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Our man in Africa

The Dictator America Created, the Blood He Shed, and the Reckoning to Come

by Michael Bronner

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Our Man in Africa

America Championed a **Bloodthirsty Torturer** to Fight the Original **War on Terror.** Now, He Is Finally Being **Brought to Justice.**

BY **MICHAEL BRONNER**

PHOTOILLUSTRATION BY **GLUEKIT**

ON THE LAST NIGHT OF

the city of N'Djamena, the capital of Chad, was on edge. President Hissène Habré, who had seized control of the country in a coup eight years earlier, was in power—but the vice was closing.

Rebels were converging on the city in Toyota pickup trucks mounted with machine guns and packed with fighters—turbaned against the dust and sand, armed to the teeth, and screaming pedal-to-the-floor across the desert. Supplied and funded by Libya, they had crossed into Chad from their camp on the Sudanese border some 700 miles to the east, led by Habré's former chief military advisor, Idriss Déby.

It was an odd time, then, for a diplomatic dinner party.

The gathering was a last-minute affair organized by the wealthy and well-connected Lebanese consul at the urgent personal request of a key minister in Habré's cabinet. The presence of some two dozen Chadian elites, French businessmen, and notable expats was really just a ruse to invite the one guest who really mattered: Col. David G. Foulds, the U.S. defense attaché.

The minister pulled Foulds to a quiet corner. "He was chain smoking—extremely nervous, shaking all over," Foulds recalled. Habré's forces had beaten back Déby's rebels once before, and conventional wisdom, including in Washington, which had long been starstruck by Habré's military prowess, was that they'd prevail again. But the Americans knew little more than the optimistic picture Habré's camp was giving them, and the minister knew better. The rebels could reach the capital that night, he said, much sooner than anticipated.

Foulds excused himself and rushed to inform the ambassador, Richard Bogosian, and the CIA's chief-of-station. They lit up the phones to Washington to seek instructions and, if possible, assistance. "The bottom line is that he was worth saving," Bogosian said of Habré. "He helped us in ways not everybody was willing to."

Throughout the 1980s, the man the CIA had dubbed the "quintessential desert warrior" had been the centerpiece of the Reagan administration's covert effort to undermine Libyan strongman Muammar al-Qaddafi, who had become an increasing threat and embarrassment to the United States with his support for international terrorism. Despite persistent and increasingly alarming reports of extrajudicial executions, disappearances, and prison abuse carried out by Habré's regime, the CIA and the State Department's Africa bureau had secretly armed Habré and trained his security service in exchange for the dictator's commitment to ruthlessly pound the Libyan troops then occupying northern Chad. If Habré were overthrown, that near-decade-long effort would be undone.

The inevitable flood of Libyan intelligence agents into N'Djamena posed a more immediate threat as well: Against the impassioned protests of some U.S. officials, the CIA had given Habré a dozen Stinger missiles, the shoulder-fired anti-aircraft weapon sought by rebels and terrorists everywhere. Qaddafi had already demonstrated an interest in downing civilian aircraft. The Stingers absolutely could not be allowed to fall into his hands.

And there was another issue: The CIA had established a secret camp a few miles outside the capital where it was training a vanguard of anti-Qaddafi Libyan fighters—at least 200 men with CIA-supplied arms, including Soviet-made tanks, that they would not easily give up. A battle in the capital between Déby's Qaddafi-sponsored fighters and the agency's anti-Qaddafi forces would precipitate a bloodbath.

In the hours after the dinner party, pandemonium broke out in the streets as rumors of the collapse of Habré's defenses spread through N'Djamena. Tribal rivalries—always a dangerous variable in Chad's post-colonial ethnic mosaic of Christians in the South and Muslim groups in the North (each with mutable allegiances and hatreds)—had been whipped into a frenzy. Habré's fellow Goran tribesmen had lived large during his tenure and were racing en masse to get out of town, their vehicles laden with loot, ahead of Déby's Zaghawa fighters, who had been moved to rebellion by the Habré regime's brutal repression.

At the U.S. Embassy, Foulds donned a flak jacket and placed a loaded shotgun within reach. Then, afraid the embassy might be overrun, he and his operations coordinator set to shredding classified documents and destroying sensitive communications equipment as the first wave of rebels entered the city. The CIA station chief was doing the same on a separate floor.

Meanwhile, Bogosian took an urgent call from Washington: A pair of C-141 military transport planes was spun-up and loaded with weapons, ammunition, and other matériel, ready to fly from the United States to assist in Habré's defense. "[T]hey were on the tarmac ready to go," Bogosian said. "We called back and said, 'Don't bother. It's too late.'"

Habré, who had never been known to shy from a fight, saw the writing on the wall. Late that night, the "quintessential desert warrior" reportedly drove his Mercedes straight onto one of the Lockheed L-100 Hercules transport planes he'd gotten from the United States, loaded his close aides, and took off. After a stop in Cameroon, he landed in Dakar, Senegal, an exile thought to have been arranged by French intelligence. Chad is one of the poorest nations in Africa, yet its former leader reportedly used what he'd pilfered from his country's coffers to create a luxurious web of security in Dakar: bribes for politicians, religious leaders, journalists, and police—and two mansions. There, he would be safe for many years.

But not forever. As the main body of Déby's fighters consolidated control of N'Djamena the following morning, scores of inmates from Habré's secret prisons simply walked out of their cells, no longer guarded by Habré henchmen. Political prisoners poured onto the streets, emaciated, scarred by torture, and filled with tales of executions, mass graves, and unspeakable abuse. One of the men who staggered outside that morning was Souleymane Guengueng. He was a former accountant, nearly blind and barely alive after almost two and a half years of imprisonment and torture. In 2013, he would prove to be Habré's undoing.

NOVEMBER 1990,

1999 VICTIM OF THE TERROR

HISSÈNE HABRÉ HAD ATTRACTED the attention of human rights advocates worldwide almost as soon as he took power in 1982, with Amnesty International publishing its first report on political killings in Chad within a year of his ascent to the presidency. But for decades he was, in essence, untouchable. As Chad's president, he had the support of the most powerful country in the world, and, while in exile, he was protected by the longstanding international tradition of lifetime immunity for former heads of state. Immunity inherently contradicted—but had all too often won out over—the United Nations Convention against Torture, which obligates signatory states to prosecute accused torturers or extradite them to countries that would.

But, in October 1998, the ground suddenly shifted. Gen. Augusto Pinochet, the then-82-year-old former Chilean dictator, was recovering from back surgery in a London hospital when British agents, acting on a Spanish warrant issued at the behest of Spanish citizens harmed by Pinochet, arrested the general and indicted him on 94 counts of torture and one count of conspiracy to commit torture.

The indictment represented a fraction of the abuses attributed to Pinochet, but it was enough to send cheers through the human rights community and shockwaves through conservative diplomatic circles. "Henceforth, all former heads of government are potentially at risk," railed former British Prime Minister Margaret Thatcher, decrying the assault on diplomatic immunity—in this case, of a leader she considered a friend. "This is the Pandora's box which has been opened—and unless Senator Pinochet returns safely to Chile, there will be no hope of closing it."

That's just what Reed Brody was thinking.

A Brooklyn native and former New York assistant attorney general, Brody was then the advocacy director at Human Rights Watch in Manhattan. He's a lawyer who relishes the adversarial nature of the profession, and, as he watched the Pinochet news break on CNN, his brain started churning, seized with the possibilities. "We had been in Rome just a couple of months earlier drafting the statute of the International Criminal Court"—the first permanent criminal court with the authority to prosecute genocide, crimes against humanity, and war crimes—"and here was a real case," Brody said.

The Pinochet arrest marked the first time European judges had applied the principle of universal jurisdiction, which enables courts to try a person accused of the most serious violations of international law, regardless of the defendant's nationality or where the crime was committed. In the case of Pinochet, the overriding judicial question, to be decided in the House of Lords—at the time, the highest legal body in the land—was whether Britain's obligations under the U.N. Convention against Torture compelled his extradition to Spain, overriding the customary legal immunity.

