



The Plain of the Dead

The Chad of Hissène Habré (1982-1990)

English Executive Summary

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Summary

In 1985, a young Chadian student, Sabadet Totodet, received a scholarship to study medicine abroad from the *Union nationale démocratique* (UND), a political movement opposed to the government of President Hissène Habré.

On July 12, 1985, the day before his scheduled departure, an agent of the Documentation and Security Directorate (DDS), the government's political police, arrested Sabadet. He was accused of helping prepare an armed rebellion against Hissène Habré, who had seized power three years earlier.

Police held Sabadet at DDS headquarters for just over two weeks, in a cell infested with lice and insects. Detainees were forced to urinate and defecate in the cell itself, and could barely lie down because it was so crowded. At the end of July, Sabadet was transferred to a jail known as the *Locaux*, 'The Premises,' one of many prisons that formed an archipelago of death in the Chadian capital, N'Djamena. He remained there for nearly four years.

At the *Locaux*, Sabadet was required to perform numerous tasks, including managing food inventories, and preparing food for DDS prison detainees. He also served as a nursing assistant for detainees, with the little medicine available. The young man who had once dreamed of becoming a doctor was now also forced to bury the dead. Almost every day, Sabadet hauled corpses of fellow detainees from cells—victims of poor detention conditions, extrajudicial killings, or torture—loaded them into DDS vehicles, and dug mass graves—dozens of them—outside N'Djamena at the sinister Hamral-Goz site, now known as the *Plaine des Morts*, or "Plain of the Dead." He then had to unceremoniously toss in the bodies.

One day, as Sabadet and his fellow detainees were digging yet another grave at the *Plaine des Morts*, he came across a bit of cloth sticking out of the ground. He immediately recognized the print of the traditional *pagne* worn by a co-detainee at the *Locaux*, Rose Lokissim, a woman widely respected at the prison for her courage and determination.

Rose Lokissim was detained in several different cells in 1984, including one nicknamed the *Cellule de la Mort*, or "Cell of Death." According to some survivors, it was the cell from which "no one gets out alive." It was also the cell that held the largest number of prisoners, almost all men. On a typical day, between 50 and 60 detainees were crammed

into a space of approximately 102 square meters. Sometimes, as many as 100 people were forced into the cell.

Despite the risks, Rose decided to make it her mission to ensure that the fate of the prisoners of the DDS would become known to the outside world. With the help of a few jailers, she arranged for information about some of the detainees to be transmitted to their families. Rose would also write down on cigarette paper the names of the prisoners, those who died and those who disappeared, to create a detailed record so that the victims would not be forgotten. Her courage did not go unnoticed, however, and one day she was denounced. Hawa Brahim Mardié, a former detainee at the *Locaux*, recalls:

One day, they searched her and discovered the papers. The soldiers grabbed a pick and a shovel and took her to the car.... Afterwards, we learned that they had placed a rope around her neck and pulled it from both sides to strangle her.

In the written report of Rose's interrogation dated May 15, 1986, which Human Rights Watch recovered in 2001 among tens of thousands of archives from the Habré era, DDS agents transcribed the following statement by Rose, which today has particular resonance:

If I die, it will be for my country and my family, and history will speak of me, and I will be thanked for the service I have provided to the Chadian nation.

Sabadet was finally released on March 7, 1989, following a series of agreements between Hissène Habré's government and certain opposition parties and armed groups. After his release, the DDS asked him to return to prison as a "spy" to gather information about other detainees, but he refused. He was never able to follow his dream of studying medicine.

After current president Idriss Déby Itno deposed Habré in 1990, Sabadet committed himself to seeking justice for the victims of the government, and worked with the newly formed victims' association. He died in 2002 of alcoholism, a condition he developed after his traumatic experiences in detention and a life shattered by years lost in prison.

On February 8, 2013, after 23 years of campaigning by Habré's victims, the "Extraordinary African Chambers within the courts of Senegal created to prosecute international crimes

committed in Chad between 7 June 1982 and 1 December 1990”¹ established by agreement between the African Union and Senegal, where Habré lives in exile, began its work. On July 2, the chambers indicted Hissène Habré for crimes against humanity, war crimes, and torture.

The time has finally come to obtain justice for Sabadet and Rose and for all the other victims of the Habré era.

