

The Public Prosecution versus Hissène HABRE

SUMMARY OF THE TWENTY-SEVENTH HEARING HELD ON 15 OCTOBER 2015

I/ SYNOPSIS

Three witnesses appeared before the court today. The first, Alifa Gaston, continued his testimony commenced the previous day. The second, Saria Asnègue Donoh, was the chief nursing officer at the detention centres. The third witness was a teacher who was arrested and detained for 8 months.

II/ HEARING OF WITNESSES

A- HEARING OF THE WITNESS GASTON ALIFA CONTINUED

Mr. Alifa elaborated on the medical treatment of prisoners and their management by the President's Office.

➤ *Treatment of prisoners*

Mr. Alifa asserted that there was a steady supply of food, but prisoners did not receive enough because the guards confiscated these supplies even though their own meals were provided by the camp. For this reason, prisoners suffered from vitamin A deficiency. However, in 1988 and 1989, there was a slight improvement when prisoners were given meat and milk. The witness also affirmed that prisoners were not receiving proper healthcare due to the lack of pharmaceutical drugs. He specified that those in charge only received one box of drugs every quarter. Thus, many detainees died of dysentery or beri-beri. Prisoners-of-war were taken care of but did not last long in prison because they died of their injuries. Elaborating on the conditions of detention, the witness averred that these were difficult due to the fact that there was no ventilation, especially during hot weather. There were no mats at the swimming pool and some cells measured 1x2 m for one person. According to the witness, recently arrived detainees at the DDS were the ones who were tortured. In response to the defence, the witness affirmed that there had never been a visit from a doctor at the prisons. The witness was a nurse in the army but in actual fact did not have the qualifications to perform such duties. He was a health worker but acted as a nurse. The witness avowed that he was coerced to pronounce deaths, even though this should be done by a doctor. Death certificates which were supposed to be delivered to family members "for all intents and purposes" were instead kept at the DDS archives.

➤ *Involvement of the President's Office in prison administration.*

The witness reaffirmed that he saw President Habré at the DDS. He claimed that Habré was aware of all that was going on there; otherwise he would not have been informed of the escape of a prisoner, an issue that prompted one his visits to the DDS. He gathered all prison workers in the courtyard and had two supervisors executed accusing them of conniving with the escaped prisoner. The witness averred that they once had a visit from the President's Office health bureau chief. Mr. Alifa stated that he treated some Hajaraye patients upon their arrival at the DDS but they were no longer there the following day. He was told that they had been transferred to the President's Office. He indicated that before the pharmacist absconded, they would receive supplies from the President's Office. In this regard, he specified that they never received pharmaceutical drugs from the Ministry of the Interior and that he had never met the Minister. He would receive a box of



pharmaceutical drugs every three months from the supervisor at the President's Office and would return there in cases of emergency. Regarding food for the prisoners, the witness maintained that the supply was from the President's Office. That of the soldiers was from the army headquarters and meals were prepared at the camp.

➤ *Credibility and behaviour of the witness.*

The witness, Alifa Gaston, was calm. He only spoke of events he was aware of and remembered, and refrained from giving his opinion on certain issues he seemed uninformed of.

B- HEARING OF THE SECOND WITNESS

NAME: SARIA

FIRST NAME: Asnegue Donoh

AGE: 64 years

OCCUPATION: Registered nurse

RESIDENCE: Ndjamena

UNDER OATH: Yes

➤ *Duties of the witness as a nurse*

Mr. Saria stated that he was trained in 1974 at the gendarmerie where he became a health worker. He declared to have worked at the BSIR, DDS and Camps des martyrs from 1982 to 1988 as a nurse. The witness affirmed that there were no doctors available for patients during this period despite the absolute need for one; he worked with 3 other nurses, namely Alifa Gaston, Foba and another. The witness declared that the number of nurses was very insufficient in comparison to the number of prisoners. They could not provide all the care required. He declared that he was with prisoners constantly during his 8 years of service, and added that he shared their suffering with them in the cells. According to Mr. Saria, his 3 colleagues and he were in charge of treating prisoners and prison staff. They arrived at the BSIR at 7:30 am and as the chief nurse, he would allocate tasks (each would go to one prison). They would first take care of the prisoners and then returned to the BSIR around 11 am to take care of the staff. Often, a car would pick them up and take them to the prisons for cases of emergency. At detention centres, the guards would lock them up in the cells with the patients during consultations. The witness declared that there were cells which the guards would not open for them to check on prisoners. They were also prohibited from taking care of political prisoners (from the "Jail house") and those at the President's Office. The witness further stated that he was prohibited from transferring ill prisoners to the central hospital; he specified that this happened twice only.