Brody, who had investigated Pinochet-era human rights abuses in Central America, flew to London to advise the prosecution on behalf of Human Rights Watch. And, in November 1998, in a dramatic verdict read to a packed courtroom, the judges ruled against the Chilean strongman. As one British jurist explained, in what would become the defining sentiment of the judgment: "[T]orture and hostage-taking are not acceptable conduct on the part of anyone. This applies as much to heads of state, or even more so, as it does to everyone else; the contrary conclusion would make a mockery of international law."

Pandora's box had been opened, and a tantalizing question buzzed through the human rights community: "Who's next?"

As a law student at Columbia, Brody had been highly influenced by one professor's dissection of the NAACP Legal Defense Fund's strategy for upending racial segregation. "They went for the easiest cases first, one by one, leading up to *Brown v. Board of Education*," Brody told me over Korean food near the Human Rights Watch offices in the Empire State Building. Home in New York after the Pinochet verdict, he decided to take the same measured approach. Brody wanted a case he could win.

The suggestion that grabbed him came from his friend and former colleague, Peter Rosenblum, then the associate director of Harvard Law School's human rights program. He left a message from a hotel room in N'Djamena: "I've got your next case," he said. "Habré. Chad." Brody saw the possibilities right away. Though he knew little about Hissène Habré or Chad, he knew that Senegal, Habré's supposed safe haven, made the ex-dictator vulnerable.

Senegal had been the first country to ratify the Rome Statute of the International Criminal Court and had signed the U.N. Convention against Torture. If Brody could bring a torture case against Habré, Senegal would be compelled to try or extradite him. "It's a country that's always considered itself to be in the avant-garde of international law and human rights," Brody said. "We figured if any country was going to be a candidate to take on an international justice case, Senegal would be that country."

IN 1999, Rosenblum introduced Brody to an intense young Chadian lawyer studying at Columbia. Delphine Djiraibe was one of Chad's first female attorneys. She warned Brody that, even nine years after Habré's downfall, the capital was still crawling with the dictator's henchmen—they staffed the airport, the customs office, the police force. If Brody were to proceed—and she was over the moon at the prospect—he would have to be extremely careful. Witnesses would be afraid to talk. A misstep would put Chadian intelligence on alert. After all, the president, Idriss Déby, had been Habré's confidant before turning against him.

An avid chess player, Brody decided to push his pawns out first. Two fellows at Harvard's human rights program, both young lawyers who had studied under Rosenblum, agreed to travel to Chad, ostensibly to research a controversial Chad-Cameroon oil pipeline project. Nicolas Seutin, from Belgium, and his Spanish colleague, Genoveva Hernandez Uriz, arrived in N'Djamena in monsoon season with a $4,000 stipend from

Harvard, a few contacts from Djiraibe, and an agreement between themselves that they would pursue their work on the case in secret.

Djiraibe had arranged for them to stay inconspicuously in N'Djamena's Catholic mission—Seutin with the priests and Hernandez across the road with the nuns. They had no car, so they walked through the capital's unpaved, muddy streets looking for witnesses' homes. "We had a sense that we were being followed," Hernandez told me, and she and Seutin found that people were palpably afraid to talk about the Habré days.

Souleymane Guengueng, in contrast, answered their knock at his door not with the trepidation they'd seen in the few other victims they'd managed to meet, but with an enveloping smile. "He was very emotional, saying he'd been waiting for this moment for so long," Hernandez recalled. "He said it was the hand of God that sent us." So the two students sat with him in his garden and listened to the story he'd been burning for so long to tell.

AUG. 3, 1988, had been a slow day at the Lake Chad Basin Commission, the intergovernmental organization where Guengueng worked as an accountant. He looked up from his desk with alarm: His wife, Ruda, rarely came to his workplace, but there she was, crying and scared, pregnant with their seventh child. Plainclothes agents from Habré's dreaded intelligence service, the Documentation and Security Directorate (DDS), had come to the house looking for him. She begged him to hide.

He barely had time to reassure her when the agents arrived at his office, rolling up in a trademark DDS Toyota. They ordered Guengueng to get his motorbike; he would be made to drive himself to his own arrest, one of the agents sitting behind him. As they set off, Guengueng saw his cousin in the DDS car, also under arrest.

Guengueng was taken to the office of the DDS's deputy chief of intelligence. "The first question was what religion I believed in," he recalled. "I said I am Christian. He said he, too—he's a Christian. He told me to tell him the truth—only the truth. If not, he had many ways of obliging me."

The DDS officer asked him if he knew why he was there. When Guengueng said no, he got a slap. He was then accused of collaborating with his cousin to provide money and shelter to anti-Habré figures during a period when Guengueng had lived across the border in Cameroon. (The entire Lake Chad Basin Commission staff had been temporarily relocated there during a particularly violent period in Chad.) Guengueng had regularly welcomed other Chadian refugees into his Cameroon home, but the charge that he had been an opposition agent sheltering subversives struck him as so ridiculous he laughed.

A soldier standing guard suddenly slammed him in the head with the butt of his rifle.

Guengueng was dragged to a cell, disappearing into a horrific purgatory. Over two and half years, the gentle bookkeeper would be held in three different jails—first in solitary confinement, then packed so tightly with other prisoners he couldn't lie down to sleep, unless someone died. Which they did, every night, at which point the living would sleep on top of the dead. When the guards deemed the body count high enough to justify the effort—five or six—they would remove the corpses. In a long, moving interview in N'Djamena recently, Clément Abaifouta, Guengueng's friend and fellow former inmate, described being forced daily over four years to bury hundreds of prisoners claimed by execution or illness.

Guengueng was nearly among them. "Three times I lost my will to live," he told me. "I was very seriously sick." Guengueng's ailments were common among political prisoners: malaria, dengue fever, and hepatitis. He was held alternately in total darkness and in unrelenting electric light, 24 hours a day for months on end. For several months, he lost the ability to walk. The worst, however, came after he was caught leading prayers for the prisoners: Guards hung him by his testicles.

"I was thinking, 'What can I do if God spares me?'" Guengueng told me. That night, he made a silent pact: If he survived, he would dedicate his life to telling the truth about what Hissène Habré had done to Chad. Recounting his story years later, Guengueng had Brody's emissaries, the young Harvard law students, nearly in tears.

"And then he just says it," Seutin recalled. "He'd been taking testimonies."

Hidden in the back of Guengueng's house were 792 witness accounts that he'd gently coaxed out of fellow prison survivors in the years immediately after Habré was overthrown. They cover three campaigns of ethnically targeted repression during which, suspicious of disloyalty, Habré had allegedly ordered collective punishment of entire tribes—a cornerstone of his always brutal, ever-evolving consolidation of power. The witness testimonies describe an array of tortures, including waterboarding, forced asphyxiation on the tailpipe of a car, and the infamous "Arbatachar" method—in which all four limbs are bound behind the victim's back, the cord yanked tight until the chest is thrust forward, hyperextended as far as possible, leaving some deformed, paralyzed, or without the use of limbs.

Former Habré regime members who had remained in N'Djamena after the dictator fled, many still in positions of power, had eventually gotten wind of Guengueng's efforts, however, and threatened his life. So Guengueng had hidden the documents, hoping for a better day, he told the lawyers. With their arrival, he said, that day had now come.

"In that moment, we knew there was a case here. We were very excited," Hernandez recalled. "We thought we had hard evidence now and that this could be the seed for judicial action."

She and Seutin were also scared. They bought paper for Guengueng, and he surreptitiously copied the files at his office. Seutin hid them in the laundry room of the monastery, but he and Hernandez had no idea how to get them out of Chad. Carrying them out through the airport in their luggage was discussed and discounted as too dangerous. They met with a political officer at the U.S. Embassy who offered to move the files via diplomatic pouch, but something about the offer felt shady, and they walked away.

