reprinted in Department of State Bulletin, vol. 83 (Sept. 1983), p. 51.

<sup>106</sup> Ibid.

<sup>107</sup> Ibid.

aircraft, trucks, jeeps, rifles, ammunition, clothing, medical supplies, machine guns, Redeye missiles and spare parts.<sup>108</sup>

“I did not go up to Faya. Habré had come back. We were supplying a great deal of military equipment. President Reagan in one swoop gave us twenty-five million dollars of military equipment and services under a little known legislative provision that allowed us to draw from the U.S. forces directly. We had equipment, C-130s, C-141s (military transport aircraft) flying in and out. It was the most operational time I have ever had. We spent most of our time at the airport. If it was not military equipment it was food aid.”

-Jay P. Moffat, US ambassador to Chad from May 1983-July 1985

In summer 1983, the United States’ covert efforts that had helped to bring President Habré to power came to light in the US media.<sup>109</sup> The Intelligence Committee of the US House of Representatives met to discuss the matter and determine whether to further assist Habré against Goukouni Oueddeï. There was resistance to President Reagan’s strategy in Congress, but this served in part to “deflect the fact that Hissène Habré was the creation of Americans in no small measure,” as former US Ambassador to Chad Donald Norland put it. In an unpublished report written shortly after the announcement of President Reagan’s aid policy, Norland called continued US support for Habré a “misguided, counter-productive and a costly” endeavor.<sup>110</sup>

Documents released to Human Rights Watch under the Freedom of Information Act reveal that US “security assistance” for Chad consistently increased between 1983 and 1986. Foreign military sales (FMS) increased from zero in 1983 to \$6 million in 1986; funding for IMET increased from \$47,000 in 1983 to \$150,000 in 1986; and the number of Chadian students trained under IMET increased from 2 in 1983 to 10 in 1986.<sup>111</sup>

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<sup>108</sup> Jim McNicholas, “Executive Summary: Chad—Security Assistance Program,” Defense Security Assistance Agency, February 15, 1985, released to Human Rights Watch through the Freedom of Information Act.

<sup>109</sup> “U.S. Military Aid to Chad,” *New York Times*, p. A8, July 20, 1983; Maass, “‘Raw Power Struggle’ in Chad,” *Washington Post*; Rondos, “Why Chad?” *CSIS Africa Notes*, pp. 4, 8.

<sup>110</sup> Norland, “Chad: A Case Study in Covert Action,” unpublished essay dated 1983 on file with Human Rights Watch.

<sup>111</sup> *Ibid.* In a March 22, 1983 Statement before the Subcommittee on Africa of the House Foreign Affairs Committee, the US assistant secretary for African Affairs announced that the Department of State was seeking \$50,000 in IMET for Chad for FY 1984. FY 1984 Assistance Requests for Africa, Chester A. Crocker, assistant secretary for African Affairs, Statement before the

In a statement dated March 13, 1986, the State Department announced that President Reagan had determined, under Section 506(a) of the Foreign Assistance Act that “an unforeseen emergency exists in Chad which required our immediate aid. To meet this emergency, the President has directed the drawdown of up to \$10 million in Department of Defense equipment and services to provide military assistance to Chad.”<sup>112</sup> According to the Department of State, the decision came “in response to the request of the Government of Chad and is in accordance with Article 51 of the UN Charter.”<sup>113</sup>

An internal document summarizing the IMET program in Chad, dated October 2, 1990, states that US Training Objectives consisted of assisting Chad to “create a cadre of trained professional soldiers and airmen with the skills required to deploy, operate and maintain US-supplied equipment... [as well as to] assist Chad in developing the managerial expertise and professionals to lead its armed forces.”<sup>114</sup>

In early 1987, with the additional support of the French army, Habré’s forces mounted a counteroffensive against Libyan troops that led to the recapture of the north in March of that year. By September, Habré’s forces had driven Libyan forces from all of Chad except their redoubt in the Aouzou Strip.<sup>115</sup>

In June 1987, President Reagan invited Habré to the White House. Habré was accompanied by then-US ambassador to Chad, John Blane, who described the visit as follows:<sup>116</sup>

It went beautifully. I came over ahead of him to help prepare things.... Oh, it just went swimmingly. Mr. Habré and Mr. Reagan got along just dandily. Yes,

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Subcommittee on Africa of the House Foreign Affairs Committee on March 22, 1983, reprinted in Department of State Bulletin, vol. 83, May 1983, p. 25.

<sup>112</sup> The administration used the “emergency drawdowns” provision of paragraph 506-A in the Foreign Assistance Act, so often that the key State Department official Charles Duelfer, known as “Charlie Chad,” was given a model C-141 plane with “506-A” stenciled on the tail. Michael Bronner, “Our Man in Africa: America Championed a Bloodthirsty Torturer to Fight the Original War on Terror. Now, He is Finally Being Brought to Justice,” *Foreign Policy*, January/February 2014, [http://www.foreignpolicy.com/articles/2014/01/23/our\\_man\\_in\\_africa\\_hissene\\_Habré\\_chad\\_reagan](http://www.foreignpolicy.com/articles/2014/01/23/our_man_in_africa_hissene_Habré_chad_reagan), (accessed February 4, 2014).

<sup>113</sup> “U.S. Emergency Military Assistance to Chad,” State Department Statement, March 13, 1986, made available to news correspondents by Department spokesman Bernard Kalb, reprinted in State Department Bulletin, May 1986, p. 49.

<sup>114</sup> Tom Cushing, Defense Security Assistance Agency, “Training Information Paper: Chad IMET program,” October 2, 1990, released to Human Rights Watch under the Freedom of Information Act.

<sup>115</sup> Foltz, “Chad’s Third Republic,” *CSIS Africa Notes*, p. 2. Habré and Qaddafi concluded a ceasefire in September 1987 and diplomatic relations between the two countries were reestablished in October 1988.

<sup>116</sup> Interview with US Ambassador John Propst Blane by Charles Stuart Kennedy on August 8, 1990.

indeed. Mr. Habré had just finished delivering Col. Qadhafi's head on a platter.

As you know, ambassadors very often will recommend to Washington that their heads of state be invited for a visit. Now this has happened at every post I have ever served at, with the exception of Chad. I did not recommend that visit. I got a cable one day saying the president would love to see Mr. Habré. So I trotted over to see the boss, and Mr. Habré said he would be delighted to go.

During the visit, President Reagan expressed his continued support for Habré, and stated that the relationship between the United States and Chad “will continue to be strong and productive.”<sup>117</sup> Habré expressed his “great gratification” for the “reaffirmed determination of the United States to help Chad complete the national liberation task and tackle, in a lasting manner....”<sup>118</sup>

A declassified State Department document from 1988 states that by then, \$56 million had been used to drawdown military equipment, including four C-130A aircraft.<sup>119</sup> When Chad acquired two C-130H aircraft from the United States in 1988 and 1989, Washington even heeded to the Chadian demand to have the costs for C-130H pilot training lowered. Offering the “biggest bang for the buck,” the United States lowered the total cost of training for four pilots and two navigators on two new aircrafts from \$1.6 million to \$886,000. A declassified memo states that “the GoC will be very pleased with this new case.”<sup>120</sup> In 1988 alone, Chad purchased 20 high-mobility multipurpose wheeled vehicles (HMMWVs), along with “3 million rounds of 7.62 ammunitions, 2,000 M-14 rifles, and 150 I-Tow missiles” from the United States.<sup>121</sup>

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<sup>117</sup> “Visit of Chad president,” Department of State Bulletin, vol. 87, September 1987, p. 23.

<sup>118</sup> Ibid.

<sup>119</sup> Ibid.

<sup>120</sup> “Security Assistance Issues,” Undated (probably late 1989), released to Human Rights Watch through the Freedom of Information Act.

<sup>121</sup> Lt. Col. C. Stucki, Defense Security Assistance Agency, “Information Paper: Security Assistance Program – Chad (U),” June 5, 1990, released to Human Rights Watch through the Freedom of Information Act.

