

**The Public Prosecution versus Hisséne HABRE****SUMMARY OF THE THIRTIETH HEARING HELD ON 21 OCTOBER 2015****I/ SYNOPSIS**

Two of the nine women deported to Wadidoum in 1989 were called to the witness stand and both talked about the torture and inhuman acts perpetrated at detention centres. Mrs. Hawa Brahim Faradj was the first to testify followed by Hadji Mérami Ali. The latter only provided an account of her story and is yet to be questioned by the parties. These women explained the circumstances of their respective arrests, their conditions of detention and their situation at Wadidoum.

**II/ HEARING OF WITNESSES****A- HEARING OF THE FIRST WITNESS**

**NAME:** BRAHIM FARADJ

**FIRST NAME:** Hawa alias Mardie

**AGE:** 43 years

**PROFESSION:** Trader

**RESIDENCE:** N'djaména

❖ *Arrest and detention of the witness at the central police station*

Mrs. Hawa Brahim Faradj alias Mardie commenced her testimony by affirming that she was arrested on 6 July 1985 around 8 pm. She explained that the deputy police commissioner, Mr. Mahmat Wakay, came to pick up her mother. Since he could not find her mother, he asked her to follow him. She was about to do so when her uncle told the officer that he could not take her because she was a child. They were both taken away to the police station.

Upon arrival at the police station, the deputy commissioner took her out of the vehicle; her uncle wanted to step out also but Wakay prevented him from doing so and asked the police officer to drop him off near the mosque. According to the witness, Wakay returned the following day and took her to the Director of National Security (DSN) explaining to him the reason for her presence. Wakay declared: "This is an order; she must stay here", and then left.

The DSN Director asked Mrs. Faradj her name and where her mother was. She gave her name and said that her mother had travelled. In response to the prosecution, the witness specified that her mother was a trader and had gone to Maiduguri (Nigeria). The witness stated that she cried during her interrogation by the DSN and the latter called someone on the phone and spoke in Goran. The witness could understand what he was saying because her father was a Goran. She claimed that the DSN said: "We did not find Hadji but her daughter is here, what we do?" Mrs. Faradj stated that

she did not know what the person at the other end said but the DSN hung up and told her: “If your mother does not come back, we can keep you here for 10 years”. The witness further stated that the DSN again interrogated her about her mother a week later. She explained that she had a sister in Ndjamena who would bring her three meals a day. In response to a question from the court, Mrs. Faradji specified: “I was 13 years and 6 months at the time of my arrest; I was detained 2 years at the police station. I did nothing there, I had no activities and my brothers and sisters would come and spend the day with me. It was however very difficult because people would come and go, whereas I just stayed there”. The witness affirmed that after a year, the DSN was fired. The new DSN visited the cell where she was detained (according to the witness, it was a cell in which prisoners were not supposed to stay for long) and released all those who had not committed a serious crime. The witness claimed that she asked him then: “Why am I not released also?” to which he replied: “Your case is not in our hands, it comes from above”. According to Hawa Brahim, the police officer took pity on her because of her young age and would not lock her up; she sat in the courtyard with them. She stated that she would often ask the police officers for tablets (nivaquine) when she was not feeling well and managed to gather 40 of these. One day she took them all at the same time and passed out. She was treated at the hospital and taken back to prison. According to her, she was not allowed outside from that day onwards because she had tried to commit suicide.

She added that she spent two years at the central police station and had again tried to commit suicide by drinking petrol. At the request of the lawyers of victims, she explained that when Brahim Djida was DSN, he would question her almost every evening about her mother. The other police officers thought it was about something else. On the day this director was fired, the guards called her to say that Brahim Djida had left and she was pregnant with his child. She denied this and asked them to take her to the hospital and check. The doctor told them: “Forget about pregnancy because this girl is a virgin”. The witness declared: “They kept me there, did not release me and spread rumours about me; they violated my dignity. That is why I preferred to die”.

Mrs. Faradj further stated that, because of her detention, her mother returned and went straight to the DSN to surrender herself. She found her mother in the office and they hugged and cried. The DSN asked her mother not to cry because her daughter's detention conditions were different from those of others and she had not been tortured. He also told her mother: “Go and tomorrow we will prepare a paper and your daughter will be released”. The witness declared that her mother stayed with her in the cell until evening and then left without anyone bothering her. Mrs. Faradj stated that she waited for her family members the following day in vain. Instead, it was Abba Moussa who arrived with a covered 4x4 vehicle and asked her to step in. They went to “the buildings”.

