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## A summary of Amnesty International's concerns

In the aftermath of the departure of former President Jean-Bertrand Aristide, Haiti is confronted with a number of human rights challenges it must meet if the country is to break with the violence and impunity that has characterized it for so many years.

An Amnesty International delegation visited the country from 25 March to 8 April 2004 and was deeply concerned for the security of the civilian population. Despite the presence of the UN-mandated Multinational Interim Force (MIF), a large number of armed groups have continued to be active throughout the country and to abuse human rights. These groups include both former insurgents (made up initially of former military officers and former members of a paramilitary group active during the 1991-1994 military regime, responsible for serious human rights abuses in the past), armed criminal gangs, escaped prisoners and militias loyal to former President Aristide.

In the current climate of violence and insecurity, the first challenge Haiti must meet is the protection of civilians and the restoration of the rule of law. Amnesty International believes that the first step towards ensuring this is by setting up a comprehensive, nation-wide disarmament of all the groups currently in possession of weapons. This includes not only the violent groups associated with the former government, but also those who participated in the insurgency against former President Aristide, as well as criminal gangs, former prisoners, and private security officers.

Haitian rule of law institutions, already plagued by politicization, mismanagement and corruption, were further weakened by the recent conflict: courthouses, prisons and police stations were burned, looted or otherwise destroyed, and many officials were forced out or fled. While the capacity of the police and judiciary is limited, the interim government has swiftly moved to arrest members of former President Aristide's Fanmi Lavalas party suspected of acts of political violence or corruption, but has not acted with the same commitment against accused or convicted perpetrators of grave human rights violations, some of whom played a prominent role in the recent insurgency. On 22 April 2004, Louis-Jodel Chamblain, convicted *in absentia* for his part in human rights abuses, turned himself in to the police. He is entitled to a retrial according to Haitian law. His case is an important test for Haiti's judicial system. It is also a test of the country's commitment to put an end to impunity. Unless Haiti can demonstrate that no one is above the law, and that the law is applied impartially to both government supporters and opponents, impunity will continue to be rife and there will be no end to the violence and instability that have taken hold of Haitian society for so long.

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The international community has recognized that Haiti cannot respond to these challenges alone. The United Nations' Stabilization Mission in Haiti (MINUSTAH) has been mandated by the UN Security Council to support the constitutional and political process, governance and development and assist in maintaining public safety and public order. MINUSTAH also has a strong mandate to support the transitional government and Haitian human rights institutions in promoting and respecting human rights, to assist in the reform and institutional strengthening of the judiciary and with disarmament programs.

But Haitian ownership of human rights and justice programs is essential if lasting progress is to be achieved. Haiti and MINUSTAH must work in close co-operation from the start, and MINUSTAH support must be matched by an equal commitment by the Haitian authorities to uphold the rule of law and to guarantee the impartial and independent functioning of its rule of law institutions. For its part, the international community must make sure that it provides the long-term resources needed to forge a permanent solution to Haiti's ongoing political, financial and human rights crisis.

## Context

On 5 February 2004, after months of unrest and demonstrations demanding the departure of President Jean-Bertrand Aristide, conflict broke out in Gonaïves, the country's fourth largest town, when armed opponents of the government attacked police stations and court houses, forcing the police and local authorities to flee. The insurgents were mainly officials of the disbanded Haitian Armed Forces (Forces Armées d'Haïti, FAdH); former members of the paramilitary organization Revolutionary Armed Front for the Progress of Haiti (Front Révolutionnaire Armé pour le Progrès d'Haïti, FRAPH) and a group based in Gonaïves called the Cannibal Army (Armée Cannibal), which had initially supported Aristide but which later called for his ouster.<sup>1</sup> All of these groups had been involved in human rights violations both before and during the present conflict. The insurgents were led by former army officer and one-time Haitian National Police commissioner Guy Philippe, who had fled the country in 2000 after he was accused of participating in a coup attempt, and by Louis-Jodel Chamblain, former second in command of the FRAPH, who returned from exile earlier this year. Chamblain had been sentenced *in absentia* to life in prison for the 1993 murder of pro-Aristide businessman and human rights activist Antoine Izméry and for his role in the 1994 Raboteau massacre, and has been implicated in other

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<sup>1</sup> The Haitian Armed Forces (Forces Armées d'Haïti, FAdH) were abolished by President Aristide following the return of democracy in 1994. A new civilian Haitian National Police was created in 1994, and is the country's only official law enforcement and security force.

human rights crimes.<sup>2</sup> The leadership also included Jean Pierre, alias "Jean Tatoune", a former FRAPH leader who was sentenced to forced labour for life for participation in the 1994 Raboteau massacre. He was among the prisoners who escaped from Gonaïves prison during an August 2002 jailbreak organized by the Cannibal Army. Gang members under the direction of "Jean Tatoune" have been accused of numerous abuses against officials and supporters of the Aristide government, as well as other Gonaïves residents, over the past 10 months.

As the violent rebellion swiftly spread to other areas in the north and centre of the country, others joined in. Among them were former *chefs de section*, rural police chiefs, notorious for human rights violations, who were disbanded when former President Aristide first took office in 1991, reformed by the military regime that overthrew him in 1991 and disbanded again in 1994, as well as others opposed to him. Over the two weeks following the uprising, government authorities had been forced out of much of the national territory. Other groups, unrelated to Guy Philippe, also rebelled in other parts of the country, for example in Les Cayes in the South Department. Prisoners were released as the insurgents took over towns and cities, and many prisoners also joined their ranks.

On 29 February, as the insurgents threatened to advance on Port-au-Prince and forcibly remove President Aristide, he left Haiti in disputed circumstances.<sup>3</sup> In the atmosphere of lawlessness that followed his departure, all prisoners escaped from the National Penitentiary in Port-au-Prince. Among those who escaped were other human rights violators convicted in the same trials for the same violations as Louis-Jodel Chamblain and "Jean Tatoune". Amnesty International had at the time expressed its concern that the escaped prisoners could join their former colleagues among the insurgents, thus gaining access to weapons and potentially to positions of influence in which they could commit further human rights violations.

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<sup>2</sup> In April 1994, some 20 people were killed and scores were wounded when members of the army and the FRAPH attacked the overwhelmingly pro-Aristide shanty town of Raboteau in Gonaïves. In a landmark trial in November 2000, 16 people in custody were convicted of taking part in the massacre and 37 others convicted *in absentia*.

<sup>3</sup> President Aristide left the country on the morning of 29 February on a US State Department chartered aircraft which took him to the Central African Republic. Once there, he said that he was forced from office by US officials, having been warned that thousands would die, including he himself, if he did not agree to go.

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Within a few hours of Aristide's departure, Supreme Court President Boniface Alexandre was sworn in as the new Interim President.<sup>4</sup> On 4 March a Tripartite Council was established, consisting of three members: one representative of former President Aristide's Fanmi Lavalas Party, one of the Democratic Platform (Plateforme Démocratique) a group opposed to former President Aristide, and one representative of the international community. The next day, the Tripartite Council selected seven eminent persons to constitute a Council of the Wise (Conseil des sages) from key sectors of society: Church, human rights groups, academia, the private sector, the Democratic Convergence (Convergence Démocratique) an anti-Aristide political grouping, and Fanmi Lavalas, and charged it with selecting an Interim Prime Minister. Gérard Latortue, a businessman and consultant with the United Nations living in the United States, was appointed as Prime Minister on 9 March and a transitional government was formed a week later. In the absence of a working Parliament, the Council of the Wise acts as an advisor to the government.