When asked to describe US policy in Chad from 1985 to 1988, US Ambassador John Blane replied:

All-out support of the Chadians. As you may remember, Mr. Reagan had a thing about Col. Qadhafi. He just didn't like Col. Qadhafi at all. And if you've got somebody who has a capable force—willing to use it, wanting to use it, going to use it against Mr. Qadhafi—you help him. And we helped.

France felt that the United States had overstepped its bounds in becoming so deeply involved in Chad, a country it considered fell squarely within its sphere of influence.<sup>122</sup> France remained Chad's single largest financial contributor, with investments amounting to \$250 million per annum, compared to the United States' estimated \$35 million total contribution.

However, as a 1987 *Newsweek* article stated, "America's military aid of \$31 million, along with its covert-aid program, is comparatively less important—but it comes without restrictions."<sup>123</sup> This French discontent proved irrelevant, and failed to deter the US administration from developing a long-term policy of military development and training in Chad with the objective of containing Libyan expansionism. France also supplied military aid to Habré, and was critical in his military victories against Qaddafi, but placed clear limits on that aid.

The differences between French and American policies created friction between the two powers. Presidents Reagan and Mitterrand shared a cool relationship, and France's extreme reluctance to take military action against Libya, partially due to its reliance on the latter for inexpensive oil and other military economic interests, proved to be a significant obstacle to the success of American policy. In fact, wrote René Lemarchand, "[r]esisting American pressures [...] was now seen by Mitterrand as a condition of his political credibility at home and abroad."

Perhaps as important for Habré to be able to withstand Libyan advances as the material aid he received from foreign governments was the intelligence on Libya that Habré's allies

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<sup>122</sup> Since 1960 independence, France has been its single greatest financial contributor.

<sup>123</sup> Rod Nordland, Fred Coleman, and John Barry, "Bogged Down in the Desert," *Newsweek*, September 21, 1987, p. 49.

supplied to him throughout most of his rule. For example, journalist Pierre Darcourt recalls an incident in November 1984 in which Qaddafi officially announced that the retreat of Libyan forces from Chad had been achieved in accordance with an agreement reached with France.

Firmly contesting this assertion, Habré ordered his minister of information to reveal to the international press the exact positions of the Libyan forces that remained in the north of Chad. The coordinates, the minister specified, came from “official American sources” and were supported by “negatives taken by US satellites.”<sup>124</sup>

Darcourt also recalls Idriss Déby, then Habré’s military chief, telling him that American surveillance specialists warned Habré of the arrival of two Libyan planes in the south of Chad intending to deliver arms to a rebel faction there.<sup>125</sup> This kind of aid gave Habré a significant advantage over his enemies. In 2000, the *Washington Post* reported that “Habré’s intelligence units and the CIA shared information extensively, according to three former senior U.S. officials familiar with events at the time.”<sup>126</sup>

The DDS was also part of a network known as “Mosaïque” (“Mosaic”), made up of the security services of the Côte d’Ivoire, Israel, Chad, Togo, the Central African Republic, Zaire and Cameroon. According to Amnesty International, the aim of Mosaïque, which was reportedly financed by the United States, was to facilitate exchanges of intelligence, the implementation of joint operations and surveillance and pursuit of opponents of the participating governments (in particular through extradition).<sup>127</sup>

Documents discovered by Human Rights Watch in the DDS archives confirm Chad’s membership in Mosaïque and record instances of intelligence exchange carried out under the program.<sup>128</sup> France, Egypt, Iraq, and Zaire also contributed to Habré’s intelligence network.

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<sup>124</sup> Darcourt, *Tchad: Le Chemin de la Liberté*, p. 258.

<sup>125</sup> *Ibid.*, p. 269.

<sup>126</sup> Farah, “Chad’s Torture Victims Pursue Habré in Court,” *Washington Post*.

<sup>127</sup> Amnesty International, “Chad: The Habré legacy,” p.40. ; Darcourt, *Le Tchad 15 Ans Après*, p. 42.

<sup>128</sup> “Mosaïque: Projet de Structure Organique et Fonctionnelle,” 1988; Letter from the director general of Cameroon’s *Centre National d’Etudes et des Recherches* to the director of the DDS, undated.

In February 1986, GUNT and Libyan forces launched a new offensive, bolstered by Libyan air support, which struck south of the 16th parallel, including an attack on the airport in N'Djaména. This prompted a new French intervention, "Operation Epervier," in which French planes raided Libya's main airfield at Ouadi Doum, near Faya-Largeau.

By this time, Habré had completed his lengthy pacification of Chad's south, and began to concentrate his forces in the north in a campaign to reclaim lost territory. In late December, Chadian government forces began a major offensive against Libyan positions.

By January, they had retaken the towns in Tibesti occupied by Libya in December, as well as the town of Fada to the east. In March, Habré's forces captured Ouadi Doum, Qaddafi's principal base of operations, forcing Libya to retreat from Faya-Largeau and ultimately to evacuate the north.

These battles were won with modest French and American air support, but mostly through the Chadians' efficient use of the small arms that their patrons had supplied. Libya's forces were seen as poorly trained, unmotivated, and unartfully commanded, and suffered huge losses despite their superior numbers and equipment. Many of the prisoners that Chad took were reported to have deserted the battlefield.

In August, Habré took the town of Aouzou. His attempts to hold the Aouzou Strip, however, were frustrated when France refused to provide air support, in line with its belief that the ownership of that disputed territory should be resolved through peaceful means. On August 28, Libya successfully counterattacked and retook Aouzou. On September 5, Habré struck 60 miles inside Libyan territory, inflicting heavy losses on the Libyan airbase at Maaten-as-Sarra, and then retreated.

On September 7, two Libyan jets attempted to attack; one was shot down in N'Djaména by the French, while the other inflicted minor damage on Abéché. On September 11, the OAU negotiated a cease-fire. Although Libya later provided support to Idriss Déby's forces in their revolt against Habré, which lasted from April 1, 1989, until Habré's defeat on December 1, 1990, this marked the end of the two nations' overt armed conflict.

In May 1988, Qaddafi announced his prospective recognition of Habré's government, though he apparently conditioned it on Chad's official surrender of the Aouzou Strip, its

expulsion of all French troops, and its return of all prisoners.<sup>129</sup> In October, despite the non-fulfillment of any of these conditions, the two nations announced the resumption of diplomatic ties, exchanged ambassadors, and agreed that Aouzou would be dealt with through mediation.

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<sup>129</sup> In March 1988, Goukouni had returned to Qaddafi's fold and reclaimed the leadership of the GUNT. The ousted Ibn Oumar reconciled with Habré in November 1988 and the following March became Chad's foreign minister, in which position he broadcast some of the Chadian government's most vicious attacks on Qaddafi.

## The US and the DDS

According to the report of the Truth Commission, the United States was deeply involved with the DDS:

America had a long relationship with the DDS from its first months of existence. The U.S. supervised, maintained, and contributed effectively to its development until the fall of Habré.... The U.S. transferred 5 million CFA francs (roughly \$12,500 at the time) each month to the DDS. Some alleged that this amount was increased to 10 million CFA francs beginning in 1989. This in addition to the modes of transportation, arms, clothing, and other sophisticated means of observation and communication; it would be too difficult to enumerate here all of the means of support.

The American advisors from the embassy regularly met with the director of the DDS. They paid him daily visits, either to advise him or to exchange information. Numerous employees of [the DDS] ... remember a certain “John” and a “Swiker” as well as many others whose names they did not know.

Concerning the American advisors who were assisting the director of the DDS, Saleh Younouss explained, ‘Upon my arrival at the head of the DDS, a certain John, an American, was acting as my advisor; he was particularly interested in the Libyan issue.’

America also provided for the training of numerous intelligence agents.<sup>130</sup>

The US government trained and supported the training of Chadians in several locations. Just months following the period of harshest repression in the south known as “Black September” 1984, the United States organized a “special training” outside Washington, D.C. for select Chadian security personnel. An internal DDS document dated March 25, 1985, recovered by Human Rights Watch at the DDS’s abandoned N’Djaména headquarters,

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<sup>130</sup> Truth Commission (1993), Human Rights Watch translation.

describes the participation of 12 persons, from different branches of Chad's security forces, in a five-week course at an "instruction center" 400 kilometers southwest of Washington, D.C. Their curriculum included lectures on explosives, methods of investigation, and intelligence gathering.<sup>131</sup> The officers' internal report on the training stated:

[O]ur American friends promised us equipment [...] They told us in addition that we not only had to assure the security of our country, but also of that of their authorities residing in our country as well as their businesses.<sup>132</sup>

It is unclear what "equipment," if any, the United States did provide. One DDS document speaks of a Chadian request for truth serum and a "generator for interrogations," suggesting that the Chadians would have liked equipment that would permit the use of electric shocks. There is no indication of the US response, if any.

