

PUBLIC

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Possible summary execution by police

19 April 1999

HAITICarl Edwin Etienne, aged 22

Marc Antoine Posy, aged 32

Amnesty International is extremely concerned at the apparent summary execution by police of two civilians. This is not an isolated incident: shootings in disputed circumstances and excessive use of force by officers of the *Police Nationale d'Haïti* (HNP), Haitian National Police, are frequently reported.

The bodies of Marc Antoine Posy and Carl Edwin Etienne were found on 9 April 1999, lying face down by the road in Fontamara, a district of the capital, Port-au-Prince. They had been shot in the neck, and appeared to have been hit in the face with rifle butts before they were shot. They were found at the scene of an earlier shoot-out between police and a criminal gang, in which an agent of the *Compagnie d'Intervention et de Maintien de l'Ordre* (CIMO), Rapid Intervention Force, a special force within the HNP, was killed. CIMO units were in the area to investigate the incident when Marc Antoine Posy and Carl Edwin Etienne were shot.

On 15 April 1999, an HNP spokesman denied that CIMO members were involved in the killing of the two civilians, and blamed the criminal gang. However, witnesses' testimonies reportedly contradict the police statement and indicate that the victims may have been killed by CIMO agents, in retaliation for the death of their colleague. Witnesses reported hearing a vehicle pull up and men shouting orders to lie down, followed by four or five gunshots. A relative of one of the youths claimed to have heard him pleading for his life, protesting that he was not a thief and offering to show his identity papers.

An HNP spokesman indicated recently that an investigation had been opened to establish whether CIMO members had been involved in these killings.

BACKGROUND INFORMATION

The HNP was set up in July 1995. Amnesty International has received several reports of CIMO officers using excessive force, sometimes causing serious injuries. On some occasions they have used firearms to disperse demonstrators in circumstances which did not appear to warrant such force.

During 1998 the police authorities opened official investigations into most reported fatal shootings, but not into reported cases of torture or ill-treatment. In July the HNP declared that 28 of its officers had been suspended that year for human rights violations. However, only a few were detained and charged or brought to trial. *Mission Civile Internationale en Haïti OEA/ONU* (MICIVIH), International Civilian Mission in Haiti reported that in 1998, 31 fatal police shootings in self-defence or other circumstances were reported and there were 11 cases of allegedly excessive use of force by police officials.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in French or your own language:

- expressing concern at the recent killings of Marc Antoine Posy and Carl Edwin Etienne, and noting witnesses' testimonies that they may have been shot by CIMO agents;
- welcoming the investigation into the death of the two civilians and urging the government to ensure that it is thorough and impartial, that the results are made public and that those found responsible are brought to justice;

- urging the Haitian authorities to ensure that provisions for the use of firearms by all police officers adhere to international standards for the use of such weapons;
- asking the government to enhance, as a matter of urgency, the capacity of the HNP to carry out serious investigations into violent crimes, including shootings;
- urging the government to amend the police disciplinary code to include specific sanctions against excessive use of force, extrajudicial executions, enforced "disappearance" and torture, in keeping with relevant international standards.

APPEALS TO:

S.E. Monsieur René Préval
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Présidence de la République d'Haïti
Palais National
Champ de Mars
Port-au-Prince
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Fax: (509) 223 7323

Salutation: Monsieur le Président de la République

Monsieur Jacques Edouard Alexis
Premier Ministre et Ministre de l'Intérieure et de la Défense Nationale
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Salutation: Monsieur le Ministre

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Salutation: Monsieur le Secrétaire d'Etat

Monsieur Fritz Longchamps
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Blvd Harry Truman
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Salutation: Monsieur le Ministre

COPIES TO:

Non-governmental organization

National Coalition for Haitian Rights (NCHR)

275 Seventh Avenue, 25th Floor

New York, NY 10001

USA

Fax: + 1 212 337 0028

Human Rights Organization

Plate-forme des Organisations Haïtiennes des Droits de l'Homme

Casier Postal 19181

Port-au-Prince

HAITI

and to diplomatic representatives of Haiti accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 31 May 1999.