Hernandez had to leave Chad before they'd found a solution. A few nights later, Seutin made an impulsive decision: Despite the risks, he took one of the senior priests into his confidence, packed the documents in his bags, and asked for a ride to the airport. He began to regret his rashness from the moment he stepped up to the Air Afrique desk to change his ticket, issued for several days later, to that night's flight. The desk agent inspecting his ticket, suddenly suspicious, suggested (erroneously) that the original was a forgery. Fighting panic as he argued with the agent, Seutin glanced over at security; customs officials were randomly opening suitcases and rummaging through them.

GUENGUENG WAS DRAGGED TO A CELL, DISAPPEARING INTO **A HORRIFIC PURGATORY.** OVER TWO AND HALF YEARS, THE GENTLE BOOKKEEPER WOULD BE HELD IN THREE DIFFERENT JAILS—FIRST IN **SOLITARY CONFINEMENT,** THEN PACKED SO TIGHTLY WITH OTHER PRISONERS HE COULDN'T LIE DOWN TO SLEEP, **UNLESS SOMEONE DIED.**

Then, the weird altercation with the Air Afrique agent subsided as inexplicably as it had begun. Seutin got in line with his document-crammed bag. The officials continued to select luggage for inspection. He got to the front of the line and … just got lucky. "By the next morning, I was in Paris, and the documents were out of the country."

1982 HABRÉ SEIZES POWER

THE OVERSEAS FRENCH Territories House at La Cité Internationale Universitaire in Paris was better known, in the post-colonial moment of the late 1960s and early '70s, as "Maison de l'Afrique"—the Africa House. It was a hotbed of revolutionary politics, with young African students gathering daily from universities across the city to discuss Marx, Fanon, and Che, and to debate the civil wars then sweeping their home continent.

There were few Chadian students, but they were highly engaged. During 60 years of colonial neglect, the French had divided their country along north-south lines: The cotton-producing, Christian South was known as "Le Tchad Utile"—"Useful Chad"—while the arid, predominately Muslim North was written off as "Le Tchad Inutile." The French utterly disregarded deep historical animosities between Chad's ethnic and regional groups, leaving the country ripe for civil war when they withdrew in 1960. By 1965, Chad roiled violently amid widespread resentment of the first post-independence president, François Tombalbaye, a Southerner. Muslims from the North were particularly bitter, and some gathered to hone their revolutionary thinking in Paris.

Hissène Habré was their coolest customer, known for an economy of speech, but orating with electric intensity when he deigned. Born into a family of Northern shepherds, the intelligent young man was singled out by a French military commander and went to Paris on a scholarship to study political science at the Institute of Overseas Higher Studies. He stayed to earn a doctorate, but he always had his eye on returning to Chad. "He was very calm. Very tough in his position … qualities that set him in the front line of the movement" to end the South's hegemony, said Acheikh Ibn-Oumar, who overlapped with Habré as a student in Paris before going back to Chad, where he emerged as a guerrilla leader and politician in his own right.

In 1971, Habré returned to his native country, briefly joining the civil service before relocating to the vast, arid expanse of northern Chad to build a militia and lay the groundwork for his political future. Encamped with his fighters in the volcanic cave formations of the barely populated Tibesti Mountains, some 500 miles from the capital, Habré cultivated a reputation for hardness. In 1974, he announced himself to the West by taking a blue-eyed French archeologist, Françoise Claustre, hostage—holding her for nearly three years and captivating the international press by murdering a French army captain sent to negotiate her release.

"The impression he gave me," said Ibn-Oumar of meeting Habré again back in Chad, "was that he was really burning inside with the desire to conquer and retain power." He would nearly burn down N'Djamena in the process.

In 1979, Habré was named defense minister in a transitional government cobbled together by Chad's neighbors—an attempt to bring no fewer than 11 Chadian fighting factions together. Elections were scheduled, but Habré couldn't wait. He launched his first bid to take the presidential palace by force in March 1980, raining rockets down on the capital from multi-piped "Stalin organ" launchers, a mobile weapon known for the bloodcurdling sound it made as it spat out Katyusha rockets in quick succession.

Habré did not prevail, but ferocious fighting between his forces and those aligned with the transitional government leader, interim President Goukouni Oueddei, lasted more than nine months, leaving some 5,000 Chadians dead and N'Djamena divided in a blood-soaked stalemate.

Then, the situation suddenly changed. Oueddei used a lifeline: He called Muammar al-Qaddafi, who was gaining notoriety as a key sponsor of terrorism. The Libyan dictator was happy to intervene. Qaddafi's vast oil revenues—much of which, ironically, came from business with U.S. companies—gave him latitude to pursue his expansionist ambitions. Chad was the perfect launching pad for his vision of Pan-Africanism, in which he would erase colonial-era borders. The country abuts not only Libya, but also Niger, Nigeria, Cameroon, the Central African Republic, and Sudan—the latter a key U.S. ally at the time and the largest African recipient of American aid after Egypt. (Sudan was the only Arab country to stand by Egypt's Anwar Sadat after he signed the Camp David Accords with Israel.)

By November 1980, some 4,000 Libyan troops had poured into Chad. By December, they'd occupied two-thirds of the country, including N'Djamena. Habré and his forces were run out of the country into Sudan and Cameroon. In January 1981, Oueddei and Qaddafi alarmed the West and its African allies by announcing a potential Libya-Chad merger.

HALFWAY ACROSS THE WORLD, Ronald Reagan had just become president of the United States. Determined to regain the American prestige lost during the Iran hostage crisis that had bedeviled Jimmy Carter until literally his last minutes in office, Reagan immediately designated international terrorism as a primary threat to world order. Speaking from the South Lawn a week into his presidency, he said, "Let terrorists beware that when the rules of international behavior are violated, our policy will be one of swift and effective retribution."

Reagan didn't mention Qaddafi by name, but he may as well have. Soon after his inauguration, Reagan signed a secret presidential finding: Qaddafi would not be allowed to control Chad. And so it was that one of the poorest countries in the world was designated the primary battleground in the original "war on terror."

Habré meets President Reagan in the White House on June 19, 1987.

COURTESY THE RONALD REAGAN LIBRARY

Reagan's CIA director, William Casey, and Secretary of State Alexander Haig quickly coalesced around the idea of launching a covert war in partnership with Habré to "bloody Qaddafi's nose" and "increase the flow of pine boxes back to Libya" on America's behalf, as Haig put it. In short order, Reagan released several million dollars of covert support for Habré—a fraction of what was to come.

The first step was to put Habré in the presidential palace.

The CIA's station chief in Khartoum, a French speaker, made the initial approach, meeting Habré and his advisors in Sudan. Soon, weapons and cash were wending their way to Habré's rebel camp on the Chad-Sudan border. The CIA would send supplies through regional allies to Khartoum, then Sudanese intelligence, which was closely allied with the CIA, would move them by train to Nyala, the former British Administration Headquarters in Darfur, where Habré would pick them up and drive them across the border.

The possibility that the assistance would help Habré terrorize his own people was hardly considered. "Little to no attention was paid to the human rights issues at the time for three reasons," a former U.S. intelligence official who worked with Habré explained in an email. "(1) We wanted the Libyans out and Habré was the only reliable instrument at our disposal, (2) Habré's record suffered only from the kidnapping (the Claustre Affair), which we were content to overlook, and (3) Habré was a good fighter, needed no training, and all we had to do was supply him with matériel."