Human Rights Watch believes that this report, the contents of which were shared with the prosecutor of the Extraordinary African Chambers after it was established in February 2013, contains critical information in relation to Habré’s direct involvement in the worst crimes committed in Chad between 1982 and 1990.

It is now up to the Extraordinary African Chambers to conduct a fair and credible procedure to determine the “person or persons most responsible for crimes and serious violations of international law, customary international law and international conventions ratified by Chad” in that period.²

Criminal investigations are also finally proceeding in Chad against dozens of Habré’s alleged accomplices, based on complaints victims filed in 2001. These cases should also move forward in a fair and credible manner to determine the responsibility of the accused.

¹ Statute of the Extraordinary African Chambers within the courts of Senegal created to prosecute international crimes in Chad between 7 June 1982 and 1 December 1990, available at <http://www.hrw.org/news/2013/09/02/statute-extraordinary-african-chambers> (unofficial translation in English). (hereinafter “Statute”)

² Statute, article 3.

Methodology

The stories of Sabadet and Rose are like those of thousands of other Chadians, victims of a system of repression and systematic elimination of persons whom the government considered to be “enemies.” Between 1982 and 1990, Hissène Habré’s government was responsible for thousands of political assassinations, enforced disappearances, torture, and arbitrary detentions.

Twenty-three years later, this report aims to present an overview of the human rights violations committed under the Habré government. It is based on information that Human Rights Watch and its Chadian and international partners have gathered over 13 years, particularly from two main 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 data base and analyzed by the Human Rights Data Analysis Group (HRDAG), a California-based organization that applies science to the analysis of human rights violations around the world. 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.³
- Over 300 interviews with victims, witnesses, and former DDS agents conducted over 13 years by Human Rights Watch, together with the International Federation for Human Rights (FIDH), and Chadian nongovernmental and victims’ associations.

The report also draws on transcripts of interviews with Habré-era security officials conducted by the Chadian Truth Commission in 1991, documents released to Human Rights Watch by the United States government under the Freedom of Information Act beginning in 2000, and

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

reports of the Association for the Victims of Repression in Exile, a French medical organization which examined 581 Habré-era torture victims between 1991 and 1996.⁴

⁴ *Mission AVRE au Tchad 1991 / 1996*, Association pour les Victimes de la Répression en Exil (AVRE).

I. The Chad of Hissène Habré

When Hissène Habré came to power, Chad was already caught in a web of political turmoil that would last throughout his presidency. Internally, the government faced civil wars against armed factions in both the north and south. Externally, Chad's was in chronic conflict with Libya's Col. Muammar Gaddafi's Libya. Gaddafi had political and territorial designs on Chad and France, and the US gave Habré significant support to counter Gaddafi's growing influence.

Habré seized power by ousting his predecessor Goukouni Oueddeï, head of the Libyan-backed *Gouvernement d'union nationale de transition* or GUNT. The new government then led a war against Libyan forces and was confronted, starting in 1983, by armed opposition groups, including Goukouni's GUNT. After years of fighting, Habré and Gaddafi agreed on a ceasefire in September 1987, and the two countries entered a period of détente.

Chad is formed by a mosaic of ethnic groups spread across a largely Muslim north, including Arabes (12.3 percent of the overall population), Goranes (6.3 percent), Hadjarai (6.7 percent), and a Christian and animist south including Mayo-Kébbi (11.5 percent), Sara (27.7 percent), and Tandjilé (6.5 percent).⁵

Habré came to power with a largely northern coalition including his own Goranes, Hadjarai, and Zaghawa. Upon assuming power, Habré sent his forces to conquer the south, which opposed the central government, and imposed a reign of harsh repression. The abuses committed against civilians during this period led to the emergence of the CODOS, (short for "commandos") an anti-Habré armed opposition coalition. September 1984 marked the beginning of a longer period that has become known as "Black September," in which violent repression targeted both rebels and civilians suspected of involvement in the opposition. The objective was to eliminate the leaders in the South and to replace them with people favorable to the government in N'Djamena.

Habré eventually also turned against his former allies. In 1987, government security forces launched a campaign of repression against the Hadjarais following the establishment of MOSANAT (*Mouvement du Salut National du Tchad*), a clandestine opposition group composed primarily of Hadjarais.

