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Haiti: Convicted human rights violators must not be allowed power

At least eight convicted or indicted human rights violators are currently at large in Haiti and must be brought before the justice system immediately, a new report by Amnesty International says.

Convicted human rights violators Louis Jodel Chamblain and Jean Pierre Baptiste ('Jean Tatoune') are currently leading the rebel forces circulating freely in Port-au-Prince. Amnesty International is extremely concerned that international forces present in Haiti have permitted rebel forces led by perpetrators of past abuses to effectively take control of part of the capital. The organization fears that they may join forces with former military and paramilitary colleagues who, until reportedly escaping from the National Penitentiary on Sunday, were being imprisoned on human rights grounds.

"The Multinational Interim Force must ensure that the safety of police and judicial officials, witnesses and human rights defenders who were involved in bringing these perpetrators to justice in the first place is guaranteed, as they are at risk of reprisal attacks," Amnesty International said.

Moreover, the organization repeated its calls for the exclusion of the two rebel leaders and any others involved in gross human rights violations from any position of authority in any new governing structure established in Haiti, and reminded the international community that any attempt to provide an amnesty for recent or past violations would be unacceptable and a violation of international human rights law.

"Political expediency must not allow individuals to get away with unlawful killings, torture or other abuses," Amnesty International said.

"The fact that the massacres, extrajudicial executions or torture for which they were initially brought to justice took place a number of years ago does not remove the need for perpetrators to be held accountable. Failure to do so in the past has contributed to the current violence."

According to international press reports, rebel leader Guy Phillippe has expressed confidence that his forces will be given a prominent and influential role in public life. Worryingly, some leaders of the political opposition in Haiti have reportedly indicated that they are willing to negotiate with convicted human rights offenders among the rebel leaders in the interest of political compromise.

"Such developments would have a devastating effect on the possibility of establishing a meaningful and lasting rule of law in Haiti. The trials in which these individuals were convicted gave hope to Haitians that for the first time in the country's history, the cycle of political violence might well and truly

be broken. That hope has now been betrayed," Amnesty International stressed.

Amnesty International is calling on the international community, through its Multinational Interim Force to take immediate steps to counter the threat posed to human rights and the rule of law by these individuals:

The MIF must take urgent steps to guarantee that notorious human rights offenders with pending sentences for human rights convictions, and those facing indictments on human rights grounds, are taken into custody and brought before the Haitian justice system. Escapees must be returned to prison; those perpetrators convicted *in absentia* have the opportunity for a retrial, under Haitian law, and should be held in custody until the retrial occurs.

The MIF must take immediate steps to disarm the rebel groups, and armed pro-government gangs, to minimise the risks of ongoing human rights abuses.

The international community must as a matter of priority ensure that under no circumstances are those convicted of or implicated in serious human rights abuses given any position of authority, whether in a transitional government or among the security forces, where they might commit further violations.

The Multinational Interim Force (MIF) must take urgent steps to ensure that the safety of all police and justice officials, witnesses and human rights defenders involved in bringing the individuals named in this report to justice is guaranteed.

The MIF must take steps to protect police and judicial records relating to past human rights abuses.

No amnesty for past or recent human rights abuses can be permitted.

In the longer term, the international community must assist the Haitian justice system so that it can bring to justice all of those accused of involvement in human rights violations.

**For a full copy of the report: *Haiti: Perpetrators of past abuses threaten human rights and the re-establishment of law the rule of law* please go to:
<http://web.amnesty.org/library/index/ENGAMR360132004>**

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