None of Human Rights Watch's numerous requests under the Freedom of Information Act beginning in 1999 produced information relating to the training course and Human Rights Watch has been unable to determine the location of the training.

In a 2008 interview with Human Rights Watch, former DDS Sub-Director Bandjim Bandoum, who took part in the training course described above, talked about an American named "John." "I knew John. When I returned from the United States [after the training], John said he had seen the director, and that I was good at defusing bombs, and he was very interested in detecting parcel bombs and issues relating to waterway safety."<sup>133</sup> He also stated that after John, there was an American who went by the name of Maurice, but that he had not worked with him.<sup>134</sup>

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<sup>131</sup> République du Tchad, Direction de la Documentation et de la Sécurité, "Compte-rendu des résultats du stage effectué du 6 février au 15 mars 1985 aux Etats-Unis D'Amérique," No 001/4./DDS/85, N'Djaména, March 25, 1985.

<sup>132</sup> « *Nos amis Américains donnent une importance capitale à cette formation. Ils nous ont promis des matériels [...] Ils nous ont déclaré en outre que nous ne devons pas seulement assurer la sécurité de notre pays, mais également celle de leurs autorités résidant chez nous ainsi que leurs sociétés* ».

<sup>133</sup> Human Rights Watch interview with Bandjim Bandoum, former DDS Sub-Director, July/August 2008.

<sup>134</sup> Ibid.

A letter in the DDS archives from the head of airport security states that on September 10, 1986, “American Advisor to the DDS Monsieur Maurice”<sup>135</sup> accompanied the US ambassador to Chad on a flight within the country.<sup>136</sup>

French Journalist Pierre Darcourt, who had privileged access to Idriss Déby both under Habré and after Déby became president, describes “Swiker” as an American advisor to the director of the DDS, and recalls seeing him on an airfield with Richard Bogosian (the US ambassador to Chad from August 1990), and US-trained Libyan “Contras” (see below).<sup>137</sup>

Darcourt’s account is supported by the log books from March to May 1989 of the DDS that are part of the investigation file of the Extraordinary African Chambers. These log books show that on at least two occasions, “Mr. George Swicken” and “Mr. Swica” of the American embassy in Chad came to the DDS headquarters. One of these visits, on April 7, 1989, took place as the repression against the Zaghawas was at its height after the exit of Idriss Déby.<sup>138</sup> The DDS headquarters was only a few steps away from the notorious “Piscine” which, on April 7, 1989 was filling up with arrested Zaghawas.

State Department listings for 1989 and 1990 show a George S. Swicker as the political and military counselor at the US Embassy in Chad.<sup>139</sup> The listing for 1988 shows the political and military counselor as James L. Morris (whose name, in French, would be pronounced “Maurice”).<sup>140</sup> From 1983-1987, a John B. Woods was the AID counselor.<sup>141</sup>

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<sup>135</sup> Original French version: “Le conseiller américain à la DDS Monsieur Maurice.”

<sup>136</sup> Letter from chief of airport security to director of the DDS, dated September 10, 1986, DDS Archives. Chadian President Déby has authorized Human Rights Watch, the Fédération Internationale des Ligues des Droits de l’Homme (FIDH), and the victim’s association L’Association des Victimes de Crimes et Répressions Politiques au Tchad (AVCRP) to access and use the archives of the DDS [hereinafter DDS Archives].

<sup>137</sup> Darcourt, *Le Tchad 15 Ans Après*, p. 34.

<sup>138</sup> Extraordinary African Chambers, Investigation file “D- 2759/102,” Handwritten DDS Day Log April 7-8, 1990; Investigation file “D- 2759/143,” Handwritten DDS Day Log May 8-9, 1990. On file with Human Rights Watch. Investigation file “D- 2759/143,” Handwritten DDS Day Log May 8-9, 1990. Investigation file “D- 2759/84,” Another file records an “urgent” telephone call from “Swicker” who called back two hours later to say that “his family had been found 10 minutes ago.” Handwritten DDS Day Log March 27-28, 1990. On file with Human Rights Watch.

<sup>139</sup> United States Department of State, “Key Officers of Foreign Service Posts,” September 1989, [http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd\\_6260645\\_023/ldpd\\_6260645\\_023.pdf](http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd_6260645_023/ldpd_6260645_023.pdf) (accessed October 5, 2015). He is also listed in the 1990 guide. United States Department of State, “Key Officers of Foreign Service Posts” September 1990, p.9.

[http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd\\_6260645\\_026/ldpd\\_6260645\\_026.pdf](http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd_6260645_026/ldpd_6260645_026.pdf)

<sup>140</sup> United States Department of State, “Key Officers of Foreign Service Posts” January 1988, p.14, [http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd\\_6260645\\_018/ldpd\\_6260645\\_018.pdf](http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd_6260645_018/ldpd_6260645_018.pdf) (accessed March 14, 2016).

At the Chad trial of Habré-era security agents in November 2014, Saleh Younous, a former director of the DDS, who was eventually sentenced to life imprisonment on March 25, 2015, told the court that a CIA agent was “constantly” by his side providing advice.<sup>142</sup>

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<sup>141</sup> United States Department of State, “Key Officers of Foreign Service Posts” January 1987 [http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd\\_6260645\\_003/ldpd\\_6260645\\_003.pdf](http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd_6260645_003/ldpd_6260645_003.pdf) (accessed March 14, 2016); United States Department of State, “Key Officers of Foreign Service Posts” September 1986, p.13 [http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd\\_6260645\\_014/ldpd\\_6260645\\_014.pdf](http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd_6260645_014/ldpd_6260645_014.pdf) United States Department of State, “Key Officers of Foreign Service Posts,” September 1984 ,p.16. [http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd\\_6260645\\_009/ldpd\\_6260645\\_009.pdf](http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd_6260645_009/ldpd_6260645_009.pdf) (accessed March 14, 2016).

<sup>142</sup> Original French version: “*J’étais assisté, en permanence, par un agent de la CIA qui me conseillait*.” “Tchad: le directeur de la police politique sous Habré nie la torture,” *Radio France Internationale*, November 11, 2014, <http://www.rfi.fr/afrique/20141119-tchad-le-directeur-police-politique-sous-Habré-nie-torture>, (accessed September 23, 2015).

## Libyan “Contras”

Perhaps no episode better illustrates the cooperation against Libya between the US government and Hissène Habré than the United States’ creation and training of a small army of anti-Qaddafi Libyan “Contras” from among the ranks of Habré’s Libyan POWs. The secret paramilitary program provided aid and training to approximately 600 former Libyan soldiers at a base outside N’djaména.

From the first of Habré’s battles with Libya after taking power in 1982, Libyan POWs became geopolitical pawns. Many of those captured were held by Chad until after Habré’s fall.<sup>143</sup> Although negotiations aiming at establishing a lasting peace continued throughout the last years of Habré’s presidency, the fate of the Libyan POWs was never satisfactorily resolved, and this controversy consistently sabotaged other diplomatic initiatives. Habré found that the longer he held his prisoners and the more he manipulated their image and their status, the more valuable they became to him. As a result, he never released a single captive to Libya, nor allowed their treatment or identities to be investigated by Libya. Only 53 captives are known to have been registered with the ICRC.<sup>144</sup> Instead, he permitted the United States to build a contingent of Libyan POWs into a force to challenge Qaddafi.

Throughout the years of armed conflict between Chad and Libya and its proxies, Qaddafi had steadfastly denied that his armed forces had been directly involved. Once the finality of Libya and the GUNT’s defeat and the number of Libyan soldiers who were missing became clear, however, Qaddafi began to agitate with increasing vehemence for the captives’ return.