### ➤ *Detention at “the building”*

Mrs. Faradj indicated that when her mother returned (after 2 years in Nigeria while she was detained at the central police station in Ndjamena) and she thought she would be released as promised, she was instead transferred to “the buildings”. It was indeed the day after her mother returned to Ndjamena that Abba Moussa arrived at 8 am to pick her up and take her to “the buildings” in a covered 4x4 vehicle. She asserted that she found other women in the cell including her aunt, Hadjie Mérami Ali, and her daughter. Talking about her conversation with her aunt, the witness declared that they discussed their respective situations and she informed her aunt that her son, Brahim, had died while she was at the police station.

Hadjie Mérami Ali and her daughter, shocked by this new started to cry. This drew the attention of the guards and Abba Moussa gave orders for the soldiers to beat her up for having supplied that information. Mrs. Faradj indicated that afterwards, the women who were in the cell told her that she should never repeat what she heard or saw in prison because Rose Lokissim had been executed for giving out information.

According to the witness, the other detainees had told her that Rose recorded the number of dead bodies per day and had a lot of information about the prison. The witness avowed that the conditions of detention at "the buildings" were "very difficult" stating: "The conditions of detention at the Buildings were very bad because there was hunger. They gave us rice with a bit of dry okra. Meat was very rarely served". She also asserted that the women's cell was opened each morning at 8 am and locked in the evening at 6 pm.

One day, she went to the tap for water and met a soldier there doing his laundry. He asked her about her family, the reasons for her detention and where she lived. He then went to her house and told her elder sister that she was still alive but her family was sceptical and asked for proof. She said that when the soldier came back and told her, she cut a piece from her clothes so he could show that to her family. Subsequently, her family believed him and gave him 25,000 francs for her. With this money, the soldier would buy her peanuts and dates which he hid near the tap so she could find them later. The witness however insisted on saying that the soldier was from the same region as her (Faya) and they did this with the utmost discretion for fear of reprisals.

She also mentioned the women she met at "the buildings". She first talked about Rawda (mother of a boy named Guihini) who received preferential treatment because she was a Goran. She was released on the eve of their deportation to Wadidoum. Mrs. Faradj then said she met another woman who gave birth to a baby boy in prison. They named the baby "Abakar Torbo". The mother had been arrested when she was eight months pregnant. Mrs. Faradj also asserted that she met Hazim Sakho in prison, who was almost the same age as her (15 and a half) and was arrested the same time as her mother. She was the daughter of a minister under Habré who was of Malian descent (Issakha Sakho).

In response to a question from the prosecution on the DDS archives accusing Hazim Sakho of being "a spy at the service of the Libyans", Mrs. Faradj declared: "What can a little girl of 15 years know to be called a spy? Someone has to tell us what we did to deserve such a predicament". She also talked about the woman called Dija. This woman was ill and when Doctor Saria came to give her an injection, he was stopped from doing so by Abba Moussa and Abakar Torbo under the pretext that she had been released. However, as they were leaving, the woman woke up crying and asked them to forgive her because she had seen a shovel and picks in the vehicle and thought she was going to be executed. She was never seen again. Abba Moussa apparently told the other guards that he had executed her and threatened the other detainees that they would suffer the same fate should they act like Dija. This happened on the eve of their transfer to Wadidoum.

The witness also declared that she was joined at "the buildings" by three other women including her mother and Khadija Hassan Zidane and were all deported that same day to Wadidoum. They spent one year in Wadidoum. She stated that she saw her mother the day of the transfer and was relieved because she had thought her mother was dead. It was then that her mother told her she had been arrested at 11 pm the same day she had spent time with her at the police station. She was taken to the DDS with her children who were later released after the intervention of her paternal uncle who

worked at the Office of the President and was close to Habré. Responding to various questions posed, Mrs. Faradj declared that she had seen dead bodies in prison. She indicated that corpses were put in front of their cell before being loaded onto the vehicle and taken to be buried. She even talked of her maternal uncle who she saw die in prison. It was Clément Abaifouta who came and told her: “Your uncle is at his worst. He resembles nothing”. She took the opportunity to ask him a favour: “If my uncle dies, wash his jellaba and dress him, do not put him in a bag”.

She then went to see her uncle who took her hand and confided in her: “I am going to die, but tell my eldest son to take care of his brothers”. She said that when her uncle died, his body was left there until the following day because Abba Moussa would never take only one corpse. The witness further declared that Abba Moussa one day told them: “If you are released, Chad will be in mourning”. According to her, this was because she had a lot of information on what was going on in the prison.

