

## BRIEFING PAPER: WHAT REPARATIONS FOR HISSÈNE HABRÉ'S VICTIMS?

**“It’s better than nothing, but it’s not enough”**

**JANUARY 2025**

Since February 2024, the Chadian government has been engaged in a process of compensation for victims of the regime of former dictator Hissène Habré. The Director of the Office of the President of the Transition, Mahamat Idriss Déby, [announced](#) in September 2022 in a letter that he was making ten billion CFA francs (USD 17.4 million) available to the victims, “as part of the contribution of the Republic of Chad [to] the Fund for the Compensation of Victims of the Regime of Hissène Habré” which was to be created by the African Union (AU). Seventeen months later, this money began to be distributed directly by the Chadian government to the victims, without the involvement of the AU.

This compensation process is part of a complex legal and State environment, against the backdrop of a political upheaval, in which two reparation decisions obtained by more than 7,000 victims in 2015 and 2017 in [N’Djamena](#) and [Dakar](#) have yet to be executed.

The many victims of Hissène Habré’s regime have been calling for reparation for years. The violations were committed in the 1980s and constitute serious international crimes (torture, sexual and gender-based crimes, war crimes, and crimes against humanity). Many of these victims have died since the decisions, and the lack of reparation has greatly aggravated the damage suffered by others.

In spite of the urgent needs of the victims, the reparation process continues to drag on without resolution. The amount made available by the government represents around 10% of the total amount owed to the victims. No action has been taken to recover the assets of the convicted persons, nor to raise funds to reach the total amount. The process is being carried out outside the legal frameworks provided for in the two decisions and lacks transparency. Victims consulted in October 2024 in N’Djamena told the Chadian Associations for the Promotion and Defence of Human Rights (Association Tchadienne pour la Promotion et la Défense des Droits de l’Homme -ATPDH) and REDRESS about a lack of controls, and sometimes insurmountable difficulties, in obtaining the compensation.

This briefing briefly describes the (1) context, (2) the reparation process and its obstacles, (3) and proposes recommendations to allow for full and adequate reparation for the victims of the Habré regime.

The information presented in this paper was collected during a series of informal consultations conducted by ATPDH and REDRESS with victims, victims’ lawyers, victims’ associations, NGOs, government actors, and foreign delegations in N’Djamena in October 2024. They also draw on our 2023 study on reparation options for victims of conflict-related sexual violence, [“Breaking the Silence”](#).



## THE REPARATION DECISIONS

In 2015, the Criminal Court of N'Djamena sentenced 20 officers of the Directorate of Documentation and Security (DDS), Hissène Habré's political police, to prison for torture, arbitrary detention, murder and other serious violations (N'Djamena judgment). The Court ordered them to provide reparation to the civil parties (victims), jointly with the Chadian State. The court ordered, inter alia:

- damages of 75 billion CFA francs (125 million USD), jointly and in equal shares with the Chadian State;
- the establishment by the Prime Minister of an Implementation Commission to facilitate the payment of this award;
- the construction of a memorial on the site of "Amral Goz", within one year of the judgment; and
- the conversion of the DDS headquarters into a museum.

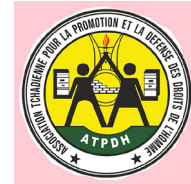
In 2017, the Extraordinary African Chambers (EAC), a hybrid court established in Dakar by the Senegalese government and the AU, upheld on appeal the sentence of Hissène Habré to life imprisonment for war crimes and crimes against humanity, including torture and sexual violence (Dakar judgment). The EAC also ordered compensation for the victims:

- damages of 82 billion CFA francs (approximately 130 million USD) to 7,396 named victims (20 million CFA francs for each victim of rape and sexual slavery, 15 million CFA francs for each victim of arbitrary detention, torture and other inhuman treatment and survivors of massacres, and 10 million CFA francs for each indirect victim);
- the creation by the AU of a Trust Fund for the benefit of victims with the task of organising the seizure and liquidation of Hissène Habré's assets, raising funds for the Trust Fund, and distributing the amounts to the victims.

