

EXTERNAL (for general distribution)

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*Please bring this urgent action to the attention of the person responsible for work on children and youth.*

UA 441/91

Legal/health concern

13 December 1991

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HAITI

Sergo (or Serge) MICHEL  
Emilien KERSAINT  
+ over 20 unnamed street children

Amnesty International is concerned for the health and legal situation of Sergo (or Serge) Michel, aged 20, and of Emilien Kersaint, two street youths who are members of the *Centre d'Education Populaire* (CEP), Popular Education Centre, a centre which provides for street children.

According to the information received by Amnesty International, on the night of 6 November, street youths Sergo Michel, Emilien Kersaint, Dieuseul Constant, Pharol Jean and Claude Laguerre, some of whom are in their teens, were arrested by the police as they were sleeping in Port-au-Prince cemetery and were taken to the *Pénitencier National* (National Penitentiary) in Port-au-Prince. They were allegedly arrested because the police believe them to be supporters of President Jean-Bertrand Aristide. After spending one month in prison, they were taken before the *Parquet* (government procurator's office) in Port-au-Prince (the Haitian Constitution stipulates that those detained have to be taken before a judge within 48 hours of arrest), but were sent back to prison, reportedly on the same accusation.

The director of the CEP, who had been informed of the arrests by another youth who had previously been released, obtained a release order for Dieuseul Constant, Pharol Jean and Claude Laguerre, who were released on 11 December. The director of the CEP was informed that Sergo Joseph could not be released because he was not registered under the name of Sergo Michel but as Serge Michel. The CEP director did not know at the time that Emilien Kernisant was being held.

On the morning of 13 December the CEP director went to the National Penitentiary to see Sergo Michel, whom he reported to be in ill-health and not receiving any form of medical attention. Emilien Kernisant, who before arrest had an infected wound on his foot, has also been reported by the director to be ill due to the deterioration of the infection during his detention. He allegedly has not received any medical care either.

Amnesty International has also received information that about 20 street children, aged between 10 and 15 years, are being detained at the National Penitentiary, accused of being "children of Aristide", meaning either supporters of President Aristide or children belonging to *Lafanmi Selavi*, the orphanage founded several years ago by Father Aristide.

**BACKGROUND INFORMATION:**

Troops overthrew the democratically elected government of President Jean-Bertrand Aristide,

who took office in Haiti on 7 February 1991, in a coup d'Etat on Monday 30 September. Since then Amnesty International has learned of widespread human rights violations committed by the security forces, including a large number of extrajudicial executions, beatings and mass arrests without warrant. These abuses have been carried out by uniformed security force agents or, in some occasions, by men in civilian clothes.

Prison conditions in the National Penitentiary, (*Pénitencier National*), are reported to be extremely harsh, and many inmates have been reported to be in ill health because of malnutrition, poor hygiene and lack of medical treatment.

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**RECOMMENDED ACTION: Telegrams/telexes/faxes/telephone calls and airmail letters:**

- expressing concern at the continued detention of Sergo (or Serge) Michel and Emilien Kernisant, and at reports that their state of health is poor;
- asking for clarification of their legal status, and that, if not charged with a recognized criminal offence, they should be immediately and unconditionally released;
- expressing concern at the reported detention of about 20 street children at the National Penitentiary;
- asking that their names be made available to you, and asking that they be immediately released unless there is clear evidence they have committed a criminal offence.

**APPEALS TO:**

1) Prime Minister:

Maître Jean-Jacques HONORAT      **Monsieur le Premier Ministre / Dear Prime Minister**

Premier Ministre, Ministre des Affaires Etrangères  
Présidence de la République de Haïti  
Palais National  
Port-au-Prince

**Telegrams: Premier Ministre Honorat, Port-au-Prince, Haiti**  
**Faxes:       + 509 22 1147**

2) Commander in Chief of the Armed Forces:

Monsieur le Général                                      **Monsieur le Général / Dear General**

Raoul CEDRAS  
Commandant-en-Chef des Forces Armées d'Haïti  
Grand Quartier Général des Forces Armées d'Haïti  
Rue Geffrard  
Port-au-Prince, Haïti

**Telegrams: Comandant-en-Chef des Forces Armees Cedras, Port-au-Prince, Haiti**

**Telephone: + 509 22-3935**

**Telexes:    20391 gqfadh**

**Faxes:       + 509 23-9007**

3) Minister of Public Health and Population:

Monsieur Greger JEAN-LOUIS                                      **Monsieur le Ministre / Dear Minister**

Ministre de la Santé Publique et de la Population  
Ministère de la Santé Publique et de la Population  
Palais des Ministères

Port-au-Prince, Haïti

**Telegrams: Ministre de la Sante Publique et de la Population Jean-Louis, Port-au-Prince, Haiti**

**Telephone: + 509 22-1248; 22-1755**

**Telexes: 20321**

**COPIES TO:**

President of the Chamber of Deputies:

Maître Duly BRUTUS  
Président de la Chambre des Députés  
Assemblée Nationale  
Port-au-Prince, Haïti

Director of the National Penitentiary:

Monsieur le Directeur  
Pénitentier National  
Rue du Centre  
Port-au-Prince, Haïti

President of the Senate:

Maître Eudrice RAYMOND  
Président du Sénat  
Assemblée Nationale  
Port-au-Prince, Haïti

Haïti en Marche (newspaper)

173 N.W. 94 St.  
Miami  
Fl 33150, USA

and to diplomatic representative of Haïti in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 24 January 1992.