On June 7, 1982, Habré and 2,000 of his fighters fought their way into N'Djamena and declared the founding of Chad's "Third Republic." He consolidated power with brute force from the beginning: POWs from rival militant groups were executed, political opponents were captured and shot, and civilians thought to be sympathetic toward his opponents were targeted in reprisal operations. Oueddei fled to Libya, where Qaddafi would retrain and rearm his forces. And soon the United States was ferrying C-141 StarLifters loaded with weapons to Chad to arm Habré for the next step in its proxy war with Libya.

AT THE FOREFRONT of this effort was a resourceful young civil service officer named Charles Duelfer, perhaps best known today for his role on the Iraq Survey Group, which investigated U.S. intelligence failures concerning Saddam Hussein's weapons of mass destruction. By the early 1980s, he'd already cultivated good contacts at Langley, and he welcomed projects that got him out of the office—way out of the office. Liaising with Habré's forces was the perfect assignment.

"I became known as 'Charlie Chad,'" Duelfer told me. In 1982, he was at the State Department's Political-Military Bureau—"a little Pentagon and CIA at State," as he described it—and worked with Reagan's influential assistant secretary of state for African affairs, Chester Crocker. His primary task vis-à-vis Chad was to buddy up with a CIA contact and beg, borrow, and steal as much

matériel as possible to airlift to Habré. "There was a mix of things that made a lot of sense, some of which were U.S.-manufactured, and most of which were not," Duelfer said. "The RPG-7 was a great thing: Point-and-shoot, it's simple. But we can't get those from the Pentagon. You have to do that in other ways. Use your imagination." His CIA counterpart—a bit older, a Vietnam vet—would arrange the purchase of Warsaw Pact armaments through Egyptian and Sudanese intelligence.

With the help of Crocker's agile deputy, experienced Africa hand James Bishop, Duelfer raided Pentagon stocks under the cover of paragraph 506-A in the Foreign Assistance Act, which authorized "emergency drawdowns." "The Pentagon hated that. We would steal 106 mm recoilless rifles—whatever we could find that was useful—and fly it over there, and it would be billed to the Pentagon," Duelfer said. Their first big run, flying from Dover Air Force Base, consisted of 10 jeeps with rifles welded to the chassis, along with stocks of high-explosive ammunition and fléchette rounds. Bishop's office invoked the emergency drawdown authority so effectively in support of Habré that his team later gifted him a model C-141 with "506-A" stenciled on the tail.

A few years into the Reagan administration, "there were times that the N'Djamena Airport looked like Rhein-Main," said John Propst Blane, who served as U.S. ambassador in Chad from 1985 to 1988, referring to the massive Cold War air base in West Germany. "I mean, I had C-5s and C-141s lined up on that runway. We were running an airlift in that place you wouldn't believe," he recalled in an oral history of American diplomacy.

For Habré, the first real military crisis of his presidency hit in the summer of 1983 as Oueddei's forces, with Libyan support, launched an offensive in northern Chad, capturing the crucial city of Faya-Largeau, Habré's hometown. Qaddafi sent Libyan paramilitaries and Libyan air force jets to attack Habré's positions. "I only saw [Habré's] self-control crack once or twice," said Peter Moffat, who spent three and a half years in Chad, first as chargé d'affaires, then as ambassador. This, he told me, was the only time he ever saw Habré show fear.

In response, the Duelfer-Bishop-Crocker shop spun up a covert shipment that included 30 Redeye man-portable surface-to-air missiles, and American trainers were sent to work with Habré's troops. Two AWACS surveillance planes, a contingent of F-15s, and tanker aircraft, along with some 600 U.S. support personnel, were deployed to Sudan to assist Habré's counteroffensive. Reagan approved $25 million in overt emergency aid, and an American diplomat was sent quietly to Paris to get then-President François Mitterrand to back Habré.

Meanwhile, a senior CIA operative in Nigeria met with a local intelligence contact and placed a cash order for a couple dozen Toyota Hilux pickups, which were quietly delivered to Habré's people. The CIA trucks, mounted with 12.7 mm heavy machine guns, would ultimately prove decisive in Habré's encounters with the Libyans.

Zakaria, who asked that I use only his first name, fought with Oueddei's troops as a 21-year-old conscript at Faya-Largeau. He told me he remembers the Toyotas indelibly: They swooped in from the north at such manic speeds, Habré's fighters loosing such a storm of fire, that they caused mass panic in the rebel ranks. Just as suddenly, a second surge of Habré fighters attacked from the south, anticipating—and decimating—a column of reinforcements. The U.S. Defense Intelligence Agency had shown Habré "line drawings" (illustrations based on overhead imagery) of the enemy's positions ahead of the attack. Oueddei's fighters didn't stand a chance.

Habré's forces celebrated their victory by roping enemy fighters behind the Toyotas, several to a bumper, and dragging them through the desert, said Zakaria. Wearing a military uniform, Habré appeared and ordered captured fighters from specific towns—singled out for tribal affiliation—to stand. Zakaria was too badly injured to get up, which saved his life: Some 150 fighters were loaded into trucks, taken into the desert, and executed.

A week after Habré's win at Faya-Largeau, however, Qaddafi ordered regular Libyan troops into combat, dramatically escalating the conflict. Libyan jets bombed Habré's forces, and Oueddei's forces, with direct help from the Libyans, retook Faya-Largeau and then proceeded to occupy all of northern Chad. Paris finally took action, deploying some 3,000 French paratroopers to draw a line in the sand at the 16th parallel, some 200 miles north of N'Djamena. But the Libyans would remain in the country for years.

For his part, Zakaria would spend the next four and a half years in Habré's horrendous Maison d'Arrêt prison. Now in his 50s, he appeared in October 2012, dressed in a white turban and long desert robe, in the N'Djamena courtyard of a human rights group co-founded by Chadian attorney Delphine Djiraibe to offer his testimony. Reed Brody and a key colleague in the case he was assembling against Habré, French attorney Olivier Bercault, interviewed him for several hours, during which he described his treatment at Faya-Largeau, Habré's personal role in ordering the executions of POWs, and, of course, the horrors of prison. "I'm very eager to testify against Hissène Habré," Zakaria told me that day. "Everything I've just told you, I want to say to him."

2000 THE FIRST INDICTMENT

"THE HABRÉ CASE WAS instant gratification at the very beginning," Brody recalled 14 long years after it began, laughing. In the span of just over a month—late January to early February 2000—Brody and his colleagues would file their first case against Habré in Senegal, Habré would be indicted and questioned for the first time, and the case would explode across the world press.

The biggest concern as they maneuvered to prepare and file the case was that they not tip off their target. "When we began, we didn't really know who was who—who would give information back to Habré," Brody explained. "We were really afraid … he would try to escape from Senegal."

In a flurry of coded international calls and emails among New York, N'Djamena, and Dakar in January, Brody and his far-flung team made meticulous arrangements for "taking priests from Greece to a Jubilee party for the Cardinal in Rome." "Greece" was Chad, the "priests" a carefully selected batch of Chadian victims of Habré's regime. "Rome" was Dakar, and the "Cardinal" was Habré himself. The "Jubilee party" was the filing of the legal complaint in which his victims would formally accuse Habré of "torture, barbarous acts, and crimes against humanity."

The victim testimonies, gathered by Souleymane Guengueng and spirited out of Chad in Nicolas Seutin's luggage, comprised the documentary core of the filing. Guengueng and six other survivors—representing Chad's complex Muslim-Christian, north-south, and tribal divisions, and specifically the ethnic

groups targeted by Habré—traveled with the team to Senegal to be on hand if the judge requested their testimony. Fake invitations to a seminar in Dakar were wrangled so the Chadians could secure travel documents without tipping their hand.

The team converged in a dingy Dakar hotel. Guengueng knocked on Brody's door on the eve of the filing. "Tall and thin, his face then dominated by thick, bottle-cap eyeglasses, he exuded a serious determination," Brody wrote in an unpublished firsthand account he shared with me. "I realized that his life's goal—bringing Hissène Habré to justice—was now set in motion.... He told me that he was 'in this to the end,' and asked if I was too. I told him that I felt privileged to work with someone like him, and that I would do all that I could."