❖ *Credibility of the witness*

The witness gave a lengthy and very detailed testimony. The parties therefore asked a lot of questions to confirm certain statements. She did not, under any circumstances, want to talk about the sexual abuse in Wadidoum when questions were put to her in this regard by all parties including the presiding judge. She asserted that she could provide details if the court was in a closed session. The trial was being broadcast in Chad and she did not want her children to hear on TV what she had lived through.

**B- TESTIMONY OF THE SECOND WITNESS**

**NAME:** Ali

**FIRST NAME:** Hadje Mérami

**AGE:** 60 years

**ADDRESS:** Ndjamen

**PROFESSION:** Trader

Commencing her testimony, the witness stated before the court that during one of her trips (Kousséri – Nigeria – Libya), she was informed by a certain Khadija that her brother needed help in Ndjamen. She therefore boarded a flight to Ndjamen. When she arrived, she was arrested, sprayed with gas and taken to Saleh Younouss. At the DDS, she was interrogated by Bichara Chaibo about one of her suitcases which allegedly contained Libyan files. She denied this and was released by Saleh Younouss who proposed to send someone pick up her suitcase. He took her to the house of one of her aunts and gave her a laissez-passer.

Two days later, Issa Harwai came to get her. Hadjie explained that she was coming back from the wedding of a relative of Habré who married one of her brothers. She found Issa Harwai in front of her house questioning her daughter. She was picked up and again taken to the DDS for interrogation. Her gold jewellery was taken from her and put in an envelope. The witness claimed that they asked

her to tell the truth about the Libyans. She was then tortured by electric shock, tied and suspended in the air, and severely beaten with a truncheon. She declared: “It is as if a part of my body had detached itself from the rest, I was like a dead person and for a year I could not feel any part of my body”.

Continuing her testimony, Hadjie stated that on the same day, in the evening, her 12-year old daughter, Hazim Sakho (daughter of a former minister) was arrested and joined her in the cell at “the buildings”. They spent 2 years in that cell. They were then taken to Wadidoum. Like the others who also made this journey, she stated that during the trip, their vehicle had rolled over and a can filled with gasoil fell on her. She was not treated; it was only when they arrived at Wadidoum that the other women tried to massage her. She clarified that they were not given food and would sometimes pick up food which the Libyans had left behind. This included bags of flour, pasta, etc. She added that they would do household chores for the camp commander such as laundry, dishwashing, cooking and fetching water. “It was cold and we were very hungry. They made us do things I will not say here because I have children, grandchildren and even a family-in-law” declared the witness.

A year later, they were released and sent to the DDS before Abacar Torbo who made them swear on the Coran: saw nothing, heard nothing, say nothing. Regarding her jewellery, Hadjie maintained that they had asked her to wait for the return of Guihini Koré who had travelled to Paris. She received nothing despite the fact that Habré had imprisoned a lot of people because of her jewellery.

### **III / IMPORTANT PROCEDURAL MATTERS**

Yesterday, after the hearing of Mrs. Zidane “the Red”, the presiding judge declared that it was not necessary to have the witness examined by a medical expert. He added: “The court will content itself with the statements of the witness, and even a medical examination would not allow the court to attribute these scars to any object whatsoever or any person”. The judge continued: “This is not because we do not respect her, but we want her to go home with her dignity intact”.

Today, during questioning by the lawyers of victims, Mrs. Moudeina declared: “Your honour, we have an exhibit to add to the file. This is a DDS document with a list of 116 political prisoners released including the 9 women who were deported to Wadidoum”. Mrs. Moudeina also talked of two other documents from Amnesty International regarding the two detainees who were minors at the time, including Hawa Brahim. At this point, the latter said to the court: “I have cards that Amnesty International had addressed to Habré for our release”.

Before the lunch break, the presiding judge declared: “Exhibits produced by Mrs. Moudeina and the witness will be copied and given to all parties”.

He then asked: “Does the defence have an issue with this?” and Mr. Ballal retorted: “Absolutely not, all is welcome”.

### **III/ TIME MANAGEMENT**

Proceedings commenced at 9:13 am and the judge ordered a recess at 11:09 am. Court resumed at 11:41 am after a 32-minute break and adjourned for lunch at 12:40 pm. When court resumed at 2:20



pm, the first witness again took the stand to be questioned by the defence. One of the defence lawyers monopolized the first afternoon session and the presiding judge reproached him saying, “56 minutes for you alone, this largely exceeds the time allocated to the prosecution; please take note of that”. The second afternoon session began at 4:18 pm and ended at 5:23 pm.

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