## The current situation

### *The state of the justice system*

The endemic problems faced by Haiti's judicial system, of which the main features have been corruption, lack of resources, personnel and training and lack of independence from the Executive, could not be overcome by the post-1994 administrations despite the creation of a Magistrates' School and training and considerable assistance by the international community. While the level of training of judges and other judicial officials in both formal and informal conflict-resolution mechanisms improved drastically with the inputs of the United Nations (UN)/Organization of American States (OAS) International Civilian Mission in Haiti (Mission Civile Internationale en Haïti, MICIVIH) UN agencies and bilateral donors, the judiciary continued to suffer from chronic underfunding, lack of personnel, resources and equipment, and the Magistrates' School operated throughout without statutes and formal existence under Haitian law. The situation was aggravated in recent years due to the high level of politicization of the judiciary and the intervention of the Executive in its decisions. During the Aristide presidency, several judicial officials denounced pressures they received from officials at both central and local levels of government. Several judicial officials were either dismissed, or went into exile or *marronage* (hiding) when they refused to yield to this pressure. Impunity

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<sup>4</sup> Article 149 of Haiti's 1987 Constitution stipulates that "Should the office of the President of the Republic become vacant for any reason, the President of the Supreme Court of the Republic, or in his absence, the Vice President of that Court... shall be invested temporarily with the duties of the President of the Republic by the National Assembly duly convened by the Prime Minister".

continued to be the rule, not the exception, when it came to human rights violations. Public confidence in the judiciary was virtually non-existent.

The recent conflict further affected the capacity of the judicial system to operate: at least eight court houses were destroyed (Saint Marc, Gonaïves, Cap Haïtien, Hinche, Mirebalais, Fort-Liberté, Port de Paix, les Cayes), and many judges ceased to report to work. At the time of the Amnesty International visit, a commission of the Ministry of Justice had started an assessment of the destruction of judicial infrastructure. It was not known either how many of the approximately 600 judges the Haitian system is comprised of were active. Amnesty International delegates met several judges from the provinces who had gone to the capital Port-au-Prince to ask for transfers. Some complained about threats from escaped prisoners.

### ***The police***

The Haitian National Police (HNP) is, since the disbandment of the army in 1995, the only official institution in charge of security in the country. Before conflict broke out, the number of police officers in the country amounted to some 5,000 officers for a country of 8.5 million inhabitants.<sup>5</sup> Considerable international aid went to train and equip the HNP since 1995, but especially in recent years, in addition to the lack of resources in terms of personnel, logistics and finance, the HNP was plagued by politicization, corruption and mismanagement. According to the United Nations “arbitrary promotions of Fanmi Lavalas loyalists, the incorporation of *chimères*, police abuse, rape and drug trafficking further contributed to the demoralization and erosion of professional standards within the police service and a loss of credibility in the eyes of the Haitian population.”<sup>6</sup> The weak status of the HNP has also contributed to crime.”<sup>7</sup>

During the recent conflict, the HNP virtually collapsed. Police stations were attacked, ransacked and burned down and police officers were killed or simply fled. Léon Charles, the new HNP Director, told Amnesty International that there were just over 2,000 men in active service. Although an effort is being made to reassert police authority in different parts of the country, many areas are still outside HNP’s control. In some areas, insurgents have taken control of police stations and appear to have assumed “law and order” functions. In the North Department, Louis-Jodel Chamblain and a group of insurgents were even seen presiding over impromptu trials.

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<sup>5</sup> In contrast, the New York Police Department has a force of 39,110 (fiscal year 2003) for a population which is roughly the same – see [www.ci.nyc.ny.us/html/nypd/html/misc/pdfaq2.html](http://www.ci.nyc.ny.us/html/nypd/html/misc/pdfaq2.html).

<sup>6</sup> The French term *chimères*, or *chimè* in Creole, was used to designate organised armed supporters of former President Aristide, reportedly responsible for violent attacks on his opponents.

<sup>7</sup> Report by the Secretary-General on Haiti (S/2004/300), 16 April 2004, para 31.

A considerable effort will be required to achieve sustainable reforms and to strengthen the HNP with a view to restoring its capacity to maintain law and order. The international community can again help with policing activities while the HNP gets back to its previous level. They can also train, equip, rehabilitate infrastructure and vet new recruits. Nonetheless, there is a strong need to ensure that past mistakes are not repeated, and effective measures need to be integrated, from the start of any co-operation and reform programme, to prevent the politicization, corruption, mismanagement and human rights abuse that have so far plagued the institution, and to hold accountable those responsible. In addition, reform of the police, the justice system and the prison system must be integrally linked and proceed together. One of the lessons learned from the past is that although the new police force received a lot of training and assistance, its effectiveness was limited because the justice and penal systems did not advance at the same pace.

Following the announcement of the interim Haitian authorities that former army officers would be integrated into the Haitian National Police, Amnesty International is concerned that former military personnel with a record of human rights violations may be incorporated into the police force. The organization urges both the Haitian National Police and the international community to put in place an effective, fair and impartial vetting system to ensure that no one responsible for human rights violations, committed either under previous administrations or during the recent conflict, is recruited into the new police force.

### ***The imperative for disarmament***

In the current situation of violence and insecurity, disarmament of all the groups carrying weapons is the crucial first step towards ensuring the protection of civilians and restoring the rule of law. In a report by the Organization of American States (OAS) and the United Nations Development Programme (UNDP), it is estimated that about 25,000 people are in possession of weapons in the country.<sup>8</sup> Armed gangs are also reported to have recruited and/or pressured children to take part in the recent violence.<sup>9</sup> Groups to disarm include former insurgents (including former soldiers, former members of the FRAPH and former *chefs de section* and civilians who joined them – some of whom were also members of criminal gangs); *chimères* and other pro-Aristide gangs; former police auxiliaries; criminal gangs; former prisoners; private security officers and the “private sector” – the high numbers of individuals, especially in richer urban areas, who own weapons. Early disarmament of former insurgents is

<sup>8</sup> As quoted in OCHA’s situation report No. 10, 24 April 2004.

<sup>9</sup> According to a 19 April 2004 UNICEF, Save the Children Canada, Save the Children US, World Vision and Plan International report. See [http://www.unicef.org/emerg/haiti/media\\_20443.html](http://www.unicef.org/emerg/haiti/media_20443.html).

all the more pressing as police authorities are absent in many areas and it is important to prevent these groups, who are already posing a major threat to state authority, from consolidating their power and from continuing to commit human rights abuses.

### ***Ongoing Impunity***

Given the limitations described above, Amnesty International does not believe that the Haitian judicial system is currently in a position to try those alleged to be responsible for human rights abuses in trials which meet minimum international standards, unless it receives considerable international expert assistance.