The detention of Qaddafi’s soldiers served, firstly, to embarrass him, as they were living symbols of his humiliating loss to a country he did not admit to having fought. Secondly, many were recruited to the cause of Libyan dissidents operating in Chad.

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<sup>143</sup> Kenneth B. Noble, “In Chad, Talk of a Libyan Resurgence,” *New York Times*, December 6, 1990, p. A3, <http://www.nytimes.com/1990/12/06/world/in-chad-talk-of-a-libyan-resurgence.html> (accessed September 23, 2015).

<sup>144</sup> A letter from the International Committee of the Red Cross dated December 10, 1990 (just after Habré’s fall), complaining *inter alia* about its inability to interview the Libyan captives about their wishes before they were sent away from Chad, noted that 53 prisoners had been “enregistrés.”

Habré, for his part, had a variety of reasons to retain his captives as bargaining chips. He remained skeptical of his neighbor's vows to abandon its efforts to use force against Chad, and had not yet achieved his longstanding goal of reclaiming the Aouzou Strip. Furthermore, Habré's enduring conflict with Libya had buoyed his standing both domestically and abroad, and its end threatened to slow the momentum of his presidency as well. Indeed, the loss of their common enemy in Libya—along with the contested wealth generated by Chad's capture of enormously valuable Soviet weaponry in the wake of Libya's retreat—led to the unraveling of Habré's fragile coalition, and ultimately to his overthrow.

Qaddafi was at the same time working to repair his frayed relations with the international community, and so Chad's importance as the front line of the struggle against Libyan aggression was at risk of disappearing, and with it Habré's foreign patrons' rationale for sustaining his rule. The US still sought Qaddafi's removal, however, and the human assets that Habré possessed provided him with yet another key to Washington's support.

It is difficult to assess with precision the number of prisoners taken during Chad and Libya's long conflict, nor can their fates be determined in many cases. Except for a token number of Chadians whom Qaddafi returned to Chad in September 1988<sup>145</sup> there were no exchange of prisoners, and neither side allowed independent agencies to monitor its prisoners. Sharp disparities between the number of prisoners thought to have been in Chad and those released in December 1990 suggest that a significant loss of life may have occurred in the interim.

The majority of Libyan prisoners in Chad in 1990 had been taken in 1987. In the first three months of that year, the *New York Times* reported that an estimated 3,000 Libyan soldiers were killed or wounded or deserted, and that 900 were taken prisoner.<sup>146</sup> Subsequent figures vary widely, up to 2,500.<sup>147</sup>

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<sup>145</sup> James Brooke, "Chad Trying Wary Détente With Libyans," *New York Times*, November 3, 1988, p. A18, <http://www.nytimes.com/1988/11/03/world/chad-trying-wary-detente-with-libyans.html>, (accessed September 23, 2015);

<sup>146</sup> Jane Perlez, "Qaddafi, Taking Softer Tone, Urges U.S. 'Meet Us Halfway,'" *New York Times*, April 12, 1987, p. A1, <http://www.nytimes.com/1987/04/12/world/qaddafi-taking-softer-tone-urges-us-meet-us-halfway.html>, (accessed September 23, 2015).

<sup>147</sup> In April 1987, the *Times* referred to 3,000 POWs having been taken "since January"; in June 1988, *Jeune Afrique* claimed that more than 2,500 were present in N'Djaména; in October 1988, the *Times* wrote that "as many as 2,000 prisoners" had been taken in 1987; in November 1988, the *Times* mentioned "approximately 1,300 POWs"; and in February 1989, *Jeune Afrique* spoke of 1,500 prisoners being held in N'Djaména "en théorie."

In an accord between the two states signed in Algiers on August 31, 1989, Chad signaled its intention eventually to return all of the Libyan POWs. Nothing happened until after Habré's fall, however. After Idriss Déby took power on December 1, 1990, almost 500 Libyans were reported to have been returned home, and between 500 and 600 to have been evacuated by the United States.

The number of men missing from this accounting allows for speculation that the last year of Habré's presidency witnessed the death of a large number of his Libyan captives. Amnesty International reported that in his last days in power, Habré executed around 300 prisoners who had been held at the presidential compound,<sup>148</sup> but Human Rights Watch has been unable to confirm this. The identity and fate of the inmates of this facility were held in the utmost secrecy during Habré's reign, but it was believed that they included a large number of Libyans.

The first public glimpse of the "Contras" came in May 1988, when Habré staged an interview with Col. Khalifa Haftar, the most prominent captive to be conscripted to the anti-Qaddafi opposition. Accompanied by 23 other officers, Haftar announced their adherence to the *Front National pour le Salut de la Libye* (FNSL), led by Dr. Mohamed Youssef Magariaf, who was living in N'Djaména. In November 1988, the *New York Times* noted that "about 480" POWs had joined the FNSL, of whom some had left for Cairo. By February 1989, *Jeune Afrique* reported, many of the POWs in N'Djaména had turned against Qaddafi, with 480 defecting to the FNSL and the rest to the movements of Abdelhamid Baccouche, a former Libyan prime minister, and of the late Omar Meheichi. It was not revealed at the time, however, that these opposition elements were being trained, much less by the United States.

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<sup>148</sup> According to Amnesty International, "Immediately before Hissain Habré left the country, one of the last acts of the Presidential Guard was to extrajudicially execute more than 300 Chadian political detainees and Libyan prisoners of war, held in secret at the presidential palace. Some of the bodies were thrown into the Chari. Many others were found inside the presidential palace after the downfall of the Habré government." Amnesty International, "Chad: The Habré legacy," October 16, 2001, <https://www.amnesty.org/en/documents/document/?indexNumber=AFR20%2F004%2F2001&language=fr>, (accessed September 22, 2015).

See also US State Department, Bureau of Democracy, Human Rights, and Labor, "Country Reports on Human Rights Practices – 1991: Chad," 1991, p. 72. "Credible reports indicated that the Habré regime executed more than 300 political prisoners shortly before it collapsed."

According to a later accounting by the *Times*, the “Contra” force began to be assembled during the waning months of the Reagan administration (which ended in January 2009).<sup>149</sup> French journalist Pierre Darcourt wrote that the Libyan “Contras” were first brought to Dougia, 80 kilometers north of the N’Djaména, by the CIA, then assembled, in 1989, at the former French base of Am Sinéné, where they were trained by 20 US Special Forces soldiers. Darcourt says they were supplied with Soviet arms that had been purchased in Iraq with Saudi and Egyptian funds.<sup>150</sup>

“Africa Confidential” reported in a January 6, 1989 issue that the “United States and Israel have constructed a series of bases in Chad, Cameroon and elsewhere in which they are training a substantial Contra force of Libyans, including up to 2,000 prisoners-of-war taken by the Chadian Army in 1987. The aim is to overthrow Colonel Moammar Gadaffi.”<sup>151</sup> The article further reported:

The NFSL’s [National Front for the Salvation of Libya, i.e. the Contras] military instructors include both U.S. nationals and Chadians trained in the USA. Some 30 U.S. instructors arrived in 1987 on board a French DC-8 of the Cotam Company. Chadian instructors include part of a contingent of 49 Chadian soldiers under Captain Ahmed Gourou who last month returned from a seven-month course at Camp Hall, Leadville, south-west of Denver. They had learnt how to decode information supplied by ultra-sophisticated AWACS aircraft.

Close to the NFSL’s Ouadi-Doum base is a stockpile of arms captured by Chadian armed forces during the 1987 battles and subsequently sold to the USA and France. The arsenal is now controlled by officials of the Central Intelligence Agency (CIA).

[...] U.S. personnel are in control of a major new supply-base at Yoko in

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<sup>149</sup> Clifford Krauss, “Failed Anti-Qaddafi Effort Leaves U.S. Picking up the Pieces,” *New York Times*, March 12, 1991, p. A15, <http://www.nytimes.com/1991/03/12/world/failed-anti-qaddafi-effort-leaves-us-picking-up-the-pieces.html> (accessed September 23, 2015).

<sup>150</sup> See Darcourt, *supra*.

<sup>151</sup> Report featured in memo from US Embassy in London to the secretary of state in Washington, D.C., “‘Africa Confidential’ Article,” Document Number 1989LONDON01572, January 1989, released to Human Rights Watch through the Freedom of Information Act.

central Cameroon.

