

EXTERNAL

AI Index: AFR 20/05/97

4 March 1997

Further information on UA 296/96 (AFR 20/15/96, 19 December 1996) - Fear of extrajudicial execution

CHAD Official statement sanctioning extrajudicial executions must be withdrawn and remedied

Georges Toubade  
Karbida Nérobé  
and four unidentified men

New names: HOULIBELE Tissal, aged 32, KOKREO Guirsala, aged 35, POURE Ouangrebélé, aged 30, HAPMON Faitoin, aged 29, SERE Djakdjinkréo, aged 43, DJAOUTOIN Taïssam, aged 40, MEDANDI Metoin, aged 30, DJIBRILLA Yaya, LAMMA Djoïna, aged 39

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Following an order signed by the commander of Chad's specialized security units of the National Gendarmerie and issued in mid-November 1996, instructing all members of the Gendarmerie to extrajudicially execute criminals caught in the act, Amnesty International has continued to receive information on new cases of extrajudicial and summary execution in Chad. None have been the subject of official investigations.

Amnesty International, and other national and international human rights organizations, have raised their concerns in relation to this order with the Chadian authorities, calling for the order to be immediately revoked and for all allegations of extrajudicial execution and summary execution to be investigated. In addition, on 20 February 1997 the European Parliament passed a resolution in relation to the human rights situation in Chad, which stated the European Parliament's alarm: "*..at the continuing human rights violations in Chad, a country where the armed forces and the police are systematically resorting to extrajudicial executions of citizens suspected of belonging to opposition groups or considered to be criminals*" and "*condemns all forms of violence.. calls for the immediate and unconditional release of political prisoners... for the instructions to the 'specialised army units'*" to be revoked.

Amnesty International has not received a direct response to its concerns, although, on 3 March 1997, after meeting with members of the European parliament, the Chadian Prime Minister, Koibla Djimasta said in a radio interview with *Radio France International* that the policy was no longer in force and that criminals would be handed over to the judiciary. He also stated that the policy had allowed for criminals to be eliminated. Other senior officials of the government have publicly condoned this policy. In an interview given to the independent newspaper, *N'Djaména-Hebdo*, President Déby publicly supported the policy, presenting it as a measure to deal with rising violent crime, and stating that thieves should be killed. The foreign minister is reported to have said the policy is working. Amnesty International has not received written confirmation that the order has been revoked, nor is it clear, if this is the case, how this has been communicated to specialized units and their commanders.

Amnesty International recognizes the duty of a government to take action to ensure that the rule of law is upheld, but such action should itself be within the framework of national legal procedures and international law protecting human rights.

In at least one case, a magistrate (*juge de paix*) is reported to have been involved. On 24 December 1996, nine people (named above) were extrajudicially executed in public in Fianga, Mayo Kebbi in front of a large crowd. The men, who were accused of being members of a criminal gang operating in the area, were arrested between 15 and 24 December 1996. On 23 December, the sub-prefect sent a letter inviting local government employees, representatives of political parties and non-governmental organizations from civil society to attend a meeting outside the local administrative office. Subsequently, the nine men, who were tied together, were shown to this group of people and a large crowd which had gathered, before being extrajudicially executed. The local magistrate is reported to have invoked articles 161, 162 and 163 of the Criminal Code before the men were shot. The two wives of the alleged gang leader, who had also been arrested, were released prior to the executions.

A number of bodies, some bearing signs of torture, have been retrieved from the Chari and Logone rivers since November 1996; they appear to have been the victims of extrajudicial execution, although lack of official investigation has meant the identities of the perpetrators remain unknown. The *Observatoire international des prisons* (OIP), International Observatory of Prisons, which has recently returned from a mission to Chad, reported that children in the village of Sarh, Moyen Chari, are among those who have been extrajudicially executed under this policy.

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in French and Arabic or in your own language:**

- seeking clarification on whether the order issued to specialized units of the Gendarmerie to commit extrajudicial executions has officially, and in practice, been revoked;
- calling on the authorities to make an official public statement making it clear the order has been revoked and to immediately make it clear to all units of the security forces and members of the government that all law enforcement personnel are prohibited from operating a policy of extrajudicial execution, and that any one operating such a policy will be prosecuted;
- expressing concern that senior government officials appear to have sanctioned this policy;
- calling for independent impartial investigations into all allegations of extrajudicial execution and deaths in detention, including those mentioned above, with a view to bringing to justice those responsible, and for relatives of those unlawfully killed by members of the security forces to be compensated.

**APPEALS TO:**

President Idriss Déby  
Président de la République  
Présidence de la République  
BP 74, N'DJAMENA, Chad

**Faxes: + 235 51 45 01/51 46 53 (Please note: the 51 will change to 52 in the near future)**

**Telegrams: President Déby, N'Djaména, Chad**

**Salutation: Monsieur le Président / Dear President**

Prime Minister

Monsieur Koibla DJIMASTA  
Premier Ministre  
Présidence de la République

N'DJAMENA, Chad

**Telegrams: Premier Ministre, N'Djamena, Chad**

**Salutation: Monsieur le Premier Ministre**

Monsieur Youssouf Togoimi  
Ministre des Forces armées  
Ministère des Forces armées  
N'DJAMENA, Chad

**Telegrams: Ministre des Forces armées, N'Djaména, Chad**

**Salutation : Monsieur le Ministre / Dear Minister**

Lieutenant Colonel DAOUD Soumaïne Khalil  
Directeur Général de la Gendarmerie  
BP 425, N'DJAMENA, Chad

**Telegrams: Directeur General, Gendarmerie, N'Djamena, Chad**

**Salutation: Monsieur le Directeur Général**

**COPIES TO:**

Monsieur Domaye Nodjigoto Daniel, Président de la *Commission nationale des droits de l'homme et des libertés*, Palais du 15 janvier, BP 426, N'DJAMENA, Chad

Le Rédacteur en chef, N'Djaména-Hebdo, BP 760, N'DJAMENA, Chad

Monsieur Abdelkerim NADJO, Ministre de la Justice et Garde des Sceaux, Ministère de la Justice, N'DJAMENA, Chad

and to diplomatic representatives of Chad accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 15 April 1997.