One of the hallmarks of a functioning legal system is its ability to apply the rule of law impartially. Since coming to power, the interim government has swiftly moved to arrest members of the Fanmi Lavalas party suspected of acts of political violence or corruption, or has taken measures to prevent them from leaving the country, but has not demonstrated an equal commitment to act against accused or convicted perpetrators of grave human rights violations such as Louis-Jodel Chamblain, Jean Pierre (“Jean Tatoune”), Jean-Claude Duperval, Hébert Valmond, Carl Dorélien and others.<sup>10</sup>

Indeed, three days after taking office, Prime Minister Gérard Latortue – sharing a platform with convicted murderer “Jean Tatoune” – hailed the former insurgents as “freedom fighters”. His remarks were all the more symbolic for being made during his visit to Gonaïves, where the insurgents had burned the police station, chased off the police forces and freed the prisoners. According to later press reports, Prime Minister Latortue said that his government’s priority would be the neutralization of the pro-Aristide *chimères*, whom he accused of being responsible for the country’s insecurity, and of all Fanmi Lavalas partisans who had committed crimes, adding that this phase should be completed before the government would focus on the cases of violators of human rights during the period following the coup d’état of 1991 and on those responsible for other acts of violence.<sup>11</sup>

On 22 April, following international criticism of the interim government’s close relationship with the former insurgents, Louis-Jodel Chamblain turned himself in to the police. He had held talks with the authorities the previous day, the details of which have not been made public, and both the Director-General of the Police and the Minister of Justice were present at his surrender.

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<sup>10</sup> All those named here were convicted in relation to the 1994 Raboteau massacre.

<sup>11</sup> Agence Haïtienne de Presse (AHP), 19 April 2004, 10:50 AM.

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Haitian law stipulates that anyone convicted *in absentia* should be arrested upon entry in the country, yet Chamblain circulated freely for over two months, and Minister of Justice Bernard Gousse reportedly told journalists that he would not have been arrested if he had not turned himself in.<sup>12</sup> Some 15 people who had been tried in person and convicted of the Raboteau massacre, including “Jean Tatoune”, have escaped or been freed from prison, and no attempt has been made to re-arrest them. Amnesty International was deeply concerned by statements attributed in the press to Minister of Justice Bernard Gousse, who reportedly said that “Jean Tatoune” should be pardoned. “Jean Tatoune” had initially announced his intention to follow Chamblain’s example and turn himself in, but he remains free, as do the other Raboteau convicts.

According to Haitian law, Chamblain is entitled to a retrial upon arrival in Haiti, with no presumption of guilt holding over from his previous *in absentia* convictions. Amnesty International welcomes the opportunity for Chamblain to be retried in his presence, in accordance with international standards for fair trial. However, the prospects for fair and effective trials, in which justice is done and seen to be done, have been compromised by factors beyond the inherent weaknesses of the Haitian judicial system. The original trial records were reportedly destroyed by insurgents in Gonaïves. A number of witnesses and surviving victims of the Raboteau massacre are in hiding; the lead judge in the Raboteau trial was recently attacked apparently because of his role in the case, and other judges connected with it have said they fear for their lives. The Minister of justice, who is responsible for appointing prosecutors, has declared that Chamblain “has nothing to hide”. Although Chamblain was in jail at the time this report was written (May 2004), his allies remained in control of large areas of the country, despite the presence of international peacekeeping forces.

The treatment of Louis-Jodel Chamblain, “Jean Tatoune” and other known and suspected perpetrators of human rights violations by the Haitian justice system will set an important precedent in the struggle to end impunity. A functioning judicial system is a crucial part of the framework for building a culture of human rights and establishing the secure and stable environment that has so long eluded the Haitian people. The case of Louis-Jodel Chamblain is a particularly important test, and the new UN mission must take steps to ensure that Chamblain is tried in accordance with international standards for fair trial, both to protect his own rights as a defendant, and to ensure that witnesses and victims are able to testify freely, and that judges, prosecutors, police officers, lawyers and all others involved in the proceedings are able to work without fear or pressure.

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<sup>12</sup> Source: Reuters AlertNet.

### **Socio-economic conditions**

According to the United Nations Development Programme, Haiti continues to be the poorest country in the Americas. In 2003, Haiti's human development ranking was 150<sup>th</sup> out of 173 countries, and life expectancy was 49.1 years. Food insecurity affected some 40% of households and more than 50% of the adult population was unemployed.<sup>13</sup> Even before the crisis, the situation of children was among the worst in the world. More than one in 10 Haitian children die before the age of five, 65% suffered from anaemia, 17% of under fives had insufficient weight and 32% suffered from development problems due to malnutrition. Some 200,000 children have lost one or both parents to AIDS, and up to 6.7 per cent of young women are living with HIV/AIDS. Maternal mortality is also among the highest in the world.<sup>14</sup>

Living conditions have been further aggravated by the recent conflict. For example, the transport disruption caused since February resulted in many peasants not being able to take their produce to regional markets and thus not earning any income; at the same time, difficulties in transport also resulted in an increase in the price of basic food and other essential items. The price of rice and other basic food items has increased so much that in early May, Prime Minister Gérard Latortue, in a widely criticized move, urged Haitians to change their eating habits and eat more corn meal instead of rice. The danger of famine in certain areas in the countryside was present well before conflict erupted but, during the recent crisis, with the restrictions on delivery of aid, the pillage of humanitarian stocks, the difficulties in communications, ongoing insecurity and the lack of access to markets, many people have eaten their food reserves.<sup>15</sup> In certain areas peasants have reportedly been forced to eat the seeds reserved for planting. Planting season is at the beginning of the rainy season (March-April) and, since many peasants relying on seasonal agriculture have exhausted their seed reserves, the danger of famine is real.

The insurgency in February and March also caused damage to the water supply system and to the health, education and energy sectors, including sabotage of installations, looting of premises and theft of spare parts and vehicles. As a result of the conflict, the water supply has fallen to 75 per cent of what it was before, and some

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<sup>13</sup> See Appel d'urgence des Nations Unies pour Haïti, United Nations Emergency Appeal for Haiti, in [www.ht.undp.org](http://www.ht.undp.org), and UNDP Human Development Report, 2003, in [www.undp.org](http://www.undp.org).

<sup>14</sup> "Annan appeals for focus on Haitian people's efforts to improve their future", UN News Service 2 March 2004 and United Nations Emergency Appeal.

<sup>15</sup> About half of Haiti's population of 8.5 million were already dependent on some form of food aid before February 2004. See "Haiti on the brink of famine, warns German NGO", 6 May 2004 – electronic version available in [www.reliefweb.int](http://www.reliefweb.int).

Haitians living in border areas have had to seek medical treatment in the Dominican Republic, while functioning health centres have reported a drop in patients because of the inability to pay for medical costs.<sup>16</sup> Some schools have also reported a lower attendance because of economic problems.

The budget deficit is reportedly almost twice of what is allowed for in agreements with the International Monetary Fund, and the new government says it needs an immediate injection of fresh resources if it is to carry out its task and begin to ensure a minimum of services.<sup>17</sup>

### ***The International Response***

#### ***The Multinational Interim Force (MIF)***

On the evening of President Aristide's departure, the Permanent Representative of Haiti to the United Nations submitted the interim President's request for assistance, which included international troops. UN Security Council Resolution 1529 (2004), adopted on 29 February 2004, authorized the immediate deployment of a Multinational Interim Force (MIF), for a period of three months. The US-led MIF, made up of US, Canadian, French and Chilean troops, started deploying soldiers that same day. Its mandate included assisting the Haitian police and coast guard "to establish and maintain public safety and law and order and to promote and protect human rights".<sup>18</sup> Significantly, the resolution, adopted under the binding provisions of Chapter VII of the UN Charter, also stated that the MIF was authorized "to take all necessary measures to fulfill its mandate", demanded that all parties in the conflict cease using violent means and reiterated that "all parties must respect international law, including with respect to human rights" and that "there will be individual accountability and no impunity for violators".<sup>19 20 21</sup>

Although initially residents of Port-au-Prince reported that the security situation had somewhat improved since the arrival of the MIF, on 24 April the United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA) reported that the rising

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<sup>16</sup> See OCHA press release, 4 May 2004, in [www.reliefweb.int](http://www.reliefweb.int). According to UNDP, 50% of the population doesn't have access to potable water – see [www.ht.undp.org/humanitaire](http://www.ht.undp.org/humanitaire).

