

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2003/07/01/some-alleged-torturers-living-exile>

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The second reign of MILTON OBOTE as President of Uganda (1980-1985) is thought to have even exceeded the brutality of the Amin era. Estimates of civilians killed by Obote's forces in the Luwero triangle around the capital, Kampala, range from 100,000 to 300,000. Prisoners in military custody were systematically tortured. After he was deposed in a May 1985 military coup, he fled and now lives unmolested in Zambia.

Chad's former president, HISSNE HABR, lives in exile in Senegal. A Chadian Truth Commission accused Habr's 1982-1990 government of tens of thousands of political murders and systematic torture. With Human Rights Watch's help, Chadian victims filed charges against Habr in Senegal, where he was indicted in February 2000 on charges of torture and crimes against humanity, before the Senegalese courts ruled that he could not be tried there. Habr's victims are now seeking his extradition to stand trial in Belgium, where charges were also filed, and Senegal has agreed to hold him pending an extradition request. Last year, a Belgian judge and police team visited Chad to investigate the charges, and the government of Chad waived any state immunity which Habr might seek to assert. In July, the Belgian government announced that the Habr prosecution could go forward despite the repeal of the Belgium's universal jurisdiction law.

More information on the Habr case can be found at <https://www.hrw.org/en/habre-case>.

MENGISTU HAILE MIRIAM is living in Zimbabwe, which has refused Ethiopia's extradition request to stand trial for crimes committed between 1974 and 1991. During this period, tens of thousands of political opponents were killed, in particular during the "Red Terror" campaign of 1977-1978. Hundreds of thousands of government opponents, including members of the Oromo ethnic group, former Imperial Government officials, student Marxists, and peaceful critics were arbitrarily imprisoned. Torture of political prisoners was systematic and widespread. When Mengistu went to South Africa in November-December 1999 for medical treatment, the government failed to act on calls from human rights activists that he be arrested and did not acknowledge an extradition request from Ethiopia until Mengistu had returned to Zimbabwe.

Generals RAOUL CEDRAS and PHILIPPE BIAMBY led a bloody coup against the constitutionally elected President of Haiti, Jean-Bertrand Aristide in 1991. During their dictatorship, thousands were killed, tortured and raped. When President Aristide was restored, the two were flown to Panama, where they were granted asylum. Panama has refused Haiti's extradition request, even though Panama ratified the Torture Convention in 1987 and has laws allowing for the prosecution of torture committed abroad. Generals Cedras and Biamby were convicted in absentia by a Haitian jury for their participation in an April 1994 massacre in the slum of Raboteau, in which army forces killed about 20 people. Rejecting a request by Human Rights Watch that the pair be prosecuted or extradited, the Panamanian foreign ministry stated in November 1999 that "it would be a dangerous precedent to grant the right of asylum to resolve a political problem in a neighboring country and later deny the rights of those given asylum."

EMMANUEL "TOTO" CONSTANT, the leader of Haiti's "FRAPH" death squad who now lives in New York, is wanted by Haitian prosecutors to face charges of murder, torture and arson carried out during Cedras' de facto rule. He was also convicted in absentia for the Raboteau massacre. Constant has admitted to receiving regular payments and encouragement from the CIA while he built his terror network. When Aristide was restored to power, Constant was ordered to appear in court, but he fled to the United States where he was arrested in March 1995. U.S. Secretary of State Warren Christopher, calling FRAPH "an illegitimate paramilitary organization whose members were responsible for numerous human rights violations in Haiti," asked for his immediate deportation to Haiti. Constant was instead released from custody pursuant to a secret agreement between the U.S. government and Constant - revealed by the Baltimore Sun - which would allow the death squad leader to "self-deport" at any time to a third country of his choice, effectively allowing him to escape justice in Haiti, which has sought his extradition.

ALFREDO STROESSNER of Paraguay now lives in Brazil. The Stroessner dictatorship (1954 to 1989) used widespread torture against political opponents. Stroessner was also an ally of Gen. Augusto Pinochet of Chile in "Operation Condor," a multinational network of

police and military operations throughout Argentina, Brazil, Chile, Paraguay and Uruguay who routinely practiced torture, disappearances and murders while carrying out a "dirty war" against suspected leftists in the region.

JEAN-CLAUDE "BABY DOC" DUVALIER, Haiti's "president for life" (1971 - 1986), is living in France. The Duvalier dictatorship is accused of thousands of political killings and arbitrary detentions. In September 1999, four Haitian torture victims filed complaints with a French prosecutor charging crimes against humanity. The prosecutor rejected the complaints, however, on the grounds that they did not fit the pre-1994 French definition of crimes against humanity which applied only to crimes committed on behalf of Axis powers during World War II, and that they could not be brought under the 1994 law on crimes against humanity, which was not retroactive.

Since leaving Peru with the collapse of his rule in 2000, former Peruvian President ALBERTO FUJIMORI has lived in comfortable exile in Japan. The authoritarian nature of the Fujimori regime exacerbated Peru's human rights crisis, which was characterized by torture, forced disappearances, and extrajudicial executions. Peru is seeking his extradition to face charges of human rights crimes and corruption, though Japan has indicated that it will not extradite Fujimori, whom it considers a Japanese citizen.

The United States and Chads Hissne Habr 1982-1990

Time is Running Out for the Victims

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