They filed the case on Jan. 26. Two days later, the senior investigating judge summoned the Chadians to tell their stories in a closed-door session. The press, tipped off by Brody, swarmed the witnesses as they left the hearing, and the case made headlines across Africa.

Four days after that, the judge indicted Habré, placing him briefly under house arrest. A *New York Times* editorial, "An African Pinochet," hailed "a welcome new chapter in the evolution of international criminal law."

Immediately after the team filed the charges, the French ambassador to Senegal offered the Chadian witnesses temporary asylum in Paris, convinced they'd be in grave danger upon returning home. Everyone turned to Guengueng, who took a beat before speaking.

"Before coming to Dakar to file this case, I decided I was ready to die," he told the rapt French envoy. "I will return to Chad tomorrow, and if I am killed when I get off the plane, I will die a hero."

Guengueng was not killed upon returning to Chad. Human Rights Watch gave him an award, which came with a $10,000 prize, and flew him to the United States for a Human Rights Watch fundraising tour. The humble Chadian bookkeeper was feted by the likes of Samuel L. Jackson, Joan Baez, and Nancy Pelosi at highbrow events in New York and California. Guengueng even addressed 1,000 supporters at the Cathedral of St. John the Divine, all with Brody at his side. His story built widespread support for the case.

During the trip, Brody contacted the Bellevue/NYU Program for Survivors of Torture, which arranged for surgeries to remove cataracts in both of Guengueng's eyes. Through the months of his treatment, he lived with Brody's family in Brooklyn and, as Brody recounted, was soon beating everyone at Monopoly. He even went sledding with Brody's son Zac, the first time he saw snow. He'd return to Chad all the more focused on pressing the case he believed was his purpose in life.

1987 VICTORY IN THE DESERT

IN THE MURKY ENGLISH evening of April 14, 1986, an armada of 58 American military aircraft lifted off from four British bases and flew south. Hours later, as the formation of bombers, electronic warfare planes, and tankers crossed over the Mediterranean, silent but for occasional radio checks, two U.S. aircraft carriers below began catapulting fighter jets into the night.

The electronic warfare planes struck first, at 1:50 a.m. Tripoli time, scrambling Qaddafi's sophisticated air-defense network with noise. Then, attack jets unleashed a barrage of HARM and Shrike missiles. Over 12 minutes, U.S. bombers attacked a Tripoli airfield, a Libyan naval academy, and the Bab al-Azizia compound, where Qaddafi was staying with his wife and children. Simultaneously, 12 fighter jets swarmed over Benghazi and Benina, destroying military barracks and an airfield. Some 37 Libyans, including civilians, were killed, as well as two U.S. Air Force captains whose F-111 fighter-bomber was shot down.

The proximate rationale for the attack was the terrorist bombing of a West Berlin discotheque just over a week before, which killed two U.S. servicemen and was credited to Qaddafi based on telex intercepts in which Tripoli congratulated Libyan agents in East Berlin for a job well done. More broadly, the attack represented the Reagan administration's welling impulse to lash out after a spate of terrorist attacks in the early '80s left it looking as helpless as the Carter administration it had criticized.

Operation Eldorado Canyon, as the strike was known, was dramatic, but Reagan's proxy war via Habré would kill 200 times as many Libyan troops and claim $1.5 billion of Libyan military equipment at a fraction of the cost, with means so basic that the final phase of the Chadian-Libyan conflict would be known simply as the "Toyota War."

Libya's protracted occupation of northern Chad was no less humiliating for Habré than Qaddafi's terrorism was to the Reagan administration. As many as 10,000 Libyan troops controlled huge swaths of the country, and by 1986, Libyan-supported rebels were making provocative thrusts toward the capital, violating the 16th parallel. The Libyan air force was flying sorties from the Aouzou Strip, their long-held slice of Chadian territory in the country's far north, and had also built a huge, threatening air base in a Chadian outpost called Wadi Doum.

In response, France, which had withdrawn its troops in a pact with Qaddafi in late 1984, sent a new, mostly defensive contingent of attack aircraft, special forces, and 1,000 troops (a presence that today remains key in France's Mali operations). They made a brief bombing run on Wadi Doum, then holed up, advising Habré to do the same lest he provoke Qaddafi into overrunning N'Djamena.

Habré's American friends were giving different advice.

"I met with the president almost daily, at least three or four times a week ... and we worked together, I think, obviously successfully," said Ambassador Blane. "His one objective, his only objective, during my period of service there, was to get rid of the Libyans. That's all he thought about." The United States increased its arms shipments to Habré, and in response to Libyan overflights of N'Djamena, the CIA called on then-friend Saddam Hussein to provide a flash shipment of Soviet-made high-altitude SA-2 surface-to-air missiles—"enough to defend an airport," said a senior American official involved in the deal.

Meanwhile, Habré was chomping at the bit for two of the hottest-ticket and closest-held items in the U.S. arsenal: the portable FIM-92 Stinger surface-to-air missile and the BGM-71 TOW wire-guided anti-tank missile. "He kept hammering away: Need Stingers, need TOWs. Need Stingers, need TOWs," said the senior official. "Maybe we shouldn't have done it, but we did: We gave him Stingers. We gave him TOWs."

HABRÉ LAUNCHED his counteroffensive on Jan. 2, 1987. His fighters surged north and destroyed a heavily defended Libyan communications base in Fada, swarming the 1,000-man garrison from all sides in a series of lightning pincer moves. The Libyan defenses—Soviet-made T-55 tanks and heavy artillery—

HABRÉ CONTINUED TO ENJOY **SUPPORT FROM THE U.S. GOVERNMENT,** EVEN AS WASHINGTON'S FIXATION WITH LIBYA DIMINISHED—AND DESPITE THE GROWING DENUNCIATION FROM GROUPS LIKE AMNESTY INTERNATIONAL OF THE **HORRIFIC ABUSES** IN CHADIAN PRISONS.

were useless in the unconventional assault. The Chadians fired MILAN anti-tank missiles from their pickup trucks at close range, killing the armored vehicles as they got stuck in the sand. Libyan crews started abandoning their tanks with the engines still running.

Meanwhile, Defense Intelligence Agency officers in Washington were transmitting the latest overhead views of Qaddafi's order of battle—troop locations, movements, minefields—on then-state-of-the-art "WASHFAX" (Washington Area Secure High-Speed Facsimile System) machines. The intelligence was shared directly with Habré.

Some 700 "panic-stricken" Libyan troops died, with 80 taken prisoner and 100 Libyan armored vehicles destroyed, and only 20 Chadian fighters killed, according to an account by a French army captain published in the *Marine Corps Gazette*.

In response, Qaddafi moved three battalions of troops and huge amounts of equipment to his air base at Wadi Doum. He'd quickly lose 800 of these troops—two armored battalions—in a Chadian ambush as the Libyans traveled from Wadi Doum to try to retake their garrison at Fada. The Chadians chased the stragglers back to Wadi Doum, driving—guns blazing—straight into the base.

The ensuing battle inside the wire at Wadi Doum was at madly close quarters: Chadian troops fired RPG-7s from 20 meters, killing tanks, but also themselves, according to the French captain, while their comrades blasted away "rapidly and instinctively" with rocket launchers, machine guns, and anti-tank missiles. The battle lasted two hours, leaving 1,300 Libyans and 200 Chadians dead.

In September, Habré's forces pushed over the border into Libya proper, sucker punching the Libyan air force on the ground. "They just totally wasted the air base. Just gone. All the airplanes on the ground," Blane said. "They took a lot of people with them who could drive, obviously, because they brought back 600 trucks."