<sup>17</sup> Interview with Alix Richard, Counsellor to the Prime Minister, 6 April 2004.

<sup>18</sup> Resolution 1529 (2004), paragraph 2c.

<sup>19</sup> Chapter VII of the UN charter refers to "action with respect to threats to the peace, breaches of the peace, and acts of aggression", and authorises the use of force "to maintain or restore international peace and security".

<sup>20</sup> Resolution 1529 (2004), paragraph 6.

<sup>21</sup> Resolution 1529 (2004), paragraph 7.

crime rate in Haiti was restricting humanitarian aid distribution.<sup>22</sup> In the north, although MIF forces arrested in early April two of their leaders on human rights violations charges, insurgents were still in control.<sup>23</sup> Insurgents were also in control in the Centre and most areas in the South of the country.

### ***The MIF and disarmament***

One of the major failures of past international forces' involvement in Haiti has been the failure to recognize the need for a comprehensive, country-wide disarmament effort which included reintegration plans for those who handed over their weapons. Amnesty International therefore welcomed the provisions of Security Council Resolution 1529, which allowed MIF troops "to take all necessary measures to fulfill its mandate" of helping to establish and maintain safety and law and order and protect human right.<sup>24</sup> Indeed, US and MIF officials have repeatedly asserted that disarmament is a priority. US Secretary of State Colin Powell, on a visit to Haiti in early April, warned that "without disarmament, Haiti's democracy will remain at risk".<sup>25</sup> However, although US-led multinational forces were in a unique and powerful position to contribute to the national disarmament effort, they did not made a serious attempt to work with the Haitian National Police to establish a nation-wide disarmament programme. Neither have the authorities developed a comprehensive disarmament plan.<sup>26</sup> To date, the little disarmament that has taken place has only been carried out in poor neighbourhoods with meagre results. Amnesty International is further concerned that, while the Haitian Police itself acknowledges the need to disarm all the various armed groups in the country, the MIF did not appear to have an impartial and comprehensive approach to disarmament. In a conversation with Amnesty International, a US Embassy political officer explained that the US considered the disarmament of "the urban pro-Aristide gangs" a priority, since they presented a more "immediate danger". The US official apparently did not see the need to disarm the former insurgents as "we haven't found a replacement [for them] yet". Disarmament of former insurgents in the North has been at best sporadic. Recent

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<sup>22</sup> OCHA's situation report No. 10, 24 April 2004, found in [www.reliefweb.int](http://www.reliefweb.int).

<sup>23</sup> Robert Jean was arrested in Ouanaminthe and flown in a US helicopter to the National Penitentiary in Port-au-Prince. Ferdinand Wilner ("Ti Will") was arrested near Gonaïves but released four hours later reportedly at the request of the Police in Port-au-Prince.

<sup>24</sup> Resolution 1529 (2004), paragraph 6.

<sup>25</sup> [Http://usinfo.state.gov/gi/Archive/2004/Apr/07-496894.html](http://usinfo.state.gov/gi/Archive/2004/Apr/07-496894.html).

<sup>26</sup> This has even been commented upon by rebel leader Guy Philippe, who in an interview with Miami's Sun-Sentinel newspaper on 3 May, said that "we want to turn in our arms, but it seems the government doesn't have a plan".

statements from these groups indicate a strong reluctance to disarm, and even to accept state authority.<sup>27</sup>

***The United Nations Stabilization Mission in Haiti (MINUSTAH)***

In resolution 1529 the UN Security Council declared it was ready “to establish a follow-on United Nations stabilization force to support continuation of a peaceful and constitutional political process and the maintenance of a secure and stable environment”.<sup>28</sup> UN Secretary-General Kofi Annan announced that “We should put the people of Haiti at the centre of everything we try to do and try and help them build a better future”. He added that “I hope this time the international community will go in for the long haul, and not for a quick turn-around”.<sup>29</sup> In late March, a multidisciplinary UN assessment mission was sent to Haiti. Based on its recommendations, the Secretary-General issued a report in April in which he acknowledged the seriousness of Haiti’s security problems, the diversity of armed groups and the absence of the rule of law.<sup>30</sup> The Secretary-General noted that the last UN mission in Haiti ended in 2001 and concluded that “In hindsight, our involvement was too brief and fraught with international and domestic hindrances. Now, the international community is presented with another opportunity to support Haiti and its people in the transition to a peaceful, democratic and locally owned future”. The Secretary-General then recommended the establishment of a “multidimensional stabilization operation” for an initial period of 24 months.

The Secretary-General recommended that the mandate of the new UN mission include ensuring “a secure and stable environment within which the constitutional and political process can take place and assist, as needed, in maintaining public safety and public order”.<sup>31</sup> He also recommended that the UN mission have a strong human rights mandate, which should include assisting “with the restoration of the rule of law and public security in Haiti through the provision of back-up support to the Haitian National Police as well as with its institutional strengthening” and also “to assist, along with other partners, in the reform and strengthening of the judiciary and the

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<sup>27</sup> OCHA’s situation report No. 10 states that “The situation is still volatile and the crime rate is on the increase. MIF contacts with armed groups show that stability has not yet been reached, as these groups do not want to disarm and are waiting for compensation or official recognition”... “After weeks of negotiations with rebel groups in Cap-Haïtien, the national police and the French Contingent of MIF are controlling the entire city, including the port. However, the rebel group - Armée du Nord - is still present in the city, with its headquarters located in a former prison”.

<sup>28</sup> Resolution 1529 (2004), paragraph 3.

<sup>29</sup> “Annan appeals for focus on Haitian people’s efforts to improve their future”, 2 March 2004.

<sup>30</sup> Report of the Secretary General on Haiti (S/2004/300), 16 April 2004.