⁵ Tchad <http://www.axl.cefano.ulaval.ca/afrique/tchad.htm>

Then, in early 1989, Habré's relationships with his closest allies of Zaghawa ethnicity, including Idriss Déby Itno, began to deteriorate. Accused of conspiracy and fearing arrest, Déby fled to Sudan and organized an armed movement, the Patriotic Salvation Movement (MPS). In response, Habré organized a massive crackdown against the Zaghawa, whom he now perceived to be a threat. Zaghawa were targeted, without any consideration given to their actual actions. Hissène Habré's rule finally ended on the night of November 30, 1990, when Déby and the MPS eventually succeeded in overthrowing him.

II. Habré's Machine of Oppression

Though Chad was still reeling from years of repression and abuse when Habré came to power, he put in place an unprecedented dictatorship and sought to destroy all opposition. Fear became a method of governance. Habré 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. While relying on the “traditional” security services, including the police and armed forces, Habré also created the DDS.

The DDS constituted, in the words of one report that Human Rights Watch unearthed, “the eyes and ears of the President of the Republic,” and transmitted to him the most minor details of the repression through a highly sophisticated system of files and interrogation reports.

The DDS reported directly to the president and was run by members of his own inner circle, and generally of his own ethnic group, the Goranes. A daily reporting system kept Habré informed. While originally created to gather information on threats to national security, in particular activities related to Libya, the DDS soon became an extensive network of local cells for monitoring and suppressing any opposition.

The DDS had an armed wing, the Special Rapid Action Brigade (BSIR), which carried out arrests, torture and executions. In collaboration with allied governments, the DDS was also involved in activities outside Chad to arrest alleged opponents of the government and transfer them to Chad. Foreign governments, in particular the US, provided support in the form of advising the DDS and training DDS agents.⁶

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 kind of parallel government, the so-called N'Galaka Committee (named after the village of Aïn-Galka where Habré was born), which made important decisions that various ministers would otherwise have made. The

⁶ See, e.g., Letter from the Head of the Security Service at N'Djamena Airport to the Director of the DDS, Doc. No. 069/PR/DDS/86 (Sept. 10, 1986) (referring to a Mr. Maurice, “American Advisor to the DDS”), available at <http://www.hrw.org/legacy/justice/pdfs/13intletter.pdf>; “Report on the outcomes of the training from Feb. 6 – March 15 1985 in the United States” submitted to the Director of the DDS, Doc. No. 801/4./DDS/85 (March 25, 1985), available at <http://www.hrw.org/legacy/justice/pdfs/usatraining-p1-3.pdf>; DDS Summary Sheet (Oct. 3, 1987). See also Statement of Saleh Younous, (Nov. 11, 1991) quoted in *Les crimes et détournements de l'ex-Président Habré et de ses complices*, at 29, Rapport de la Commission d'Enquête Nationale du Ministère Tchadien de la Justice (Éditions L'Harmattan 1993).

committee was composed of a small circle closest to Habré, typically drawn from his ethnic group.

Political prisoners and captured fighters were held in detention centers located in the capital and in each prefecture that housed an office of the DDS. 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.

As soon as they were arrested, suspects were typically brought to DDS offices for interrogation. A prison was even located in the garden of a villa that Habré used as an office, separated from his private residence by a wall.

Another prison, the *Piscine*, or “swimming pool,” was set up in a former swimming pool, now covered by a concrete slab, which families of French soldiers had used during the colonial period. For many Chadians, the underground *Piscine* has come to symbolize the terror of the Habré era and the terrible conditions to which the prisoners were subjected. Dozens were jammed into cells, including during the unbearable heat of summer, measuring just a few square meters. Jailers would often wait until several people had died before clearing the decaying corpses out of the cells.

Arbitrary Arrests

Arbitrary arrests of known and suspected political opponents were widespread. Persons arrested for “political” reasons were detained without due process or recourse to a court of law to challenge their arrest and detention. The authorities did not produce a warrant in such cases at the time of the arrest, for which they rarely provided any reasons.

In an effort to prevent any opposition from taking shape, the government sometimes resorted to mass arrests. Those suspected of supporting the “Libyan enemy” were often targeted. Any alleged connection with Libya was regarded more seriously than being involved in prohibited political activities.