The Implementation Commission provided for in the N'Djamena judgment was never created by the Chadian Prime Minister. The museum and memorial were not built. In 2024, the DDS headquarters, located within the perimeter of the presidential palace, [was razed](#), leaving only the "Piscine", the most notorious political prison under Habré, intact. Compensation was never paid.

The AU published the statute of the Trust Fund in 2018 and allocated five million USD to the Fund. In Dakar, Hissène Habré's villa and two of his bank accounts, seized by the EAC, were never liquidated. Hissène Habré himself died on 24 August 2021.

On 15 September 2021, following Habré's death and renewed international interest in the plight of victims, the AU sent a delegation to Chad, where it took possession of a building for the Fund, which it described as "a watershed moment in the reparations process" for



victims. An AU official said the AU commission was working “to make the fund operational as soon as possible”. It took almost a year for a second AU delegation to arrive in August 2022 to “set up the provisional secretariat of the fund, [...] establish a work plan and set out the modalities of the reparation process.” But the delegation left Chad without having done so. The Fund was not subsequently operationalised, and according to information received by ATPDH and REDRESS in October 2024, the building has now been assigned to another organisation, unrelated to reparation.

In the [context](#) of the seizure of power by Mahamat Idriss Déby Itno following the death of Idriss Déby Itno, and of the “transition”, the transitional Prime Minister defined a roadmap with three strategic axes, including organising dialogue and consolidating peace and national unity.

On the eve of the June 2024 presidential elections, and following a sustained advocacy campaign for the delivery of compensation by victims’ associations, President Déby met with three victims’ associations (Association of Victims of the Crimes of the Hissène Habré Regime (AVCRHH), Association of Victims of Political Crimes and Repression in Chad (AVCRP), and Network of Human Rights Associations in Chad (RADHT)) in February 2024. During this meeting, the President announced the compensation mentioned in the September 2022 letter. According to the government, this represents Chad’s “share” of the reparation. The presidency also claimed that victims’ associations had “humbly asked the President of the Republic to rehabilitate” Hissène Habré.

## THE PAYMENT PROCESS BEGINS

The compensation announced in September 2022 was allocated in September 2023 by the treasury of the Ministry of Finance and Budget, which had been designated by the President of the Republic to organise the distribution of the amounts. After discussion with victims’ associations, the Ministry decided to proceed with the distribution based on the list of civil parties drawn up by the EAC in Dakar and whose applications were accepted. According to the information collected, the amount of 10 billion CFA francs was simply divided by the number of victims, without taking into account their status (direct or indirect victim), the type of violation suffered, or the seriousness of the damage. The Ministry designated the ORA Bank to make the payments. Payments were made in cash, as the transfer option was deemed too expensive. In concrete terms, according to the actors consulted, each victim is supposed to receive 925,241 CFA francs (1,420 USD), excluding bank fees. No official public information on the process is available.

Each victims’ association has drawn up a list of its members appearing on the CAE judgment. The lists shall be made available to victims at the headquarters of the relevant association. The victims travel, identify their name on the list, and show their proof of identity, and if applicable, power of attorney, deed of notoriety, title of succession, or heredity.

On this basis, a list of victims who have come forward and been recognised by the association is sent to the Director of Debt within the Ministry of Finance, together with a copy of the



documents supporting the application (in theory one per month and per association). The Debt Directorate conducts an audit and then sends the list to the Paymaster-General. Each list is then sent back to the victims' associations. The victims are then contacted by the associations and can go individually to the bank to withdraw the amount due to them, upon presentation of their identity documents, and against a payment slip. Once the amount is given, the lists are updated to reflect the payment. In the provinces, the provincial units of the AVCRHH centralize the process, and payments appear to be made by the provincial branches of the ORABank. The number of victims who received the amount is not disclosed by the actors involved, nor is it made public.