<sup>31</sup> *Op. cit.*, paragraph 70 (a).

reestablishment of the corrections system”.<sup>32 33</sup> Significantly, the report also recommends that the Mission “assist the transitional Government... with comprehensive and sustainable disarmament, demobilization and reintegration programmes for all armed groups... as well as weapons control and public security measures”. With regard to human rights, the Mission is to “monitor and report on the human rights situation, including the situation of returned refugees and displaced persons; and strengthen the Haitian institutional and societal capacity for the monitoring, promotion and protection of human rights, particularly of women and children, in order to ensure individual accountability for human rights abuses and redress for victims”.<sup>34</sup>

Many of the Secretary-General’s recommendations were reflected in Resolution 1542 (2004), adopted by the Security Council on 30 April. In it the Security Council created the United Nations Stabilization Mission in Haiti (MINUSTAH), to take over from MIF on 1 June. MINUSTAH will consist of 6,700 troops, 1,622 civilian police and additional local civilian staff. Unfortunately, the Secretary-General’s proposal for an initial duration of 24 months was not accepted. Under strong pressure from the United States, the Security Council only authorized a mission for six months, although “with the intention to renew for further periods”.<sup>35</sup>

Amnesty International welcomes the strong human rights component of the UN mission, which includes supporting the Haitian authorities with the investigation of violations of human rights and international humanitarian law “to put an end to impunity”, as well as the importance attached to ensuring comprehensive and sustainable disarmament and the protection of civilians under threat of physical violence. However, the authorization of a UN mission for an, at least initially, short duration limits the capacity of the UN operation to engage in the effective, long-term planning required to address the complex task of re-establishing the rule of law and rebuilding justice institutions, setting up a nation-wide disarmament plan and fostering sustainable development to address Haiti’s widespread poverty and inequality which are at the root of many human rights violations. Amnesty International strongly supports the United Nations Secretary-General’s opinion that “the most important lesson is that there can be no quick exit. Haiti will need our resources and our support for a long time. The current crisis is at least as much the result of irresponsible behaviour by the Haitian political class as of omissions or failures in previous international efforts. This means that true success will involve

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<sup>32</sup> Op. cit., paragraph 70 (d).

<sup>33</sup> Op. cit., paragraph 70 (e).

<sup>34</sup> Op. cit., paragraph 70 (m).

<sup>35</sup> Resolution 1542 (2004), paragraph 1.

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helping new and more responsible political groups to emerge... A long-term effort -- 10 years or more -- is needed to help rebuild the police and judiciary, as well as basic social services such as health care and education.... In a country like Haiti, it is only by sustained engagement, with both government and civil society, that we can help to build the institutions which enable democracy to take root".<sup>36</sup>

Amnesty International's discussions with a range of actors of civil society confirmed the need for long-term engagement, as well as for the international community to work alongside Haitians. It is essential that they themselves assume responsibility for needs assessments and development of proposals for long-term solutions to Haiti's problems. The commitment of Haitians, from government to civil society, is crucial if the international effort is to be sustainable and yield results in the long term. There is a need to establish clear objectives and achievement indicators, as well as regular assessments to ensure that the Haitian commitment to rebuilding their country matches the serious commitment required from the international community.

## A legacy of human rights abuses

Following the coup that deposed President Aristide in September 1991, the Haitian military and its allies, already notorious for widespread human rights violations, maintained control through extreme brutality and widespread human rights violations until a United Nations intervention force led by the US restored President Aristide to office in October 1994.<sup>37</sup> <sup>38</sup> Many of the military and paramilitary leaders responsible for the repression fled Haiti to live in exile in the USA and other countries; a number of them have since returned to Haiti. Upon his return, President Aristide disbanded the military, created a civilian police force and initiated a judicial reform. Efforts were made at bringing the perpetrators of gross human rights violations to justice and a Truth and Justice Commission was set up. In the first peaceful hand-over between democratically elected leaders, President Aristide stepped down to make way for René Préval in 1996. Political violence increased dramatically during the presidency of René Préval, as did reports of human rights violations by the police. In the most high-profile acts of violence of the period, radio journalist and human rights advocate

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<sup>36</sup> Kofi Annan, "In Haiti for the Long Haul", *Wall Street Journal*, 16 March 2004.

<sup>37</sup> Namely, the Police Militaire, military police, headed by Police Chief Michel François; the *attachés*, their civilian auxiliaries; the *chefs de section*, and, from 1993, the FRAPH, led by Emmanuel AToto@ Constant.

<sup>38</sup> See Amnesty International Annual Report 1992, 1993, 1994 and 1995 and *Haiti: The Human Rights Tragedy: Human Rights Violations since the Coup* (AI Index AMR 36/03/92) of January 1992, *Haiti: Human Rights Held to Ransom* (AI Index AMR 36/41/92) of August 1992 and *Haiti: On the Horns of a Dilemma: military repression or foreign invasion?* (AI Index AMR 36//94) of August 1994.

Jean Dominique was shot dead by unknown gunmen outside the courtyard of his radio station on 3 April 2000, after he had publicly drawn attention to anti-democratic tendencies within diverse sectors of the Haitian political scene and society.<sup>39</sup> President Préval handed over power to a re-elected Jean Bertrand Aristide on 7 February 2001.

Amnesty International has elsewhere documented the serious human rights violations committed during the governments of Presidents René Préval and Jean-Bertrand Aristide.<sup>40</sup> The organization has highlighted the ongoing failures of the institutions most responsible for guaranteeing respect for human rights, namely the judicial, police and prison systems, and the endemic human rights problems that resulted: in particular the almost total impunity for the perpetrators of human rights violations. Over recent years, as Haiti's economic situation deteriorated and opposition to President Aristide increased, attacks on freedom of expression increased as did violations by security forces and abuses by political partisans and illegal armed groups linked to government officials. Amnesty International also documented abuses committed by unofficial, apparently politically-motivated, groups during armed attacks against both government supporters and opponents. At the same time, the official police force responded with heightened politicization among its ranks and more frequent human rights violations. As anti-government demonstrations increased and drew in different sectors of society, attacks on demonstrators by pro-Aristide *chimères* also increased in violence. Police participation in attacks together with *chimères* was reported on several occasions; on other occasions, police did not intervene to prevent violent attacks and failed to apprehend those responsible.

During the Aristide government, Amnesty International also documented abuses committed by anti-government armed groups in the lower Central Plateau, which included killings and torture of officials and pro-government individuals. These attacks were attributed to groups reportedly composed in part of former soldiers of the disbanded Haitian army.

## Human rights and the current crisis

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<sup>39</sup> See Amnesty International, *Haiti: Unfinished Business: Justice and liberties at risk* (AI Index AMR 36/01/00), March 2000, and *Haiti: Human Rights Challenges Facing the New Government* (AI Index AMR 36/02/2001), April 2001.

<sup>40</sup> See, for example, Amnesty International, *Haiti: Abuse of human rights: political violence as the 200<sup>th</sup> anniversary of independence approaches*, (AMR 36/007/2003), 8 October 2003.

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A climate of lawlessness and violence has prevailed in Haiti since early February. The state does not have control over parts of its own territory. Many Haitians have fallen victim to human rights abuses and the failure of the security forces has allowed the armed groups responsible to act with total impunity. In February and March, the Catholic Church's Justice and Peace Commission documented some 300 cases of killings in Port-au-Prince alone, although they estimate that the true number of killings could be as high as 500. The Amnesty International delegation which visited Haiti in March-April 2004 interviewed Haitians from across the political and social spectrum. All expressed a profound sense of insecurity and fear for their own safety from one or more of the armed groups at large. A large proportion of the victims of violence were Aristide supporters, including members of grassroots organizations and their relatives; civil servants working in the Aristide administration; victims of human rights abuses during the 1991 coup and before. Members of the pro-Aristide *chimères* have also been attacked. But victims have also included Aristide opponents; judges, prosecutors, victims and witnesses who participated in trials of human rights abusers; human rights defenders, trade unionists; students.

In many cases, victims said they recognized their attackers and blamed former soldiers, former members of FRAPH, escaped prisoners or members of criminal gangs. In many other cases, however, it was impossible to identify those responsible for the abuses. Nonetheless, the identity of the victims and the nature of the threats and other abuses committed were mostly consistent with a pattern of persecution, especially of those close, or perceived to have been close, to the former Fanmi Lavalas regime.