[...] The nerve-center of the whole operation appears to be in a villa in a suburb of N'Djaména whose proprietor is the chief of Chad's secret police [the DDS]. He is also Habré's nephew [Guihini Korei]. The Villa is staffed by U.S. personnel.... There is believed to be a CIA presence at a camp at Douguia, some 90 kilometers away.

[...] Special security units such as the *secrilité présidentielle* (SP) and the DDS are now trained by the USA and its Israeli ally. Some 1,200 SP troopers have now graduated from training courses at the U.S. base of Kamina in Zaire, where Israeli instructors are present.”<sup>152</sup>

An internal memo from the US Embassy in Chad from 1990, which was released to Human Rights Watch through the Freedom of Information Act,<sup>153</sup> suggests that some joined Haftar only after being coerced. A Libyan who came to the US embassy in N'Djaména seeking assistance after Habré's downfall said that Haftar put those who had refused to join his force in hot, windowless, and overcrowded rooms for some period of time, after which about 370 men joined.

According to the memo, the unnamed Libyan reported that the roughly 360 men who still resisted were again placed in overcrowded, unhygienic rooms with “floors ankle deep in sewage.” In two months, according to this account, at least 20 prisoners died. Eventually, the Libyan said, all joined the Haftar opposition in order to get out of the prison. He also told US embassy officials that the Libyan prisoners distrusted Habré and disliked Haftar for his use of torture and other abusive methods during the war years in Chad. Another Libyan who sought assistance from the US embassy also told of his fear of Haftar, saying that the majority of Haftar's men feared and disliked him.<sup>154</sup>

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<sup>152</sup> Ibid.

<sup>153</sup> Memo from Michael Bajek, US embassy in N'Djaména to the ambassador at the US embassy in N'Djaména, and forwarded to the State Department in Washington, D.C. on December 21, 1990, “Three Libyan Refugees,” released to Human Rights Watch under the Freedom of Information Act.

<sup>154</sup> Ibid.

At no time were the “Contras” used against Libya, nor, apparently, did they see any action whatsoever.<sup>155</sup>

Immediately upon Habré’s ouster, Qaddafi called for the “Contras” to be repatriated. Incoming president Déby sent between 400 and 500 loyal prisoners home on Libyan planes, but by December 6, 1990, five days after his arrival, allowed American military planes to begin evacuating the other Contras.

As many as 720 men had until then been training on the base at Am Sinéné, according to journalist Pierre Darcourt. He reports that approximately 60 of these were Chadian tribesmen, who returned home, and that another 60 had successfully sought refuge at the Libyan embassy after Habré’s flight. The International Committee of the Red Cross complained at the time that it had not been permitted to interview those airlifted by the United States, and suspected that not all had left voluntarily. The Libyan radio reported that 17 POWs had been executed for disobeying the US order to leave Chad.<sup>156</sup>

The “Contras” were thus disarmed, and left in haste. Documents obtained by Human Rights Watch through the Freedom of Information Act confirm that US planes airlifted the Libyans as a “humanitarian gesture.”<sup>157</sup> Some were first flown to Nigeria, but the government did not allow them to stay.<sup>158</sup> All were then taken to the former Zaire,<sup>159</sup> but President Mobutu Sese Seko also refused to let them remain permanently, apparently in retaliation for having recently been refused an aid package by Congress due to his government’s human rights practices, Mobutu also allowed Libyan agents to interview the former POWs while they waited at the airport.

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<sup>155</sup> After they were granted asylum in the U.S., State Department Deputy Spokesman Richard Bocher was asked by a reporter whether the “Contras” “actually [got] into military operations.” Boucher responded, “Not that I’m aware of.” US Department of State Daily Press Briefing #83: Friday, 5/17/91.

<sup>156</sup> Kenneth B. Noble, “Libya denounces Chad evacuation”, *New York Times*, December 9, 1990, <http://www.nytimes.com/1990/12/09/world/libya-denounces-chad-evacuation.html> (accessed April 4, 2016).

<sup>157</sup> See memo from the secretary of state, Washington, D.C., “Libyan dissent force: Possible Soviet demarche,” Document Number 1990STATE416170, December 1990; and memo from the US embassy in Kinshasa to the secretary of state, Washington, D.C., “ICRC and Libyan refugees in Zaire,” Document Number 1990KINSHA18969, December 1990, both released to Human Rights Watch through the Freedom of Information Act.

<sup>158</sup> Memo from the US embassy in Lagos, to USIA, Washington, D.C., “Airlift of Libyans from Chad the Subject of Attention in Nigerian Press,” Document Number 1990LAGOS19673, December 1990, released to Human Rights Watch through the Freedom of Information Act.

<sup>159</sup> Although Darcourt, *supra*, claims that 300 were sent to Nigeria.

A January 1991 State Department document released to Human Rights Watch through the Freedom of Information Act states that during these interviews, the Libyan agents “cajoled and threatened the ex-LNA members. About 100 have accepted the offer to return to Libya, but the remaining 500 are adamant that they cannot return home.”<sup>160</sup> While they remained in Zaire, Libya continued to mount pressure on the government of Zaire to return all Libyans home. According to a State Department memo from December 1990, Libya “sent [its] foreign minister and hundreds of ‘family members’ to Zaire to entice the former POWs back home.”<sup>161</sup>

The United States, certain that the Libyans had been intimidated by threats to their families in Libya, requested the intervention of the UNHCR. By the time the “Contras” were flown to Kenya after nearly two months in the former Zaire, about a third of those initially evacuated from Chad on US planes had returned to Libya, according to a February 1991 memo obtained by Human Rights Watch.<sup>162</sup> As expected, Kenya also refused to allow them to remain permanently. The issue of the Libyan Contras had by this time become a highly sensitive issue.

One previously classified memo from the State Department obtained by Human Rights Watch, for example, expresses alarm at the possibility of this issue being placed on the agenda of a UN Security Council meeting. It urges that action be taken “at highest appropriate level in effort to stop Security Council discussion of this matter.”<sup>163</sup>

Another State Department memo says “it would be extremely desirable to do everything that is necessary to avoid complications around this issue” and reemphasizes the official “talking point” that the US role in the evacuation of the Libyans was “strictly humanitarian.”<sup>164</sup>

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<sup>160</sup> Memo from the Secretary of state, Washington D.C., “Support for Resettlement of the Haftar Force,” Document Number 1991STATE010320, January 1991, released to Human Rights Watch through the Freedom of Information Act.

<sup>161</sup> Memo from the Secretary of state, Washington, D.C., to the US embassy in Cairo, “Next Steps on the Former Libyan POWs,” Document Number 1990STATE435647, December 1990, released to Human Rights Watch through the Freedom of Information Act.

<sup>162</sup> Memo from the Secretary of state, Washington, D.C., to the US embassy in Cairo, “Move of Libyan Ex-POWs to Kenya,” Document Number 1990STATE044573, February 1991, released to Human Rights Watch through the Freedom of Information Act.

<sup>163</sup> Memo from the Secretary of state, Washington, D.C., to the US embassy in Abidjan, “Possible Security Council Action on Chad, Document Number 1990STATE419066, December 1990.

<sup>164</sup> Memo from the Secretary of state, Washington, D.C., “Libyan Dissent Force: Possible Soviet Demarche,” Document Number 1990STATE416170, December 1990, released to Human Rights Watch through the Freedom of Information Act.

As internal US documents warned, countries' reluctance to allow the Libyan ex-POWs into their territories stemmed from worry that "whatever country is helpful on this matter will be the subject of Libyan condemnation, heavy pressure and perhaps worse."<sup>165</sup> Official documents from March 1991 state that there were reports of possible mistreatment of those Libyans who had returned home.<sup>166</sup> Unable to find refuge anywhere else, the United States ultimately flew many of the "Contras"—344, according to a memo from the State Department—to the United States in May 1991.<sup>167</sup>

At a press conference in May 1991, State Department Deputy Spokesman Richard Boucher told reporters that "about 350" former Libyan POWs in Chad "who had formed an anti-Libyan force [...] had to flee Chad at the time of the fall of the Habré government" and had been flown to New York and granted asylum. They had then "gone on to various destinations around the United States [...] where they can live and start new lives."<sup>168</sup> In 2002, a number returned home to Libya.<sup>169</sup> Among those was Colonel Haftar who now leads the Libyan National Army, which currently controls much of eastern Libya.<sup>170</sup>

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<sup>165</sup> Ibid.