Regarding pharmaceutical drugs, he averred that nurses from the President's Office would deliver one box every 3 months and according to him, this was extremely insufficient because all of the prisoners were ill. He would only give drugs (half a dose of vitamin, nivaquine and aspirin) to the weakest because of their undernourished status and the fact that they had to keep some for emergencies. According to the witness, detainees were in good health when they arrived and fell ill as a result of their suffering and conditions of detention. He declared that he would often submit requests to Abakar Torbo for a better quality of drug supply, but this was always in vain.

The witness stated that when a prisoner died, he would be in charge of preparing the death certificate; he specified that he would do this of his own free will and would hand it over to the head of the prison service,



Abakar Torbo. However, following questions from the lawyers of victims, the witness was unable to confirm certain death certificates that were allegedly signed by him. He claimed that he could not remember because it has been 32 years (8 years under Habré and 25 years under Déby). He added that he did not prepare the certificates for deaths that occurred in his absence and did not know who did.

➤ *Conditions of detention*

Conditions of detention were very difficult in all prisons where the witness worked. He maintained that prisoners were many and nurses did not receive enough drugs to treat them. The witness emphasized that consultations took place in the cell and medical staff were locked up with the prisoners and watched by the guards until the end of these consultations. He declared that it was extremely hot in the cells and they would be soaking with sweat at the end and had to wash their blouses after each consultation.

The witness further stated that many deaths had occurred in the prisons and he prepared death certificates which he would hand over to Torbo who in turn reported to the Director of the DDS. He specified that in his absence, Alifa Gaston would prepare the certificates. In response to a question from the prosecution as to whether Torbo would dictate to him the contents of these reports, the witness affirmed that Torbo had never compelled him to write anything on the certificates. In the opinion of the witness, illnesses were the causes of death. Prisoners were always buried in their thoughts and looked worried; the food was poor and some prisoners did not want to eat it. He added that some would break down; they could not cope under these difficult conditions. He listed the following illnesses: malnutrition, cough, diarrhoea, scabies, gingivitis “large blisters” on the skin, etc. He also added that “prisoners could not walk, they crawled”, and this was referred to in the prison as “hand brake”. Half-barrels were placed in the cells to serve as toilets. Following a question from the lawyers of victims, the witness averred that he had requested for a lid to be placed on these half-barrels, but the authorities refused. The witness stated that there were many prisoners, particularly at “the buildings”. Cells that measured 2x2 metres would sometimes hold between 40 and 50 prisoners. They would sit until morning for lack of space. They would also alternate their positions. According to the witness, each morning upon their arrival, the covered 4x4 would come by to check whether there were any corpses in the prisons. They would put 3 to 4 corpses in the vehicle. He stated that it was Clément who was in charge of burying them. The weekly average (Monday to Friday) of deaths at the prisons could be estimated between 20 and 30; for the witness, they were like sheep. “I saw this with my own eyes”, he said. Regarding torture, the witness affirmed: “this was a reality; they would round up prisoners and take them to the DDS to be tortured”. A few months or just days after torture, some prisoners would die. He added that each morning, Abba Moussa was in charge of picking up the corpses with the covered 4x4. The latter would repeat each time he arrived “kamat”, which meant “how many dead” in Arabic. If there were 1 or 2 dead, he would not be happy; he would then leave the corpses in the cells until the following day in order to pick up a larger number. Many Hajarayes and Zaghawas were arrested. Conditions of detention were the same for both ethnic groups. There were many of them in the cells and they would suffocate because of the heat; hence 1 to 2 deaths per day. The witness averred that he performed a health check on Saleh Ngaba in prison. He stated that the latter was very weak, very sad and had injuries on his back. The witness however stated that Ngaba did not confide in him that he was tortured because the guards were with them in the cell. After a week, he never saw him again. The witness further stated that he treated foreign prisoners there also. He said he only saw 2 Senegalese: Abdourahmane Gueye and Demba Gaye (who died in prison). Regarding female detainees, the witness stated that there had been two deliveries at “the buildings”. He gave antibiotics to these women during the first 2 to 3 days after delivery. In response to a question from the defence whether these pregnancies were full-term, the witness replied in the affirmative and stated that he could not recall any stillbirth.