During its recent mission, Amnesty International welcomed the assurances by HNP Director-General that Haiti's police force would adopt a neutral and impartial approach to law enforcement. However, Amnesty International has observed that, since coming to power, the interim government has swiftly moved to arrest members of the Fanmi Lavalas Party suspected of acts of political violence or corruption, while failing to act against known perpetrators of grave human rights abuses within the insurgent groups. Nor has the government moved to re-arrest prisoners who escaped during the recent conflict. Among them are a number of indicted or convicted human rights violators; others were indicted or convicted for common crimes. Reports indicate that both categories are threatening former victims, lawyers and judges. Most disturbingly, Amnesty International has received reports that some of these escaped criminals have reportedly been working together with the Haitian police and the MIF to identify people associated with the Fanmi Lavalas regime, who are in some cases abducted or killed.

**Human rights abuses against Aristide supporters**

Supporters of former President Aristide have suffered abuses ranging from threats to kidnapping and extrajudicial killings, especially in the poorer areas of Port-au-Prince where the former President garnered most support. Many of the victims were members of grassroots organizations who had been victims of human rights violations during the 1991-1994 military regime and who had been involved in actions seeking redress for these crimes, and who had also become politically involved in support of the Fanmi Lavalas regime. Yet others may have been members of the *chimères*, irregular police assistants or other pro-Aristide gangs, singled out for abuse on account of the power they wielded or for the abuses they may have committed themselves in the past. Many people in Haiti, including some human rights organizations, equate being a member of a popular organization with being a member of the *chimères*. This has presented an added difficulty when documenting cases of human rights violations against such groups, as some human rights organizations who have been active in denouncing abuses committed under the Aristide period do not seem inclined to investigate abuses committed against pro-Aristide groups, dismissing them as mostly “settlements of accounts”. On the other hand, some former President Aristide supporters have consistently refused to report their cases to those human rights organizations they perceive as hostile.

Amnesty International’s delegation met about 40 men who claimed to be leaders and members of popular organizations based in poor neighbourhoods of Port-au-Prince and Petit-Goâve and who said they were in hiding due to threats received. For the most part, they had left home on 29 February and had not returned because families or friends told them that armed men had gone to their homes looking for them, or that their homes had been attacked or burned down. One leader of a victims’ association in a poor neighbourhood of Port-au-Prince reported that he had left home with his family on 29 February and that his house was now occupied by persons close to the former Duvalier regime.<sup>41</sup> Many had not seen their families since and expressed concern about their security and economic situation. All of them noted that while they had enjoyed solid national and international support when they had been targeted for abuses following the September 1991 coup, they were now more likely to encounter suspicion about their activities as members of popular organizations and indifference to their plight.

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<sup>41</sup> From 1957 to 1986 Haiti was ruled by the Duvalier family: Francois Duvalier, “Papa Doc” from 1957 to 1971 and his son Jean-Claude, “Baby Doc”, who took over at age 19 upon the death of his father. It was a period of brutal dictatorship, which ended in a popular uprising which overthrew Jean-Claude Duvalier in 1986.

Harassment and discrimination against civil servants was also reported. One man claiming to be an employee at the Office National de la Migration, National Migration Office, said that he could not go to work anymore because former soldiers had surrounded the office and were stopping known Fanmi Lavalas supporters or members of popular organizations from entering. Another man, who worked at Téléco, the Haitian telephone company, said that lists of people accused of having Fanmi Lavalas connections were being circulated and the people on the lists dare not go to work any more. Many claimed the existence of lists, in each police station, of wanted members of popular organizations. They all spoke of killings in poor neighbourhoods of Port-au-Prince, especially Bel-Air, Martissant, Delmas, Cité Soleil, Carrefour and La Saline.

Although Amnesty International has not been able to verify independently all of the information it received, the number and consistency of statements made to the organization by both victims and witnesses strongly suggest that the persecution of those associated with the Fanmi Lavalas regime is widespread.

Women victims of human rights violations during the 1991 coup period are also being targeted. In 2001, *Les enfants du coup d'état*, The Children of the Coup, by Haitian film maker Rachèle Magloire, movingly portrayed the efforts of a group of women who had suffered abuse at the hands of coup participants to overcome their suffering. The film was shown both in Haiti and internationally. The group later fell prey to the politicization that affected much of Haitian society and many members reportedly abandoned their claims for reparation. Amnesty International interviewed one of the participants, Jacqueline Paillant, who said that she and her six children had recently been subjected to threats and intimidation because they are seen as Fanmi Lavalas supporters. She indicated that an ex-member of the Haitian army and others have on repeated occasions approached her and reminded her that "*papa ou ale*", "your daddy is gone", referring to former President Aristide, and that she was now on her own. On the first occasion, an ex-soldier signaled her out from a vehicle and she went into hiding for a week. She claimed to be so scared that she now leaves home for work before sunrise and comes back after sunset, always changing paths and worrying about her children. Her 19-year-old son was also repeatedly threatened by the same ex-soldier upon leaving or entering the house and, upon the advice of some friends who feared he would be attacked, he went into hiding.

Jacqueline Paillant also claimed that other women who participated in the film were still in hiding. One of them, Françoise St Charles, had her house broken into by armed men who destroyed her door on 29 February and had not returned home by early April.

Relatives of persons associated with Fanmi Lavalas have also been targeted. Stanley Guilloux Antoine, 16, a student at the Lycée Anténor Firmin, was killed on 29 February in Martissant by armed individuals who were looking for his father, a Fanmi Lavalas supporter. According to the reports received, Stanley was taken away from his house that day and his body was found in Fontamara 43 the next day. Although five persons have reportedly been identified as those responsible for the killing, no arrests have been made and the family is still under threat.

A 15 year-old youth interviewed by Amnesty International told the organization, on condition of anonymity, that on Sunday 7 March a group of five armed men went to his house looking for his father, a member of three popular organizations and a victims' committee, who had been in hiding since 29 February. Not finding him there, the men grabbed his son and beat him severely, breaking his collar bone. When they were taking him away, neighbours, who heard the young man's cries, ran towards the house and the men ran away. In April, when Amnesty International talked to him, he was still receiving medical treatment for his injuries.

### ***Human rights abuses against those involved in bringing perpetrators to justice***

Many victims and witnesses involved in the Raboteau massacre trial in Gonaïves reportedly went into hiding after those they helped to convict took power in the city in February 2004. After they fled, it was reported that gangs burned down some of their houses. In early March, Amnesty International expressed concern about their security and had requested that the Multinational Interim Force take steps to ensure that their safety be guaranteed.<sup>42</sup>

Less than a month after Amnesty International made this request, the presiding judge in the case, Napela Saintil, was beaten in Port-au-Prince by a man who claimed to be sent by Louis-Jodel Chamblain.<sup>43</sup> Judge Saintil told Amnesty International delegates who visited him in hospital that on the evening of 31 March he was driving a friend home when a car with several men inside blocked his passage. An armed man approached the judge's car. Judge Saintil tried to back the car off but the man pulled him out of the car and beat him with his weapon, particularly around his neck and

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<sup>42</sup> See Amnesty International, *Haiti: Perpetrators of past abuses threaten human rights and the re-establishment of the rule of law* (AI Index: AMR 36/013/2004), 3 March 2004, p. 13.