They also brought back vast amounts of captured Soviet-made equipment—a U.S. intelligence bonanza. "It was a big deal in those days to try to get access to Soviet equipment, figure out how it worked, how good was it, what radio frequencies did it use," Duelfer said. There were intact Mi-25 helicopter gunships; an SA-6 mobile surface-to-air missile system; "spoon rest" radar arrays. Duelfer helped inventory the equipment, the most valuable of which was packed and shipped out on huge C-5 transport planes for dissection by U.S. and French intelligence analysts.

AFTER THE INITIAL Chadian rout of Qaddafi's forces at Wadi Doum, Blane received a cable from Washington: President Reagan wanted to shake President Habré's hand in the Oval Office. They met in the White House on June 19, 1987.

"It went beautifully," Blane recalled in the oral history. (He died in 2012.) "My wife came back with me and was with Mrs. Habré the whole time. Oh, it just went swimmingly. Mr. Habré and Mr. Reagan got along just dandily."

Reagan was no less effusive in his remarks after the meeting. "We believe the victories on the Chadian desert bode well for peace and stability in Africa," he said. "Today President Habré emphasized that his government is committed to building a better life for the Chadian people."

Habré returned to Chad and prosecuted two of the most deadly spasms of repression of his tenure. In 1987, when a military officer from the Hadjeraï tribe formed an opposition movement, government forces began a violent campaign of ethnic retribution. The attacks spread from Hadjeraï dignitaries and their families to the Hadjeraï population in general. The dictator was no less brutal in his violence against ethnic Zaghawas two years later, when one of their tribesmen, Habré's close advisor Idriss Déby, broke with him. Again, he targeted civilians in collective retribution.

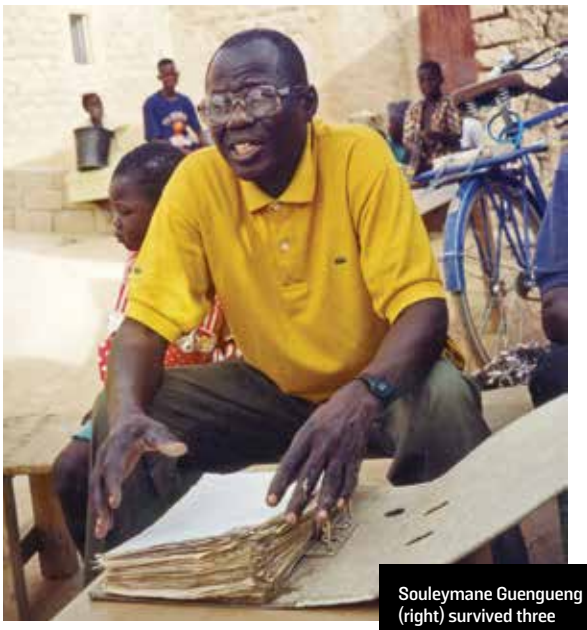
Throughout this period, Habré continued to enjoy support from the U.S. government, and the CIA in particular, even as Washington's fixation with Libya diminished—and despite the growing denunciation from groups like Amnesty International of the horrific abuses in Chadian prisons. "There were allegations of thousands of people in unspeakable conditions in jail, literally across the street from the AID mission"—that is, the local office of the U.S. Agency for International Development—"which was later proven to be true," said Bogosian, the U.S. ambassador at the time of Habré's ousting. Nevertheless, he acknowledged, Hissène Habré unambiguously remained Washington's man in N'Djamena. "There was, if you will, a certain momentum to our relationship."

2001 THE TORTURE PAPERS

THE EARLY VICTORIES THAT graced Reed Brody's pursuit of Hissène Habré did not last long, as the attorney quickly realized that getting the dictator into the dock was no less a matter of politics than of law.

On July 4, 2000—just a few months after Habré had been indicted in Dakar—Brody was playing softball at an Independence Day party in upstate New York when he got an urgent call: The Senegalese judge who had charged Habré had been removed from the case. This set the stage for the case itself to be dropped, which it was—first by Senegal's Appeals Court and then, the following year, by its top court, which claimed to lack jurisdiction over crimes Habré had committed in Chad. The ruling was a blatant violation of Senegal's commitments under the U.N. Convention against Torture.

It was, alas, the first of many setbacks in the quest to bring Habré to justice. The team's elegant lead Chadian attorney, Jacqueline Moudeina—one of the country's most prominent lawyers—was assaulted and gravely injured after she filed a parallel case in N'Djamena on behalf of 17 torture victims against all DDS agents who had worked for Habré's regime. Former DDS officials, some still in high government positions,



Souleymane Guengueng (right) survived three of Habré's prisons and has worked with lawyer Reed Brody (left), seen here examining documents found in DDS headquarters.

were called in for questioning—something unheard of before in Chad. One of the accused had become a commissaire in the national police under Déby, and in June 2001, police attacked Moudeina, throwing a grenade that exploded between her legs. Brody, in the United States at the time, pulled together emergency funds to evacuate her to Paris for a series of surgeries.

Brody counterattacked on multiple fronts, stirring all the journalist contacts he had to pressure Senegal's president at the time, Abdoulaye Wade, to live up to his commitments under the U.N. Convention against Torture. "I resolved … to make it the issue that would drive President Wade crazy," Brody said. "Everywhere he went, he would hear about the case."

More importantly, he began exploring alternative venues that could bring Habré to justice. On Nov. 30, 2000, Chadian victims who had relocated to Belgium filed a criminal complaint in Brussels under the country's 1993 law of universal jurisdiction, which was based upon the same legal principle that had led to Pinochet's arrest in England. In early 2002, a ponytailed judge from Brussels created a frenzy in Chad, traveling to N'Djamena with four strapping Belgian cops and a prosecutor to investigate the case, insisting on touring the former political prisons. It would take 12 years for this seed to bear fruit, but the Belgian intervention would prove pivotal.

The irony of the delay was profound because it persisted even as Brody uncovered damning new evidence.

On a hot day in April 2001, Brody showed up outside the infamous Piscine, a colonial-era swimming pool that Habré's DDS had turned into a sweltering underground prison in central N'Djamena—perhaps the cruelest facility in Habré's constellation of secret jails. Brody had come to Chad with a documentary film crew in tow and strong-armed the government into allowing the team to tour the abandoned cells. After filming in the Piscine—the walls of which still scream with pleas for mercy that were etched by the souls condemned there—and with cameras still rolling, the group asked to see the abandoned DDS headquarters next door.

With the trip, Brody had simply hoped to score some media points on behalf of the case. But in the old DDS building, he found himself unexpectedly—and literally—knee-deep in a massive trove of documents outlining the mechanics of the Habré regime's inhumanity. Crumpled on the floor were thousands of pages from intelligence files. There were prisoner lists, arrest and interrogation reports, death certificates, spying reports—a "forgotten and disheveled archive of Chad's darkest period," as Brody called it. Brody took advantage of the Déby government's interest in distancing itself from the Habré regime and won permission to copy the documents. (The documentary, by Swiss journalist Pierre Hazan, would be called *Chasseur de Dictateurs*.)

Back in New York, Human Rights Watch sent the DDS files to an outside statistician, who determined that they contain references to 1,208 prisoners who were executed or died in prison and 12,321 victims of gross human rights violations. The statistician also found that the DDS had directly sent Habré 1,265 communications about 898 prisoners.

One document, however, stood out for a different reason: It named 12 members of the DDS and Habré's personal security detail who had been sent to the United States in 1985 for "special training" at a secret facility a couple hundred miles outside Washington, D.C.

BANDJIM BANDOUM—a thick-bodied, round-faced former DDS agent—was one of the dozen selected for U.S. training; his name is on the document Brody found. But his name is also on another list: In 1992, Chad's Commission of Inquiry—a limited indigenous attempt to outline the Habré regime's crimes—singled out 14 DDS agents as Habré's most "pitiless" torturers,

COURTESY REED BRODY; COURTESY MICHAEL BRONNER

notorious among political prisoners "for their cruelty, sadism and inhumanity." Bandoum was one of them. "He came often to the place I was detained and would joke and play with the women," Ginette Ngarbaye, a former political prisoner, told me. "He took people away at night and killed them."