<sup>166</sup> Memo from secretary of state, Washington, D.C., to the US embassy in Tunis, "Official – Informal," Document Number 1991STATEo69994, March 1991, released to Human Right Watch through the Freedom of Information Act.

<sup>167</sup> Memo from the secretary of state, Washington, D.C., to All African Diplomatic Posts, "Africa Bureau Friday Report, 5/17/91," Document Number 1991STATE164179, May 1991, released to Human Rights Watch through the Freedom of Information Act.

<sup>168</sup> US Department of State Daily Press Briefing #83: Friday, 5/17/91.

<sup>169</sup> Afaf el-Gueblaoui, "Libyans Captured in Chad Return Home from US 15 Years Later," Agence France-Presse, September 18, 2002.

<sup>170</sup> Jon Lee Anderson, "The Unravelling," *New Yorker*, February 23, 2015, <http://www.newyorker.com/magazine/2015/02/23/unravelling> (accessed April 4, 2016).

## Human Rights Reporting During the Habré Years

While some of the atrocities of Habré's government only came to light after he was driven from N'Djaména in 1990, there was ample evidence of its abuses available to US policymakers at the time they were providing him with aid. These were well documented by the international and US press, Amnesty International, and even the US State Department.

Amnesty International released “23 mini-reports”<sup>171</sup> throughout Habré's rule that documented abuses in unflinching detail. State Department documents released to Human Rights Watch under the Freedom of Information Act show that US officials were aware of the contents of those reports and that the US government even kept tabs on communications between Amnesty International and the government of Chad.

The United States Department of State's yearly Country Reports on Human Rights for Chad during the Habré years however often downplayed the Habré government's violations of human rights and seemed to reflect the United States' geopolitical interests. The thrust of the criticism against government troops was that they were untrained and lawless, Habré himself was portrayed as struggling to bring order out of chaos.

As the *New York Times* aptly noted in 1990: “Before his fall, [...] Mr. Habré was often described in flattering terms, especially by his political allies, which included the United States. He was often characterized as a charismatic leader and an intellectual who cared deeply about the issues facing Africa... Many residents of Chad, however, paint a less attractive picture.”<sup>172</sup>

This slant lent support to the notion that the United States could help bring about an improvement in the situation by helping Habré to better train his forces. The US training programs were thus ostensibly designed to improve discipline and to enhance the fighting capacity of Habré's troops. Even the State Department reports, however, often documented a widespread pattern of abuse by the Chadian government.

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<sup>171</sup> Testimony of Michael Dottridge, former Amnesty International researcher, before the Extraordinary African Chambers in the Senegal court system, September 13, 2015.

<sup>172</sup> Kenneth Noble, “Torture is linked to Chad Ex-Chief: Freed Political Prisoner Says He Heard President Give Orders before Ouster,” *New York Times*, December 7, 1990, p. A5, <http://www.nytimes.com/1990/12/07/world/torture-is-linked-to-chad-ex-chief.html>, (accessed September 23, 2015).

Shortly before the United States entered into its first formal accord with Chad under the IMET Program, the Department of State sent its 1982 Human Rights Report for Chad to the US embassy in N'Djaména. The report states:<sup>173</sup>

During this tumultuous year, human rights concerns did not receive adequate attention in Chad. The civil war occasioned considerable summary justice and retribution on both sides.

The report also opined that “Habr[é] appears to be more sensitive than he had previously appeared to human rights concerns. Whether this trend will continue will depend to a great extent on the continued provision of foreign assistance and on the control of externally sponsored subversion.”<sup>174</sup> The report then proceeds to list key human rights violations in 1982, including:<sup>175</sup>

- “[K]illing for a variety of motives, both political and personal, was widespread and practiced by all the competing factions. The Habré government has greatly curbed the recourse of individuals to armed violence. Nevertheless, there were reports of summary killings particularly when the southern provinces switched allegiance to government forces in September.”
- “[M]any people disappeared in this period. We have no information on changes that might have occurred since the transition from the Goukouni period to the Habré government.”

In September 1983, Amnesty International reported on “Detention and Arbitrary Killings in the Republic of Chad, 1982/1983” and noted widespread instances of “detention without trial of persons suspected of opposition to President Hissène Habré’s government”<sup>176</sup> and allegations that many such prisoners were mistreated or “disappeared.”<sup>177</sup> It also expressed alarm at reports of summary executions of suspected members of the

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<sup>173</sup> US State Department, Bureau of Democracy, Human Rights, and Labor, “Country Reports on Human Rights Practices – 1982: Chad,” chapter sent by the Department of State to US embassy in N’Djaména on February 2, 1983, FOIA release.

<sup>174</sup> *Ibid.*, p. 67.

<sup>175</sup> *Ibid.*

<sup>176</sup> Original French version: “Détention sans jugement de personnes soupçonnées d’opposition envers le gouvernement du Président Hissène Habré.”

<sup>177</sup> Amnesty International, “Chad: Detentions and Arbitrary Killings in the Republic of Chad, 1982/1983,” (“Détentions et Tueries Arbitraires Dans La République du Tchad 1982/1983”), AI Index: AFR 20/03/83, September 1983.

opposition, and noted that many of these executions took place in regions untouched by the armed conflict plaguing the country.

Amnesty International went on to detail many specific instances of arbitrary detention and killing carried out by government forces throughout Chad. Among many other examples, it cited the killing of roughly 100 people in Moundou, one of the principal towns in the south, between June and December 1982; the summary execution of eight police officers (suspected of opposition) in the southern town of Kélo in July 1983; and numerous killings carried out by government forces while pillaging areas captured from GUNT forces.<sup>178</sup>

Amnesty International's reporting on abuses during Habré's first eighteen months in power was picked up by the major news sources.<sup>179</sup> The *Boston Globe* reported on October 11 that, according to Amnesty International, "government troops in Chad had killed more than 160 civilians in the last months, many of them in towns and villages far from battle zones."<sup>180</sup> Since Habré had taken control of the government in June 1982, stated the *Philadelphia Inquirer*, his troops "tortured and killed civilians in several areas in the south of the country."<sup>181</sup>

During the "Black September" wave of repression, which lasted from June 1984 to early 1985, Amnesty International released a report entitled "Chad: Political Imprisonment and Political Killings in Southern Chad," recounting many of the abuses.<sup>182</sup> The report was picked up by, among others in the press, the *New York Times* and the *Guardian*.<sup>183</sup>

The 1985 State Department Human Rights Report stated that "government soldiers and rebels alike sometimes pillage and murder." It devotes several pages to documenting political killings, torture, cruel, inhuman or degrading treatment or punishment, and

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<sup>178</sup> Ibid.

<sup>179</sup> "Civilian Killings Reported," *Boston Globe*, October 11, 1983, p. 1; "Chad troops kill civilians, report says," *Globe and Mail*, October 11, 1983, p. 20; "The Chadian Government is Accused of Killing Civilians," *Philadelphia Inquirer*, October 11, 1983, p. A03.

<sup>180</sup> "Civilian Killings Reported," *Boston Globe*, October 11, 1983, p. 1.

<sup>181</sup> "The Chadian Government is Accused of Killing Civilians," *Philadelphia Inquirer*, October 11, 1983, p. A03.

<sup>182</sup> Amnesty International, "Chad: Political Imprisonment and Political Killings in Southern Chad: August- September 1984," AI Index : AFR 20/05/84, October 1984.

<sup>183</sup> "Amnesty International Accuses Chad of Killings," *New York Times*, November 8, 1984, p. A9; "'Killers on the loose' in Chad," *Guardian*, November 8, 1984, p. 10. The *Guardian* stated that, according to Amnesty, "Many of those killed were prisoners, or randomly chosen unarmed civilians—often local community or political leaders who opposed the regime of President Hissène Habré.

arbitrary arrest and detention carried out by both government forces and CODOS. The lawlessness and widespread abuse in the south are, however, generally passed off as a result of the Chadian army's "poor training and discipline."