This process suffers from [many shortcomings](#): it is not part of the processes provided for in the two judgments; it leaves room for discriminatory and potentially fraudulent manoeuvres; and it leaves no recourse to victims who find themselves excluded.

## OBSTACLES FACED BY VICTIMS

The Lead Lawyer for Victims, Jacqueline Moudeina, deplores the total lack of consultation with the victims' legal representatives in this payment process. However, she began a census of the victims, in order to compensate for the errors of the Dakar judgment, and in anticipation of the distribution of compensation.

She also questions the legal basis for making the 10 billion available: "Is it an interim measure in the name of the transition, before the full amounts are allocated, or is it a clumsy start to the execution of the N'Djamena judgment?" Despite the address of the September 2022 letter, she categorically excludes reparation on the basis of the Dakar judgment, which she says must be carried out through the AU Trust Fund, for which she has worked jointly with ATPDH and REDRESS on a [model procedural settlement](#).

The victims consulted expressed their feelings and told us of the barriers they face. Those who received the amount voiced their disappointment with the amount received: "Y... told us "I was able to buy three bags of rice, some condiments for the house (...) and clothes for my family. I expect real compensation. "A... agrees and recounts: " "I bought rice, oil for my house, I gave money to my children. I also shared the money with my brothers. They are also victims, but they have not had their share. It's a small relief, but I see the fate of my brothers and I'm sad. "K... ", a direct victim, expressed that "what I have been given does not bring me anything. I'm sick and I can't even get medical treatment."

In the absence of consolidated lists and/or discussions within the frameworks provided, some victims who have been recognised in the Dakar judgment are still denied access to the compensation.

The administrators of the victims' associations explain the difficulties they faced during the process. They first posted the lists of victims in the premises of the associations, in order to facilitate the identification of the victims, and to allow a level of transparency. However, they discovered that third parties took photos of the lists and impersonated victims in order to collect the amount for them. One of administrators assured that he had taken measures to ensure that victims received the amount due to them. The lists were later removed to



mitigate the risks, but this solution is not viable either. These problems are largely due to the lack of an appropriate framework for distributing the money.

All have criticised the slowness of the process, and the fact that the government now seems to have “liquidity problems” that do not allow to continue payments. They also affirm that the amount represents only a small part of the compensation due, thus a simple start to the execution of fuller reparation, or an interim compensation.

The government actors approached remain reserved about the legal basis of the process. They say there is political will for reparation. They call for an inter-ministerial approach in order to bring together the relevant actors for each aspect of the process: the Ministry of Justice and the Ministry of Finance; the Prime Minister and the Ministry of Foreign Affairs for coordination with the AU; and the Ministry of Territorial Planning and the City of N’Djamena for the symbolic reparation (which they admit are complicated due to the situation of the former DDS and the “Piscine” prison in the presidential perimeter). They voiced their openness to dialogue.

## NEXT STEPS AND RECOMMENDATIONS

The wounds caused to Hissène Habré’s victims are deep and irreversible. Delays in justice and reparation contribute to deepening these wounds. A judicial battle does not end with court decisions. The process of implementation should not nullify the successes but should instead facilitate the rehabilitation of victims and address the root causes of the crimes.

The interim process described in this document has raised the expectations of victims and has demonstrated that when the political will is present, government actors and civil society are able to work together. It is urgent for Chadian and regional actors to unite in the implementation of a transparent, holistic and comprehensive reparation process.

We make the following recommendations to the Chadian government:

- a) On the implementation of the N’Djamena and Dakar judgments:
  - i. make reparation a political priority, and take concrete steps towards it;
  - ii. clarify any progress in implementing the N’Djamena judgment and the implementation of the reparation ordered; and in order to support and facilitate the execution of the Dakar judgment; Débloquer et allouer la totalité des montants dus selon l’arrêt de N’Djamena, et engager un processus de recouvrement des avoirs à l’encontre des agents condamnés ;
  - iii. establish an inter-ministerial working group to develop a plan for the implementation of all reparation measures provided for in the N’Djamena judgment, in dialogue with victims’ lawyers, civil society organisations, and victims’ associations; operationalise the Implementation Commission provided for in the N’Djamena judgment, according to international standards, and clarify its complementarity with the AU Trust Fund;
  - iv. release and allocate all amounts due in accordance with the N’Djamena judgment, and initiate a process of asset recovery from the convicted officials;
  - v. establish an ongoing dialogue with: the AU in order to advance the operationalisation