Membership in an ethnic group such as the Hadjerai or the Zaghawa at a time when its leaders were perceived to be a menace to the government and to Hissène Habré’s authority often constituted sufficient grounds for arrest, torture, detention, and execution or enforced disappearance. In certain instances, a simple insult against the head of state or public criticism of the government could lead to an arrest. Some political figures, particularly government members or managers of public companies, were also imprisoned.

Numerous Chadians who returned home after being 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.

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 ever released. Only on the rare occasion that a political agreement was signed and an opposition group decided to join Habré's government were detainees from these opposition groups freed.

Crimes and Oppression in Southern Chad

The war, instability, and discriminatory practices imposed by Habré's predecessors and directed at administration officials of southern origin had led many southern Chadians living in N'Djamena to return to the south. Little by little, the south slipped out of N'Djamena's control and came under the de facto rule of a "standing committee" composed of former officials from the south.

When Habré came to power in 1982, he began planning to pacify the country's south, through negotiation or force. His forces committed numerous abuses, leading to the emergence of heterogeneous armed opposition, the CODOS, which quickly coordinated its actions.

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.

This event marked the high point of the now infamous “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.

Beginning in September 1984, government forces began arresting and executing 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 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

Ethnic tensions have been a continuing feature of Chad’s recent history. Habré’s victims were frequently arrested and persecuted based on their membership in a particular ethnic group, such as the Arab Chadians, the Hadjarai’s, or the Zaghawas. Responsibility was assigned collectively: if one person took part in the rebellion, the government often took vengeance on his whole family, his community, or even his entire ethnic group.

Torture and inhuman conditions of detention made up an integral part of the government’s policy to eliminate the enemy. As early as 1982, repression was targeted at Arab Chadians, whom the resolutely anti Libyan Habré thought of as “natural” allies of Libya, and thus as political opponents. Repressed for the entire duration of the conflict between Chad and Libya, many were victims of extrajudicial executions.

The Hadjarai ethnic group became a target of persecution beginning in 1984. The Hadjarai’s had long supported Habré, and, along with the Zaghawas, constituted the core forces that

brought him to power in June 1982. But Habré became wary of the Hadjaraïs in 1984, when his minister of foreign affairs, Idriss Miskine—a leader of the community—became increasingly popular both at home and abroad and began to overshadow him. Miskine died in mysterious circumstances on January 7, 1984. Habré began to mistrust the Hadjaraï community and targeted important Hadjaraï figures in the years that followed.

In October 1986, Madoum Bada, who had become the main figure of the Hadjaraï community after Miskine's death, founded a clandestine opposition movement, the MOSANAT, along with other Hadjaraïs, including Haroun Goudi, Saleh Gaba, and Gali Gata Ngothé. MOSANAT was based in the Guéra region, in Chad's mid-east, the Hadjaraï homeland. Hissène Habré tried to arrest Maldoum Bada on May 28, 1987, but he escaped and went underground. Habré retaliated by unleashing a repressive campaign against the Hadjaraïs, which first targeted prominent community members, and then extended to all persons of Hadjaraï origin. Many were summarily executed, individually or in groups, in N'Djamena and in the countryside. Many also died as a result of torture or poor detention conditions in the Guéra region, where the campaign was particularly violent.

In his rise to power and during most of his presidency, Habré had the support of the Zaghawa leadership. Zaghawa soldiers were well-seasoned in combat in desert and semi-arid climates, and made up a backbone of the Chadian army under Habré. Nevertheless, on April 1, 1989, several Zaghawa leaders and close allies of Habré defected after being accused of plotting against him. These included Hassan Djamous, chief of staff of the Chadian army; Ibrahim Mahamat Itno, minister of interior; and Idriss Déby Itno, who at the time served as the president's military advisor.

Ibrahim Itno was arrested soon after and died in prison a few days later. On April 12, 1989, Habré's forces caught up to other insurgents, and Hassan Djamous was captured and brought back to N'Djamena, where he died several days later. Idriss Déby escaped to Sudan and created an armed faction, the Patriotic Salvation Movement. He then gained the support of the Sudanese Zaghawas, Libya, and then France.