➤ *Declaration of the witness*

Before commencing his testimony, the witness informed the court that he had suffered a severe stroke in 2009 and his left side was consequently handicapped. He stated that he suffered from suffocation, memory loss,



hearing loss (left ear) and was diabetic. He asked “the heavenly father to give him the strength to say the truth about what he saw in prison”. The presiding judge told him that the court would take his health status into consideration.

➤ *Credibility of the witness*

The witness was very ill, yet was determined to say everything he knew in relation to this case. He was very consistent in his statements and did not hesitate to admit that he couldn't remember certain details. There were also certain similarities with the testimony of the nurse, Alifa Gaston.

C- TESTIMONY OF THE THIRD WITNESS/VICTIM

NAME: ADOUM

FIRST NAME: Abakar

AGE: 65 years

ADDRESS: Iriba

OCCUPATION: Teacher

➤ *Arrest and transfer of the witness*

The witness declared that on 21 April 1990, he was arrested at his house in the presence of his children by DDS agents accompanied by the deputy prefect of the locality. They made him climb a small van, chained his legs and arms and then took him to the prison at Iriba. He found many young people there as well as 3 traders. Three nights later, he was transferred with the traders to Ndjamena by air. According to the witness, the aircraft landed at the current airport (Hasan Djamous) around 5:30 pm and they were taken to Abakar Torbo for interrogation. Abakar asked him: “Why were you arrested?”; He replied: “I do not know”. He was then locked up in a small cell for 3 hours before being interrogated again. He remained consistent in his responses. He was then taken to cell 3 at the swimming pool where he was for 7 months before being transferred to the gendarmerie.

➤ *The difficult conditions of detention*

The witness focused on the food during his period of detention and on the general environment of the cell.

He informed the court that they were given dry rice and 1 litre of water for 24 hours. He maintained that the hunger and thirst they suffered was moral torture. He added that he never saw a nurse treat the prisoners who were ill. There would be 2 to 3 corpses removed on a daily basis for several months. He indicated that they were crowded in a cell that was not properly ventilated: “it was a hole and we could hear nothing; there were a lot of insects as well”. He stated that conditions were however slightly better at the gendarmerie. They would be taken out to the prison courtyard in the morning and returned to their cell in the evening.

➤ *The witness' health status upon his release from prison*

Expressing his gratitude several times to the MPS, the witness stated that he was released on 1 December 1990 when the Habré regime fell. The witness declared that, on that day, the guards opened the doors of all cells saying “there is war at street 40”. Mr. Adoum averred that he was a living dead when he was released; he was unable to stand upright for 3 months. He was thus taken to the Ndjamena central hospital for medical care. His feet and knees were swollen, as well as his face and stomach. A film, lasting a few seconds, was projected in the courtroom showing the fragile state of the witness a few days after his release. The witness also stated that his family had no support throughout his detention period. He further declared that no family in Chad was



spared; reprisals were everywhere, he said. To conclude his testimony, the witness told the court: “When I was released I was a living dead. Today, I stand before the court next to my torturer; I hope that the court’s judgment will be commensurate with his acts”.

III / TIME MANAGEMENT

Proceedings commenced at 9:39 am. The hearing of Alifa Gaston was continued during the first session which ended at 11:12 am. Court resumed at 11:39 am and the witness, Saria Asnégue Donoh, was called to the stand to testify on events he witnessed as a nurse at the prisons. His hearing was suspended at 12:35 pm for lunch break. The third session ran from 2:18 pm to 3:45 pm during which the second witness concluded his testimony. The last session began at 4:30 pm and Abacar Adoum was called to the stand. Court adjourned for the day at 5:22 pm and will resume on Monday.

*Attribution Policy: TrustAfrica should be acknowledged in all reproductions of this report and use of its contents. A statement similar to the following will be acceptable: **“The production of this report has been made possible by TrustAfrica.”***