Bandoum was careful about directly addressing the accusations when I met him at a café across from Gare du Nord in Paris in 2012 for two long interviews, but he was also palpably resolved to share his firsthand knowledge with the world. "There were 40,000—45,000—people killed. They are no less important than I am," he said. "I want to bring Habré to justice. I can name names and clear up many things. I am ready to face justice as well for what I have done."

To the dismay of eavesdropping diners at the next table, Bandoum outlined the architecture of the DDS and its culpability in mass atrocities: "During the night, prisoners were executed discreetly," was one jaw-dropper; "I knew everyone that I arrested would be tortured" was another. He described how, after a prisoner underwent initial torture, he would then appear before a panel of 10 to 12 DDS agents, who would decide his fate.

Bandoum's initiation to the dark side was in the South, where Habré faced a bitter, ongoing rebellion from the time he took power in 1982. Troops deployed there under the command of Idriss Déby, then Habré's army chief-of-staff, were slaughtering thousands, summarily executing both rebels and civilians. Bandoum, a Southerner with a cousin among the rebels, was sent to gather intelligence and use his familial connections to forge a diplomatic back channel to rebel commanders.

In September 1984, a peace accord was reached, but Bandoum says that when the rebels he had convinced to lay down their arms emerged from hiding to sign the deal, Habré's forces gunned them down. The slaughter marked the opening volley of what would become Chad's darkest period of mass killings, known as "Septembre Noir," in which government troops decimated whole villages thought to be sympathetic to rebel factions. It was on the heels of these atrocities that Bandoum was selected to go to the United States, praise for his services having passed from Déby's lips directly to Habré, he told me.

The "special training" took place in 1985. The trainees flew to Paris, where they were met by American officials, who accompanied them on the second leg of their journey, to Dulles International Airport, outside Washington. From there, they took a private flight, curtains drawn across the plane's windows. The bus that ferried them from the airfield to the training facility had blackened windows. Over 10 weeks, French-speaking Americans schooled Bandoum and his comrades in "anti-terrorism"—identifying and handling explosives, learning the smell of chemicals associated with bomb-making, scanning for and defusing bombs, de-mining, and providing close protection. "They taught us to think like the terrorist," he said.

The notion that Bandoum and his comrades might themselves be terrorizing their fellow countrymen, and as such might not have any business receiving American training and support, didn't get much traction at the time.

"Real things were blowing up," Duelfer recalled. In 1983, the U.S. Marine barracks in Beirut had been bombed and a truck bomb had destroyed part of the U.S. Embassy in Kuwait. CIA Chief-of-Station William Buckley was kidnapped in Beirut in March 1984. The following month, Libyan agents firing from the country's de facto consulate in London shot and killed a British policewoman and wounded 10 civilians. And, in September 1984, Qaddafi was linked to mines laid in the Suez Canal and a suitcase bomb sent to Chad in an attempt to kill Habré. The following year, Americans were killed when terrorists hijacked TWA, EgyptAir, and Kuwait Airlines planes; attacked Rome's international airport; and commandeered the cruise ship *Achille Lauro*.

President Reagan, incensed at the wave of terrorism but relatively helpless, lashed out during a speech at the National Bar Association in July 1985, establishing priorities that trickled down: "The American people are not—I repeat—not going to tolerate intimidation, terror, and outright acts of war against this nation and its people. We are especially not going to tolerate these attacks from outlaw states run by the strangest collection of misfits, Looney Tunes, and squalid criminals since the advent of the Third Reich."

Bandoum's American training apparently served him (and the United States) well: He told me he was promoted to chief of the DDS's counterterrorism unit and personally intercepted a Libyan suitcase bomb, after which a CIA officer named John came to his office to thank him and relieve him of the device. (A bomb had destroyed a French passenger jet just before it took off from N'Djamena in March 1984, and in September 1989, another bomb brought down a French jet within an hour of departing from Chad, killing all 171 people aboard, including Bonnie Pugh, the wife of then-U.S. Ambassador to Chad Robert Pugh. Libyan agents were implicated in the latter attack.)

But the strain of his less noble duties ultimately caught up to him. Exhausted by arresting and interrogating prisoners, Bandoum suffered a mental and physical breakdown in 1987 and had to be hospitalized. After being unable to work for more than a year, Bandoum applied for a passport. This raised the DDS's suspicions; he was driven to the capital and hauled before a panel of 15 colleagues for a "very rough, very harsh" interrogation, accused of plotting against Habré. Afterward, he was thrown into a cell not far from his old DDS office.

The execution of prisoners from Bandoum's cell always happened between 11 and 12 at night, he said. There were always three armed guards who came; Bandoum ran scenarios over and over in his mind about how to grab a weapon and kill at least one before they killed him. But when they finally did come for him, he found himself unable to resist. He marched toward his execution. Then, the scene turned weird: The head of the prison appeared, embraced Bandoum, and told him he was being let go.

Three days after his release, Bandoum was called in to meet the new DDS director, who offered him a job. Threatened with further detention if he did not accept, Bandoum returned to work. But he began passing information to contacts he had in the French military. Tired of the dictator's brutality, Habré's erstwhile backers in Paris wanted to know about the mass graves, extrajudicial killings, and prison camps. In 1990, they spirited Bandoum out of the country.

BUT BANDOUM COULDN'T escape his past. In Paris, he was notorious in the Chadian expat community as a former torturer, and he found himself struggling to cope with persistent accusations and threats.

Finally, in late 2001 or early 2002, Bandoum met a well-known Chadian human rights figure, Dobian Assingar, who had become a close colleague of Reed Brody and who regularly passed through Paris as part of his involvement with the Habré case. "I've been watching you, I've been following you, I know what you've been doing with respect with the case," Bandoum told

him. "I have participated in the crimes you're talking about."

Bandoum invited Assingar to his house. Assingar was scared, warned by colleagues not to go, but ultimately, he couldn't resist. "This was our one chance," he told me. When he arrived, Bandoum cooked for him. Over many hours and many more drinks, Bandoum opened up and agreed to give testimony in the case. And in an interview in Paris, he told me he is willing to provide full and detailed testimony about his own complicity in Habré's crimes if Brody's team can get the case to trial.

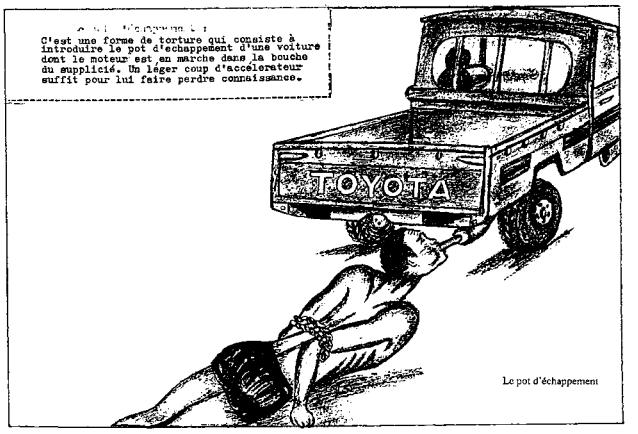
In July 2008, Bandoum met with Brody and other members of the legal team in the Human Rights Watch office in Paris for a marathon 15-hour session, providing context for the thousands of documents Brody had found at the DDS headquarters. He then gave an exhaustive deposition, meticulously laying out direct links between the dictator and the DDS. "This case doesn't have one 'smoking gun' document from Habré that says, 'Go kill these people, etc.,'" Brody explained. "Bandoum is the one who explains how DDS hand-delivered docs to Habré; how Habré kept a close watch.... Hundreds of documents say, 'To President Habré,' and Bandjim Bandoum can say, 'The documents were hand-delivered by the head of the DDS, and we know he read them.'"