Nonetheless, the 1985 report gives more detailed accounts of government-committed atrocities than in preceding years. The report lists 50 civilians killed in February in the area near Danamadji, 17 villagers killed in April in Gondey, 55 rebels executed without trial early in the year in Mongo, a massacre of 60 civilians suspected of guerilla sympathies (of this latter massacre, the report tells how Habré was "outraged" at the news, and that he ordered the two troop commanders executed in the same village), and in August, five men and one child killed by government troops in Dogoininga.

The report goes on to describe how "Chadian government troops reportedly invaded refugee camps in the Central African Republic in late January, killing some 30 suspected rebels and sympathizers."<sup>184</sup> The report also describes an incident in which government forces invaded a refugee camp in Cameroon and attacked a group of Chadian refugees. Further, government forces were reported to have been responsible for multiple enforced disappearances, acts of arson and "humiliating" treatment, among other violations.

Amnesty International continued to publish detailed accounts of arbitrary detention and executions of suspected opponents of Habré's regime throughout 1984 and 1985.<sup>185</sup>

In 1986, Donald Norland, former US ambassador to Chad from November 17, 1979, until the embassy was closed on March 24, 1980, traveled to Chad under the auspices of the NGO International Alert. He describes meeting the well-known journalist Saleh Ngaba who told him that he had personally seen "more than 20 people die in his cell as a result of starvation and torture."<sup>186</sup>

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<sup>184</sup> US State Department, Bureau of Democracy, Human Rights, and Labor, "Country Reports on Human Rights Practices – 1985: Chad," p. 68.

<sup>185</sup> Amnesty International, "Political Detention and Assassinations in Southern Chad: August-September 1985" ("Détention politique et assassinats politiques dans le sud du Tchad: août-septembre 1984"), 1984; "Massive Summary Executions in Chad" ("Exécutions sommaires massives au Tchad"), Amnesty International press release, November 8, 1984; Amnesty International, "Chad: Imprisonment of Suspected Opponents of the Government in the Abeche Region," 1985; Amnesty International, "1985 Annual Report" ("Rapport Annuel sur L'Année Civile 1985"), 1986.

<sup>186</sup> Letter from Donald Norland to Lord Michael Young, September 29, 1985.

The 1987 State Department report returns to painting an optimistic picture of the situation. It claims that “violation of human rights due to war largely ended in 1987. The occasional excesses of uncontrolled, marauding soldiers are now the exception rather than the rule.”<sup>187</sup> The sense in 1986 and 1987 is that the violence had drastically died down and that there were only isolated violations of human rights by government forces.

Amnesty International, however, released a country report entitled “Disappearances, Extrajudicial Executions and Secret Detention” in September 1987 that pointed to a continued pattern of repression and human rights abuses by the Habré government.<sup>188</sup> It began by detailing numerous cases of people who had been “disappeared” or detained in previous years who had yet to resurface, including family members of Habré’s suspected opponents.

It also reported the arrest of more than 30 ethnic Hadjeraï, who had been protesting the government’s alleged assassination of a Hadjeraï dignitary. Also in 1987, journalist Saleh Ngaba, a Hadjeraï, was arrested for the third time by Habré’s government.<sup>189</sup> He was held incommunicado in the Camp des Martyrs and died in detention in 1988.<sup>190</sup>

Amnesty International continued to publish detailed reports on the atrocities perpetrated by the Habré government until he was deposed in 1990. Among other things, Amnesty International’s reports on events in 1988 and 1989 detailed continued use of enforced disappearances and extrajudicial killings to eliminate suspected opponents; arbitrary detention; torture; and mass arrests of ethnic Zaghawa and others who Habré labeled as his enemies.<sup>191</sup>

Taken as a whole, Amnesty International, major news sources and other reports provided a continuous public narrative of the abuses Habré’s government was carrying out from the time he seized power until he was driven from N’Djaména.

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<sup>187</sup> US State Department, Bureau of Democracy, Human Rights, and Labor, “Country Reports on Human Rights Practices – 1985: Chad,” p. 57.

<sup>188</sup> Amnesty International, “Chad: ‘Disappearances,’ Extrajudicial Executions and Secret Detention” (“République du Tchad: ‘Disparitions’, Exécutions Extrajudiciaires et Détention Secrète”), AI Index: AFR 20/08/87, September 1987.

<sup>189</sup> Ibid.

<sup>190</sup> Amnesty International, “Chad: Human Rights Violations in 1988 and during the First Semester of 1989” (“Tchad: Violations des droits de l’homme en 1988 et pendant le premier semestre 1989”), 1989.

<sup>191</sup> Ibid; Amnesty International, Annual Report 1989, pp. 43-44.

Communications between the US embassy in N'Djaména and the State Department obtained by Human Rights Watch under the Freedom of Information Act repeatedly discussed concerns raised by Amnesty International regarding Habré's detention and disappearance of political opponents. A 1985 communication, for instance, notes Amnesty International's concern over the detention of Saleh Ngaba. Similar concerns were raised when Ngaba was arrested again in 1987. An August 1987 cable from Secretary of State George P. Shultz to the embassy regarding an Amnesty International "Urgent Action" on the arrest of Hadjerai's request that the embassy "make appropriate inquiries" about Amnesty International's concerns.<sup>192</sup>

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<sup>192</sup> Cable from the Secretary of State in Washington DC to the Embassy in Ndjamena, August 1987, subject "Amnesty International Report", released to Human Rights Watch through the Freedom of Information Act.

## Habré's Fall from Power

The 1988 and 1989 US State Department reports reflect a cooler tone, as Habré's human rights record was becoming increasingly difficult to ignore. However, the Military Assistance Program was still going strong. November 1989 reports indicate that thousands of rifles and cartridges were sent to Chad. Fifty US jeeps were sent from Germany to Chad in early 1990.

The freelance investigative journalist Jason Vest told Human Rights Watch that there were concerns even within the CIA toward the end of the decade that the "operation was going off the rails."<sup>193</sup> Professor William Foltz asserted that, by 1988, "we all knew that he had really gone off the deep end." Around that time, he added, some American officials complained that the CIA station chief wasn't paying enough attention to Habré's "nasty behavior." These complaints led to some "internal wrist-slapping" in the CIA for negligence on the matter.<sup>194</sup>

Richard Bogosian, who became US ambassador to Chad in August 1990 just four months before Habré's fall, was later asked to describe the debates taking place in Washington at the time regarding the ongoing human rights violations in Chad under Habré. He replied: "What I can say is that whatever discussion and debate took place, the bottom line is that he was worth saving."<sup>195</sup>

Eventually, one of Habré's own former military officials, Idriss Déby Itno, formed an army using Sudan as a rear base, to overthrow him. By the last months of 1990, Déby was making significant gains against Habré's forces and was threatening N'Djaména itself. According to a letter from the DDS director to Habré just 10 days before his fall, the United States had indicated that it was willing to come to Habré's aid, although it had also become concerned about his government's support for the Palestinian cause and its position on the conflict in the Gulf.

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<sup>193</sup> Human Rights Watch telephone interview with Jason Vest, New York, New York, June 26, 2001.

<sup>194</sup> Telephone interview with William Foltz, New York, New York, July 5, 2001.

<sup>195</sup> Interview with US Ambassador Richard Bogosian by Vladimir Lehovich on April 1, 1998, Association for Diplomatic Studies and Training Foreign Affairs Oral History Project, Library of Congress, <http://www.loc.gov/item/mfdipbib000110/> (accessed September 24, 2015).

This DDS letter to Habré, uncovered by Human Rights Watch, recounted information reportedly conveyed from a Colonel “Full” (Foulds) in the US embassy in Chad<sup>196</sup> that France did not intend to intervene to confront Déby’s forces in the east unless they attacked the city of Abéché, but that the US would use its power to deliver information to Habré. Foulds reportedly said that as of November 21, 1990 (nine days before Habré’s fall), an American observation satellite was pointed at Déby’s troops and allowed the ambassador to furnish Habré with accurate information about their movements.<sup>197</sup>

An internal memorandum written by the US Department of Defense director for the Africa region, dated four days before Habré’s fall, expressed alarm at the significant military gains Déby had been making and the possibility that Goukouni Ouddei, the “long-time Libyan stooge,” was planning on opening up a new front in the northeast.