The Zaghawa became the last ethnic group to be targeted. Arrests first affected the families of those allegedly involved, then soldiers of Zaghawa origin, and then finally extended indiscriminately to all Zaghawas. Even those who had nothing to do with the rebellion risked suspicion of "assisting the enemy." The DDS believed in the "collective responsibility" of the Zaghawas, as explained by a DDS agent to Professor Zakaria Fadoul

Khidir at the time of his arrest.⁷ DDS records show that arrests took place in more than 40 different localities across the country. Many Zaghawas were also extrajudicially executed without having been sent to a detention center. Others were taken from their cells at night to be killed.

The ethnic repression was organized and systematic, overseen by Habré and the DDS. When the oppression of the Hadjaraïs began, an ad hoc commission was created specifically to target the Hadjaraïs. The commission was made up of members of the DDS and the BSIR, and its mission was to arrest, interrogate, and at times torture the Hadjaraïs in N'Djamena and in the countryside. The commission then served as a model for the repression of the Zaghawas.

Torture 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:

- “Arabatchar” binding, involving tying the arms and ankles together behind the back, causing the chest to expand and arch. The word “arbatchar” derives from the Arabic word for the number “14” (arba’at ‘ashar), 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.

Most victims whom Human Rights Watch interviewed told us 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 compounded by lack of communication with the outside world, and the atmosphere of

⁷ Zakaria Fadoul Khidir, *Les moments difficiles : dans les prisons d’Hissène Habré en 1989*, at 114-15 (Editions Sepia, France, 1998).

constant fear created by enforced disappearances, summary executions, and the daily deaths of detainees due to torture or poor conditions.

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'Djamena were buried in mass graves, usually at Hamral-Go, the "Plain of the Dead," located some 10 kilometers from the capital. DDS prisoners were forced to dig the graves of their fellow detainees. Many political prisoners were also summarily executed.

Execution of Captured Combatants

Much like the preceding years, the Habré era was marked by repeated armed conflicts.

On June 24, 1983, the opposition forces of Goukouni Oueddeï's GUNT took control of the northern city of Faya-Largeau with the help of Libyan forces, and its political leaders set up their headquarters there. Habré's National Armed Forces of Chad (FANT) recaptured the city in July 1983. Habré was present when Faya-Largeau was retaken and was in charge of the operations.⁸ Hundreds of opposition combatants and civilian members of the movement were taken by surprise and captured by Habré's forces.

Many of those captured were summarily executed. A large number of prisoners were transferred to N'Djamena via the 750-kilometer road through the desert linking Faya-Largeau to the capital. They were then held in inhuman conditions at the detention center of N'Djamena. The Chadian authorities hid prisoners who were in the worst condition from the International Committee of the Red Cross which had access to some prisoners.

The security forces frequently executed captured fighters at mass graves on the outskirts of N'Djamena. One example is the massacre of 150 prisoners of the GUNT, who were first driven to the village of Ambing and then slaughtered. The execution of captured combatants and civilians is a war crime under international humanitarian law and a violation of international human rights law.

The GUNT forces and their allies took control of Abéché on July 9, 1983, with the support of its inhabitants, who had been mobilized by the local sultan. On July 12, the FANT retook

⁸ Interviews with Bechir Bechara Dagachène of Aug. 30, 2001 and Oct. 15, 2012; Interviews with Antoine Akya M'Béra in 2001-2002; Interview with Zakaria Tahir Maldrichi of Oct. 17, 2012. See, also, Gary Marx, "Chad's Habre starts to beat back rebels, but key battle ahead," *The Christian Science Monitor* (July 26, 1983); Pierre Darcourt, *Tchad : Le chemin de la liberté*, at 226-228 (Editions du Chari 1999).

the city by surprise, and the GUNT was forced to retreat. Habré was also present on this occasion and in command of the forces. Administrative and religious authorities, merchants, teachers, and the sultan were arrested. Most were released after eight months of detention, but others were kept at the central police station of N'Djamena.

The GUNT, still supported by Libya, launched a new, large-scale offensive on February 10, 1986, prompting France to intervene to support Habré through operation *Epervier*. Fighting between the FANT and the GUNT and its allies lasted until March 17. Libyan prisoners of war were transferred to N'Djamena. The archives of the DDS include records of the deaths of prisoners of war in spring 1986, some resulting from mistreatment in detention.