2013 VINDICATION AT LAST

ON THE MORNING OF JUNE 30, 2013, Senegalese police arrested Hissène Habré at his home in Dakar, where he had lived in gilded exile for 22 years. He was charged with crimes against humanity, torture, and war crimes. He is confined in a refurbished Dakar jail awaiting trial before the Extraordinary African Chambers, a special body within the courts of Senegal created for the express purpose of trying Hissène Habré—a trial expected to begin in 2015. "The wheels of justice are turning," said Brody on the day of the arrest. "After 22 years, Habré's victims can finally see the light at the end of the tunnel."

Through his lawyers, Habré refused multiple requests to be interviewed for this article, but one of his Paris-based attorneys, François Serres, told me that his client denies all charges. The Obama administration has come out publicly in support of the trial, a development Serres flagged as the height of hypocrisy. In a July 4, 2012, letter to then-Secretary of State Hillary Clinton, he condemned the U.S. position, as reflected in a State Department report submitted to Congress the previous month. "[The document] does not offer a fair and impartial view of this case," Serres wrote. "This is probably the result of the misinformation conveyed by a large number of organisations, among which Human Rights Watch, in particular through its spokesman, who, for a decade, has been leading a heinous campaign, against Hissein Habré, in spite of court decisions, in violation of basic human rights principles and with the complicity of the current Chadian authorities."

It was the Belgians who had ultimately helped Brody turn the



slow wheels of international justice—but even their progress had been fitful, despite the 2000 indictment. In 2003, Belgium's law of universal jurisdiction came under fierce attack, from the United States in particular, after former President George H.W. Bush, former Chairman of the Joint Chiefs of Staff Colin Powell, and former Defense Secretary Dick Cheney were charged in connection with the 1991 bombing of a civilian shelter in Baghdad during the Gulf War. Under American threats, Belgium repealed the law in August 2003, but the case against Habré was grandfathered in and allowed to continue.

In 2009, after Senegal had repeatedly failed to act on an extradition request for Habré, Belgium went to the International Court of Justice (ICJ)—the principal judicial body of the United Nations, often simply called the World Court—to compel Dakar's compliance. "Going to the ICJ is the juridical equivalent of war," Brody said. Finally, in March 2012, the court convened for hearings on the merits of the case. Its decision would be binding upon Senegal.

Human Rights Watch flew Souleymane Guengueng in from New York. The legal dossier Brody and his team provided Belgian attorneys in support of their case included Guengueng's original victims' files, the DDS archives, and a string of legal opinions they had accumulated since they first filed charges against Habré in Dakar. "To have Habré's alleged crimes read out in detail and basically taken as a given by both sides and the highest court in the U.N. was already a measure of victory," said Brody, who worked furiously with a team of interns during the hearings, preparing legal briefs to help the Belgian lawyers rebut each of Senegal's arguments.

Days after the hearings, there was an exciting development. Senegal elected a new president: Macky Sall, a young, energetic politician. Shortly after taking office, Sall announced that he was committed to the rule of law and that Habré would be tried in Senegal. "We didn't want to go back and forth beating

THE JUDGES HAVE CONDUCTED MORE THAN **1,000 INTERVIEWS,** VISITED **MASS GRAVES** ACCOMPANIED BY FORENSIC ARCHAEOLOGISTS, AND INSPECTED A FARM IN SOUTHERN CHAD WHERE **HABRÉ'S FORCES** ARE ACCUSED OF **MASSACRING HUNDREDS** OF REBEL SOLDIERS AS THEY ATTEMPTED TO SURRENDER.

Sketches of torture techniques used by Habré's security forces published in Chad's 1992 Commission of Inquiry report.

around the bush for years like the last administration," Senegal's then-justice minister (now prime minister), Aminata "Mimi the Storm" Touré, told me. "We have to walk the talk."

Then, on July 20, 2012, the ICJ announced a unanimous decision ordering Senegal to "without further delay, submit the case of Mr. Hissène Habré to its competent authorities for the purpose of prosecution, if it does not extradite him." Guengueng felt vindicated: "Today, my friends who were tortured, the people I saw die in jail, those who never gave up hope, are one step closer to achieving justice."

Brody traveled to Chad in December to be on hand while four investigating judges from Senegal visited N'Djamena to take testimony, a crucial early step in the proceedings. Chadian victims, believing for the first time that Habré will actually be tried, are coming out of the woodwork. The judges have conducted more than 1,000 interviews, visited mass graves accompanied by forensic archaeologists, and inspected a farm in southern Chad where Habré's forces are accused of massacring hundreds of rebel soldiers as they attempted to surrender.

"This has the potential to be the transformative moment for African justice," Brody told me. "A televised trial in an African court in which African victims are bringing an African dictator to justice has the potential to capture people's imagination.... People who were inspired by the use of the law to arrest Pinochet can be even more inspired when they see Souleymane Guengueng testifying—when they see Jacqueline Moudeina, still with shrapnel in her leg, cross-examining Hissène Habré."

U.S. President Barack Obama has praised Senegal's efforts to prosecute Habré, and the United States has indicated it will contribute $1 million to help pay for the trial. Of course, the Obama administration itself has supported repressive governments when they have been perceived to serve U.S. interests. And, in 2011, it finished the job President Reagan had started three decades ago, helping Libyan rebels oust Qaddafi. A cynic could interpret Washington's newfound support for justice in Chad as little more than an attempt to whitewash its years of support for a torturer—an effort that began on Nov. 30, 1990, when Habré fled into exile.

THAT EVENING, with N'Djamena on the verge of falling to Idriss Déby's rebels, Col. David Foulds rushed from the American Embassy to the CIA training facility outside the capital. The U.S. defense attaché had to quickly evacuate the "fifth column" of some 200 Libyan expats the CIA had secretly armed before they clashed with Déby's Qaddafi-backed forces. At the camp, he took their weapons, loaded the men into trucks, and drove them to the airport, packing them so tightly in the waiting American C-141s that they flew out of the country standing body to body. As for the Stingers the United States had given Habré, no one would speak about them for attribution. They were ultimately found hidden beneath the staircase of the Chadian Ministry of Defense, all accounted for.

Hissène Habré had left his country in tatters—physically and psychologically. Tens of thousands of Chadians were killed by his regime, directly or in conflict with the Libyans. Among the victims I interviewed, an opposition politician named Gali Gatta N'Gothe explained most vividly how the legacy of Habré's terror endures. A former advisor to the dictator, Gali resigned in protest in 1988 and was arrested in 1990 for organizing a leaflet campaign calling for an end to repression and the dissolution of the DDS. He was tortured severely, imprisoned in the Piscine and the Gendarmerie (a jail where Guengueng also spent a year). At one point, Gali was interrogated by the head of the DDS, who was receiving instructions on his walkie-talkie throughout—from Habré. Gali is a big, easygoing man with curly hair and a warm laugh, but tears came to his eyes as we talked. "Even right now, as we're talking, I'm afraid. I'm controlled.... It's very dangerous. Habré's system completely divided Chadian society, collapsed Chadian society. Even our lives now are the consequence of Hissène Habré's reign."

Charlie Duelfer sees Chad as a cautionary tale. "Did this help rein in [Qaddafi] a bit? I don't know," he mused recently over Irish food at a pub near the United Nations. "If we had done nothing, would it have made any difference?" Hissène Habré killed some 10,000 Libyan soldiers, but Qaddafi remained in power for another two decades. "Any of these defense initiatives looked at ten years later, you end up asking, 'Was it worth it?' Look at Vietnam. Look at Iraq ten years later. Bin Laden? The 'War on Terror'? We spent a trillion dollars over ten years to put a 50-cent round in one guy's head? Everybody thinks that's a huge success. I don't know." ◆

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