In response, the memo went on, “we are moving out to aid Habré.” It details a consignment of ammunition and weaponry scheduled to be delivered to Habré’s forces “possibly as soon as this weekend,” as well as plans for additional shipments to be made “as soon as all the legal and logistical details are arranged.” Noting France’s “visceral dislike” for Habré and reluctance to provide him with any more aid, the memo concludes by anticipating “additional emergency requests, particularly for wheeled vehicles and anti-armor weapons.”<sup>198</sup>

According to then-US Ambassador Richard Bogosian:<sup>199</sup>

Washington literally had military planes with military assistance on the tarmacs ready to fly, and we had to tell them don’t bother, it’s too late.... literally they wouldn’t have gotten there in time....

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<sup>196</sup> This would probably be Col. David G. Foulds, United States Department of State, “Key Officers of Foreign Service Posts,” September 1989, [http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd\\_6260645\\_023/ldpd\\_6260645\\_023.pdf](http://www.columbia.edu/cu/lweb/digital/collections/cul/texts/ldpd_6260645_023/ldpd_6260645_023.pdf) (accessed October 5, 2015).

<sup>197</sup> Letter from DDS director to President Habré, November 21, 1990, DDS Archives.

<sup>198</sup> Memo from Vincent D. Kern, director of Africa Region, Office of the Assistant Secretary of Defense, Washington, D.C., “Chad,” November 28, 1990, released to Human Rights Watch through the Freedom of Information Act.

<sup>199</sup> Interview with US Ambassador Richard Bogosian by Vladimir Lehovich on April 1, 1998, Association for Diplomatic Studies and Training Foreign Affairs Oral History Project, Library of Congress, <http://www.loc.gov/item/mfdipbib000110/> (accessed September 24, 2015).

[O]ver the preceding weeks, [Washington] urged us to provide them with all different kinds of military equipment and that the political decision in Washington was that this guy was worth saving....

[M]any of us at the embassy were new and therefore we simply hadn't judged that he would collapse so quickly. Part of that was based on our assessment that the French would support him, which in turn was based on the ambassador's assurances.... But when it finally happened, it happened very fast.

Despite this last minute scramble to prop up Habré, N'Djaména fell to Déby's forces on December 1, 1990, and Habré fled Chad after raiding the national treasury. According to Pierre Darcourt, the French journalist close to Déby, on the day Habré fled Chad after raiding the national treasury, he was accompanied by approximately 10 American advisors, their faces masked with scarves and sunglasses, although there is no other corroboration of his account.<sup>200</sup>

After Déby came to power, the true nature of Habré's government was more fully exposed. Victims who had been afraid to speak up before began to come forward. The State Department Human Rights Report for 1991 detailed many of these accounts and showed a markedly different tone. However, these revelations did not prevent some US officials from mourning Habré's passing. Even as the worst of Habré's abuses were coming to light shortly after his fall, US ambassador to Chad, Richard Bogosian, called Habré a "good friend of the US," who, "despite his many flaws ... achieved significant accomplishments."<sup>201</sup>

In an internal memo the same month, the ambassador noted that Chadian television had interviewed newly freed political prisoners, most of whom were "very emaciated, bore

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<sup>200</sup> Darcourt, *Le Tchad, 15 Ans Après*, p. 10.

<sup>201</sup> Interview with US Ambassador Richard Bogosian by Vladimir Lehovich on April 1, 1998, Association for Diplomatic Studies and Training Foreign Affairs Oral History Project, Library of Congress, <http://www.loc.gov/item/mfdipbib000110/>, (accessed September 24, 2015).

scars, and had vacant stares.” He predicted that “some of this footage will make its way into international news coverage.”<sup>202</sup>

When asked in a 1998 interview to describe his arrival in Chad as US ambassador in August 1990, Bogosian seemed more than aware that there was a serious “human rights situation” in Chad:<sup>203</sup>

[The] problem was that by 1990 it was increasingly impossible to ignore Habré’s human rights record. There were allegations of thousands of people in unspeakable conditions in jail, literally across the street from the AID mission—which was later proven to be true—and we were less and less comfortable dealing with them. Now in the real world, those things don’t just begin and end. There were people who still either had a stake in Habré’s success or continued to admire him for one reason or another. There was, if you will, a certain momentum to our relationship. But at the same time, different groups, particularly Amnesty International, were very upset about this. They were beginning to complain about the administration not being willing to take up human rights with Habré. And as you recall, in the early 1990s in the West generally, there was a growing feeling that democracy and governance were places that deserved our attention. What that means is that as I was getting ready to go to Chad, on the one hand I was looking forward to the positive environment, to having a mission that had several programs underway, but I also knew that one way or the other I had to tackle the human rights issue.

What I did was I made it a point to visit Amnesty International to engage them in dialogue, and I did that throughout the three years I was there. Also in my swearing in speech and when I presented my credentials, when I did an interview for the *Voice of America*, I mentioned the fact that human rights were among the things we cared about. The idea was to begin to let

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<sup>202</sup> Telegram from U.S. Embassy in N’Djaména, December 6, 1990, released to Human Rights Watch under the Freedom of Information Act.

<sup>203</sup> Interview with US Ambassador Richard Bogosian by Vladimir Lehovich on April 1, 1998, Association for Diplomatic Studies and Training Foreign Affairs Oral History Project, Library of Congress, <http://www.loc.gov/item/mfdipbib000110/> (accessed September 24, 2015).

Habré know that I was not going to avoid the human rights issue. Now that said, I wasn't exactly sure how to do this and at the same time establish a workable positive relationship with him.

Adding to the international bitterness against Habré was the fact that as he fled N'Djaména, the dictator cleaned out the majority of Chad's remaining liquid assets. Habré's men forced N'Djaména banks to open their vaults and hand over billions of CFA (including 3.5 billion (roughly US\$ 6.4 million) from the Central Bank and 8-9 billion (about US\$ 14-16.5 million) from the Banque Internationale pour l'Afrique au Tchad (BIAT)).<sup>204</sup>

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<sup>204</sup> Commission of Inquiry into the Crimes and Misappropriations of Ex-President Habré; see also, State Department Country Report on Human Rights Practices for Chad, 1992; see also memo from US embassy in N'Djaména, to Secretary of State, Washington, D.C., "Chad Update as of 12/6/90," Document ID 134814786, December 1990, released to Human Rights Watch through the Freedom of Information Act.

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## ENABLING A DICTATOR

### The United States and Chad's Hissène Habré 1982-1990

Hissène Habré was president of Chad from 1982 to 1990. His one-party rule was marked by widespread atrocities, including thousands of political killings, systematic torture, sexual violence and waves of ethnic cleansing.

In July 2015, after a relentless decades-long struggle by his victims, Habré stood trial on charges of crimes against humanity, torture and war crimes before the Extraordinary African Chambers in the Senegal court system. The United States government has been one of the strongest international supporters of the victims' effort to bring Habré to court.

The United States government of the 1980's, however, was pivotal in bringing Habré to power, seeing him as a stalwart defense against expansion by Libya's Muammar Qaddafi. The United States provided critical military support to his insurgency and then to his government, even as it committed widespread and systematic human rights violations—violations of which many in the government were aware.

American officials worked with Chad's abusive political police, the "DDS," training some of its agents and advising its director, who has been convicted in Chad of atrocities. The United States also used a secret base in Chad to create a small army of anti-Qaddafi Libyan "Contras" from captured Libyan troops. *Enabling a Dictator* documents this relationship between the United States and Habré as a cautionary tale of a foreign policy that turns a blind eye to widespread human rights atrocities committed by a strategic ally.

*(above) Former Chadian president Hissène Habré at the opening of his trial for crimes against humanity in Dakar, Senegal, July 2015.*

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*(front cover) Chadian president Hissène Habré with US president Ronald Reagan at the White House June 1987.*

*Courtesy of Ronald Reagan Presidential Library and Museum*