<sup>43</sup> See Amnesty International's Web Action *Haiti: The consequences of impunity: attack on Judge Napela Saintil* (AI Index: AMR 36/032/2004), 16 April 2004.

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head. Another judge who participated in the trial, Jean-Senat Fleury, now director of educational programmes at the Magistrates' School, reported to the press that he also feared for his life.

### **Human rights abuses against Aristide opponents**

Opponents to Aristide say they have also been threatened in areas where the pro-Aristide armed gangs and *chimères* are still active. During its visit, Amnesty International interviewed over 25 students who had taken part in anti-Aristide demonstrations before the change of government. Many of them had fallen victim of the repression that followed these demonstrations, both by police officers and by *chimères* working with them. Several had been brutally beaten by pro-government counter-demonstrators, at the Humanities Faculty of the Haiti State University (Faculté des Sciences Humaines, FASCH), on 5 December 2003 while police forces stood by. They all claimed they had left their homes because they or their families had received threats for their involvement in demonstrations calling for Aristide's departure. Many live in poor neighbourhoods in Port-au-Prince where they claim the *chimères* are still active and looking for them. None of those interviewed had returned home by early April.

### **Threats against human rights defenders**

On the morning of 24 March 2004, a substitute justice of the peace at the Delmas Peace Tribunal, arrived at the offices of the Lawyers' Committee for the Respect of Individual Freedoms (Comité des avocats pour le respect des libertés individuelles, CARLI) accompanied by several men, and reportedly threatened to kill the staff. According to CARLI staff, the threat stems from the fact that CARLI named this judge in a list of alleged human rights violators published in its February 2004 report (CARLI publishes a monthly report of the cases it received under its "hot line" programme, whereby people can call a special number to denounce human rights abuses). CARLI had included him in the list as responsible for five illegal arrests, including that of human rights defender Kettelie Julien on 6 February 2004.

During an interview with Amnesty International's delegation, CARLI also denounced the almost daily calls threatening its workers and particularly its Secretary-General, Renan Hédouville, which have been received since 24 March. CARLI has also reported an armed robbery at the office on 22 April, which they believe is connected to the threats they have been receiving. Despite CARLI's call to the Director of Port-au-Prince Police and the latter's promise to send a patrol, no policemen arrived at the office. Nor have they received any response to their letters to the authorities regarding their case. "*La sécurité des militants des droits humains n'est pas la priorité pour les*

*autorités haïtiennes*”, “the safety of human rights militants is not priority for Haitian authorities”, said Renan Hédouville.

CARLI’s naming alleged human rights abusers in its reports has been a subject of controversy. Both local and international organizations have expressed concern that those named might be put at risk particularly as, until March, the list denounced mostly Aristide government officials or supporters.<sup>44</sup> During its visit, Amnesty International met with a pro-Aristide student who claimed to have gone into hiding following his naming in a CARLI list.

### **Attacks on Freedom of the Press**

Journalists in Haiti have long paid a high price for their work; many have been threatened, harassed or beaten; in 2003 alone, at least 27 journalists were reportedly attacked.<sup>45</sup> Two outspoken radio journalists -- Jean Léopold Dominique and Brignol Lindor – were murdered in 2000 and 2001 respectively, and in neither case have the killers been brought to justice. During the armed insurgency in February, a group of journalists went into exile in France due to the threats they had received.

Since March, threats and intimidation have been directed primarily against journalists who worked in pro-Aristide private media or in government media during the Aristide regime. Some have been detained by former insurgents and released several days later. In the countryside, many journalists have simply stopped reporting about the political situation for fear of reprisals.

On 1 March, the offices of Radio and Tele Timoun, which belonged to President Jean-Bertrand Aristide’s Foundation for Democracy, were ransacked by Aristide opponents and some of their journalists reported receiving threatening calls following the attack. Radio Solidarité also stopped broadcasting news on 1 March after receiving threatening telephone calls and only resumed broadcast on 6 April. Other pro-Aristide radio stations around the country have been attacked since 5 February.

Amnesty International’s delegation met with two Port-au-Prince journalists, working with pro-Aristide media, who asked for their names not to be published. One went into hiding after armed men went to his house and threatened his wife and scared his two-year-old son on 29 February. Two days earlier, his car had been stoned while he was covering an anti-Aristide demonstration. He had also been receiving anonymous telephone death threats, and has been threatened by armed men in the street. The other

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<sup>44</sup> CARLI’s April report mostly lists violations reportedly committed by former insurgents and the police.

<sup>45</sup> [http://www.rsf.org/article.php3?id\\_article=10005&Valider=OK](http://www.rsf.org/article.php3?id_article=10005&Valider=OK)

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journalist reported that he had been receiving repeated anonymous telephone calls on his mobile phone. The callers warned him that “we are watching you” or “be careful, we know your licence plates”. Both journalists said that some 30 of their colleagues were thought to be in hiding at the time.

In early March, the home of Elysée Sincère, correspondent for Radio Vision 2000 in the city of Petit-Goâve, was reportedly shot at by an anti-Aristide armed group, after he had filed a report about the presence of two such groups vying for control of the town. He had also reported that two people had died in clashes between the two groups, and the existence of weapons caches in the town. In the attack, one of his relatives was wounded, his dog was killed and his car burned.

Lyonel Lazarre, a correspondent for Radio Solidarité and the Agence Haïtienne de Presse in Jacmel, was abducted over the weekend of 27 to 28 March and beaten by a group of former Haitian soldiers after he reported abuses by the group in the neighbouring town of Belle-Anse. He was also forced to disclose the location of the home of another colleague whom the armed group accused of being close to President Aristide.

On 16 April, Radio Solidarité correspondent in Mirebalais (Department of the Centre) Jeanty André Omilert, was seized by a group of former soldiers in front of the offices of Radio Excelsior, a local station where he hosts a discussion programme, and taken to the town’s police station. According to the Secretary-General of the Haitian Journalists’ Association (Association des Journalistes Haïtiens, AHJ) his capture was due to his “having broadcast news deemed contrary to the interests of the former rebels” that have controlled the Central Plateau since mid-February. His family was not authorized to visit him. He was released on 19 April.

### ***Stepping into the authority vacuum: Human rights abuses by insurgents***

In the weeks that followed the uprising against President Aristide, Amnesty International heard numerous reports of human rights abuses attributed to insurgents and their associates, including killings, beatings and other attacks, as well as illegal detentions.

In particular, Amnesty International has been concerned that many armed groups, mostly former insurgents, have taken control of smaller towns and cities throughout Haiti and are acting as *de facto* authorities, filling the police vacuum that exists in parts of the country. They have occupied police stations and former military barracks. On several occasions, judicial authorities issuing arrest warrants have given them to these groups to enforce, as they are the sole “police” force in the area.

In Savanette, near Mirebalais in Haiti's Central Plateau, Fritz Duperval, his wife and his child were beaten by a former soldier who went to their house, reportedly in search of a weapon. Duperval was then taken away and held for a brief period. On 1 April, in Mapou 3, Savanette, an armed group associated with the former military who control the area reportedly shot and killed Plaisius Joseph and wounded three others. The incident took place when they were going to execute an arrest warrant issued by the local justice of the peace against persons involved in a land conflict. A few days later, the director of the local secondary school, Gabriel Guerrier, was briefly held and beaten by the same men.

