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Senegal: Government must immediately arrest and extradite Hissène Habré to Belgium to face crimes against humanity charges

Former President of Chad Hissène Habré has been charged by a Belgian court with crimes against humanity -- including torture -- committed in Chad during his presidency between 1982 and 1990.

Hissène Habré has been in exile in Senegal since 1990. On 19 September, a Belgian judge issued an international arrest warrant for him and the Belgian government has subsequently requested the government of Senegal to extradite him to Belgium for trial. Amnesty International urges Senegal to arrest and extradite Hissène Habré to Belgium as soon as possible.

The crimes with which Hissène Habré has been charged with are so serious that they are considered crimes against the whole of humanity. In seeking his prosecution by its national courts, Belgium is taking an important step to end impunity for such crimes by acting on behalf of the international community.

In 2001, Belgium opened a criminal investigation into allegations of crimes against humanity and torture committed by Hissène Habré. At that time, the United Nation's Committee against Torture asked Senegal not to allow Hissène Habré to leave the country, pending a decision by Belgium whether to seek his extradition.

Now that an international arrest warrant and extradition request has been issued by Belgium, Senegal is compelled to surrender Hissène Habré. As a party to the UN Convention against Torture, the Senegalese government is obliged under Article 7 (1), if it does not submit the case to its own prosecutors, to extradite any person accused of torture to a state able and willing to investigate and prosecute that person.

Efforts were made to bring Hissène Habré to justice before Senegalese courts in 2001, but these failed. Amnesty International therefore welcomes the extradition request made by Belgium as an important opportunity to ensure that Hissène Habré is brought to justice, and urges Senegal to extradite him immediately. Amnesty International is writing directly to the President of Senegal to formally request the extradition.

Background

Attempts by victims to prosecute Hissène Habré in Senegal for crimes of torture committed while he was President of Chad failed in 2001 when the Senegal Court of Cassation ruled that Senegalese law did not permit its courts to exercise jurisdiction over torture committed in another country.

Belgium is able to investigate and prosecute these crimes, based on its law allowing it to exercise universal jurisdiction over torture. Amnesty International is calling on all states to enact effective universal jurisdiction law so that they too can ensure that their national courts can take action in cases like this, where serious crimes have been committed against the whole of humanity, regardless of where such crimes were committed.