The Chadian government forces of the FANT captured and imprisoned numerous Libyan soldiers, in particular after the 1987 offensives. It is difficult to determine exactly how the Libyan prisoners of war were treated. A secret paramilitary program directed by the CIA was designed in collaboration with Habré's government to try to "turn" Libyan prisoners and take them to military camps in N'Djamena to create an armed opposition movement to Gaddafi's government.

III. Hissène Habré's Involvement in Abuses

Hissène Habré was president of Chad, commander in chief of the armed forces, head of the Presidential Guard, and president of the sole political party in the country, the UNIR. In addition to his official power, Habré also exercised de facto control over most dimensions of political life in Chad.

The DDS was “directly subordinate to the president due to the confidential character of its activities,” according to its founding decree. Habré exercised effective control over its structure, appointed its officers and agents, and gave orders for its activities. Habré sometimes gave orders directly to DDS agents without going through the DDS director.⁹

The financial management of the DDS was also under his purview. From 1983 to 1990, the DDS essentially served as the “eyes and ears of the president,” as described by the director of the DDS himself, who kept Habré informed of its activities. Some victims testify that Habré sometimes participated in interrogating people arrested by the DDS, either in person or by “walkie-talkie.” For example, Habré appears to have participated via walkie-talkie in the interrogation of former government officials and other persons who were arrested and tortured for having distributed anti-government leaflets in 1990.

The Chadian army was also subject to Habré's orders and close oversight. For sensitive assignments, Habré would appoint military officers close to him who he could control. He would sometimes go to the field, and participated directly in fighting on the front on several occasions.

Habré also knew that DDS actions would cause the arrest, detention, and torture by the DDS of thousands of “opponents.” The president was said to have ordered many arrests himself, particularly those of important figures, and even ministers or persons close to him.¹⁰ He also kept himself informed of some arrests and interrogations he had not personally ordered.

⁹ Interview of Oct. 9, 2001 (anonymous). Statement of Saleh Younous, Commission of Inquiry into the Crimes and Misappropriations Committed by Ex-President Habré and his Accomplices (Nov. 11, 1991).

¹⁰ Declaration of Mr. Bandjim Bandoum on the events in Chad during the rule of Hissène Habré (July 21-22, Aug. 15, 2008). Statement of Mahamat Djibrine, Commission of Inquiry into the Crimes and Misappropriations Committed by Ex-President Habré and his Accomplices (Feb. 22, 1992), Interview with Anda Ali Boye of July 26, 2001.

Habré was constantly kept informed of what was happening throughout the country by his personal sources, the reporting system that had been set up and by those directly responsible for the atrocities. His sources extended beyond the agents of the DDS, and also included police, security, military, and other administrative services tasked with gathering information.

Habré could not have failed to notice the abuses that took place in Chad during this period. There were countless victims; the foreign press reported on the abuses; and international human rights NGOs, including Amnesty International, publicly condemned human rights violations in Chad and sent letters calling on its authorities to end them.

Many of the documents addressed to the president were intended to inform him of his political opponents' activities. Files that Human Rights Watch recovered in 2001 reveal that reports were addressed to Habré to inform him of the arrests of persons suspected of being his political opponents, including those he had not directly ordered. Some of these reports were very detailed and contained information on specific instances of torture, poor sanitary conditions in detention, and prisoner deaths. The DDS appears to have kept Habré regularly informed of the results of the interrogations, as well as the number of detainees being held. In certain cases, the DDS appears to have informed him of the capture of combatants and the circumstances of their detention.

With some rare exceptions, Hissène Habré did not take the necessary and reasonable measures to prevent or punish the perpetrators of these crimes. In fact, an analysis of the structure of the DDS indicates that the agents who were most responsible for the abuses continued to occupy similar positions or were even promoted to higher-level positions.¹¹

¹¹ See "State Violence in Chad: A Statistical Analysis of Reported Prison Mortality in Chad's DDS Prisons and Command Responsibility of Hissène Habré, 1982-1990," at 14, 31-36, Human Rights Data Analysis Group, Benetech (Feb. 3, 2010), available at <https://www.hrdag.org/content/chad/State-Violence-in-Chad.pdf>.