



Non-Governmental Organization with Special status at the ECOSOC in the United Nations, member observer at the African Commission on Human and Peoples Rights (ACHPR) of the African Union and at the Organisation Internationale de la Francophonie (OIF)

PRESS RELEASE

ADOPTION OF THE AMENDMENT OF ARTICLE 9 OF THE CONSTITUTION: AN IMPORTANT STEP FOR THE TRIAL OF HISSÈNE HABRÉ IN SENEGAL

The African Assembly for the Defense of Human Rights (RADDHO) welcomed the adoption of the amendment of Article 9 of the Senegalese Constitution by Congress in its first session from July 23, 2008 and measures taken by the Ministry of Justice including the appointment of judges who are four (4), the Dakar Regional Court which has just been given ten (10) firms instruction including four (4) will devote exclusively to the case Habré.

By these measures, Senegal has just pose a major act that would not only comply with its international obligations but also to move towards the trial of the former President of Chad living on its territory since 1991.

The amendment to Article 9, on international crimes regarded as imprescriptible lift the barrier of retroactivity crimes whose Mister Hissène Habré is accused between 1982 and 1990. He said that the principle of non-retroactivity of criminal law "does not preclude prosecution, trial and conviction of any person for any act or omission which, at the time they were committed, was criminals according to the rules of international law relating to genocide, crimes against humanity, war crimes ". This amendment is in accordance with Article 15 (2) of the International Covenant on Civil and Political Rights, ratified by Senegal, which provides that the principle of non-retroactivity "does not preclude the trial and conviction of any individual through acts or omissions that, when they were committed, was criminal, according to general principles of law recognized by all nations "

In February 2007, parliament passed a law to investigate cases of genocide, crimes against humanity, war crimes and torture, even if they were committed outside the territory of Senegal. The constitutional amendment adopted on July 23 specifies that the law applies to such crimes, even if they were committed prior to adoption.

The African Assembly for the Defense of Human Rights (RADDHO):

- **Welcomes** the measures taken by Senegal
- **Calls** to that effect, the Senegalese authorities to open as soon as possible judicial proceedings
- **Calls** upon donors to expedite the availability of funds
- **Recalls** that the mandate of the African Union to the State of Senegal date two (2) years now. It is therefore time to move on to concrete and quickly open the investigation to ensure that victims of Hissène Habré, who waited eighteen years, are finally, justice.

Done in Dakar, July 25, 2008