- of the Trust Fund provided for by the Dakar Judgment; relevant Senegalese ministries to establish advocacy synergy with the AU, liquidate Hissène Habré's frozen assets to feed the Trust Fund, and explore the search for other recoverable assets; relevant foreign representatives to discuss their possible financial contributions to reparation.
- b) On the process of disbursement of the "compensation":
- clarify the basis and legal framework for the process of disbursement of "compensation"; draw up and keep a list of the victims who received a first amount, the amounts paid individually and totally, and the legal basis for the amounts paid; avoid any levy, including bank fees, on the amounts paid in reparation, whether interim, partial or definitive reparation measures; and
  - investigate any allegations of discriminatory, exclusive, or corrupt practices in the payment process and, where appropriate, initiate criminal proceedings against the actors concerned.

Recommendations to the AU, given the AU theme for the year 2025 on "[Justice for Africans and People of African Descent through Reparations](#)":

- Establish a dialogue with the Chadian and Senegalese governments, victims' lawyers, civil society associations, and victims' associations in order to operationalise and contribute to the Trust Fund;
- adopt rules of procedure for the Trust Fund, aligned with the highest international standards on reparation, focused on victims and aiming at independence, efficiency, transparency, impartiality, non-discrimination, and confidentiality;
- ensure that the Trust Fund applies best practices when identifying victims, including the provisions of the AU [Transitional Justice Policy](#) on reparation and the African Commission on Human and Peoples' Rights' [General Comment No. 4](#) on the right to reparation for victims of torture and other cruel, inhuman or degrading treatment or punishment;
  - ensure that the Trust Fund applies a gender-responsive, victim-centred and intersectional methodology when deciding how to disburse compensation;
  - ensure, in its rules of procedure, that the Trust Fund is aware of the reality in Chad (lack of bank accounts, difficulties in accessing certain territories, stigmatization, and others), the different situations of victims, and the financial and capacity limitations of local actors; and
  - ensure that the Trust Fund is independent.

Recommendations to civil society organisations and victims' associations involved in the implementation of reparation:

- ensure that all victims are accompanied in the reparation process, and adopt practices based on transparency, equality, respect and non-discrimination in this work;
- to the extent possible, give priority, in the application of reparation and interim measures, to victims who belong to groups in particular situations of vulnerability;
- maintain a list of victims who have received amounts in a manner that respects their rights, and for archiving and auditing purposes;



- d) refrain from asking or demanding any fees, contributions, voluntary or not, from the victims, in the process of making compensation available, interim or definitive;
- e) deal with any challenge from disappointed or excluded victims in a fair and transparent manner, respecting their human rights and dignity;
- f) develop a joint advocacy plan, focused on victims and involving victims' lawyers, with the Chadian government and the AU, to push for and support the operationalisation of the Implementation Commission and the Trust Fund; and
- g) reflect financial and organisational resources and needs in a concerted and transparent manner, in order to ensure the sustainability of the commitment, and to avoid any risk of negative repercussions on to victims.

#### Recommendations to the international community:

- a) relay and support the recommendations and messages proposed by this advocacy document;
- b) support the AU and the Chadian government to establish reparation measures, contribute funds, and cooperate as appropriate;
- c) provide technical and financial support, in the short and medium term, to civil society actors involved in reparation processes;
- d) support the AU in calling for an international donors' conference to discuss and contribute to the financing of the Trust Fund based on progress and the actual implementation of reparation for victims; and
- a) provide the Trust Fund with technical advice and resources to locate and seize any other assets that Hissène Habré may have held outside Chad.