On the island of La Gonâve, Jolès Sylvain, the director of the local secondary school, was reportedly arrested along with three colleagues, Jean Rémy Célestin, Kenil Loissant and Delamarre Pierre, a former mayor of La Gonâve, on 15 April. They were holding a meeting at the local church with others to discuss the re-opening of the school, closed since Aristide's departure, when around 30 heavily armed men burst into the church and "tied them up and beat them". The armed men, who reportedly were members of a gang linked to former FRAPH members, threatened to kill them and then took them to the empty police station. The apparent reason for their capture and ill-treatment was their alleged Fanmi Lavalas association. The four men were released later that evening following the intervention of the community, but went into hiding in fear for their lives. Reportedly, the gang is still looking for them.

In the Northeast department, an armed group known as the Kosovo Army (Armée Kosovo) alleged to have loose connections with Guy Philippe's Armed Forces of the North, has been acting as the *de facto* authority. Amnesty International received several reports of human rights abuses by the group since late February 2004, including the beating of the Catholic priest Anescar Fontrose and the pillage of his house in Grand Bassin and the illegal detention of Sinais Ambroise, one of Trou du Nord's deputy mayors. Similar reports were received from Fort-Liberté.

Other reports from the city of Les Cayes have indicated that an armed group calling itself the South Department Resistance Front (Front de Résistance du Sud) -in control of the area since early March- had also carried out attacks, beatings, illegal arrests and killings.

While in Haiti, Amnesty International's delegation received reports that former *chefs de section* and their former assistants have now returned and retaken control of some areas and are committing abuses against the population, in particular those who opposed them before. Former large landowners, commonly known in Haiti as

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“*grandons*”, have also reportedly returned to reclaim, by force, lands they used to control and which were the object of a land reform during the presidency of René Préval (1996-2001).

Jean O’Daniel Bastiany is a long-time human rights and peasant activist in Lermite, St. Michel de l’Attalaye, Artibonite. He was repeatedly arrested and beaten between 1983 and 1988. Following the 1991 coup, he fled to Port-au-Prince and worked at the Centre oecuménique des droits humains, Ecumenical Centre for Human Rights, and then at the French non-governmental organization Doctors of the World (Médecins du Monde, MDM). He was also a member of *M’ap viv*, I’ll live, an organization of the victims of the coup. He returned home to Lermite in 2003. He told Amnesty International that on 28 February 2004 a group of armed men, connected to the former *chef de section*, went to his house to arrest him. He was in Port-au-Prince at the time and has not returned home since then.

Reportedly, in other areas in St. Michel de l’Attalaye the *chefs de section* are also staging a comeback. In the commune of Paul, efforts to reinstall the former *chef de section* to replace the elected communal council ended in the killing of at least two people and the beating of several others on 28 April. Abuses continued throughout the weekend, when tens of houses were reportedly burned by an armed gang. It has been alleged that former landowners in the area may have been connected with these abuses.

Yet, in other areas, an odd alliance of armed Fanmi Lavalas supporters and former landowners seems to have taken control. In the Northeast locality of Bas-Moustique, the peasant movement Tèt Kole denounced the presence of former *grandons* who had been involved in the massacre of over 100 peasants belonging to the movement in the nearby locality of Jean-Rabel in July 1987.<sup>46</sup> According to Tèt Kole, since early 2004 the *grandons*, associated with pro-Aristide gangs, had been implicated in the burning of six peasant homes and gardens and the detention and ill-treatment of members of the organization. These men retained control of the area and continued committing human rights abuses over the weeks following the departure of Aristide. According to information received by Amnesty International, a group of *chimères* carrying weapons, grenades, tear gas and petrol, acting under the orders of a former *grandon*, destroyed vegetable gardens belonging to Tèt Kole members which were ready to harvest in the area of Savann Mak. Following this, several members of the organization went into hiding. Tèt Kole also denounced the arrest on 5 March of one of its members, Egzatis

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<sup>46</sup> In 1995, five people were arrested in connection with the massacre, but in 2003 the main defendant in the case, who after the massacre had boasted in front of television cameras of killing over 1,000 “communists”, was released.

Maselis, and two others. The three men were seized by armed men whom they identified as *chimères* and were held in a prison in Savann Mak. According to the testimony, Medilya was badly beaten. All men were later released.

### ***Human rights abuses attributed to escaped prisoners***

In its report on perpetrators of past human rights abuses, Amnesty International had expressed its concern that prisoners indicted or convicted on human rights charges and who had escaped in the massive jail breakouts that happened throughout the country in February, would carry out further human rights violations if not rearrested as a matter of urgency.<sup>47</sup> Reports have now emerged that escaped prisoners who had been jailed for rapes and other common crimes have threatened their victims and others who were involved in their prosecution. Some judges have also reported receiving threats from former prisoners they helped convict.

Amnesty International interviewed a 19-year-old girl who said she was gang raped by a policeman and six others in November 2003. The policeman and another man were later arrested. Their case was under investigation when they escaped from the National Penitentiary on 29 February. Since then, men claiming to be sent by the policeman have gone several times to the young woman's house and have threatened her, as well as the human rights organization CARLI, which is supporting her. The men reportedly said that the policeman was free and she and the others would pay for having him put in prison. The young woman, her mother and her brother, are now in hiding.

On 3 April, a man known as Hérold, a driver and security officer of former Fanmi Lavalas deputy Simson Libéris, was shot and wounded in an area called Sous Dalles in Martissant, Port-au-Prince. Some reports indicated that Hérold may have been involved in the violent 5 December 2003 attack on the Humanities Faculty of the State University.<sup>48</sup> On 4 April, another man with Fanmi Lavalas connections, Philippe Elifette, was shot dead outside the market in Martissant. After his killing the assailants went to his house to look for his wife, threatened to kill her and burned the house. She is now in hiding. According to the information received by Amnesty International, which could not be verified independently, the killers were members of a criminal gang which included escaped prisoners and was led by an escaped convict known as "Ti Junior". The gang is reported to be working with the police and the MIF in the identification of Fanmi Lavalas supporters.

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<sup>47</sup> See Amnesty International, *Haiti: Perpetrators of past abuses threaten human rights and the re-establishment of the rule of law* (AI Index: AMR 36/013/2004), 3 March 2004.

<sup>48</sup> See page 21 above, "Abuses against Aristide opponents".

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**Human rights abuses attributed to the Police**

On Saturday 20 March, Jean Wesly Etienne, 17, Emmanuel Déronville, 20, Monel Pierre, 23, Pierre Dorcéant, 23, and Abel Cherenfant 24, were reportedly arrested in the Port-au-Prince neighbourhood of La Saline by a group of plainclothes policemen reportedly working at the Cafeteria police station and nicknamed “*les cinq pour l’enfer*”, “five from hell”. Five *attachés* were with them. The reasons for the arrests are not known. Families and others in the neighbourhood claimed the youths were leaders or members of local popular organizations close to President Aristide, while others (including some human rights organizations) said that they were members of a *chimères* group which had participated in crimes together with the police and that the police were seeking to silence them. A third version suggests that they were part of a criminal gang. Later in the evening, relatives learned that they were held at the “Cafeteria”, but police officers denied holding them there. Their bullet ridden bodies, reportedly bearing signs of torture and with their hands tied behind their back, were found the next day in different areas of the city. Three of them were found at a place known as the Piste d’aviation near the airport, where about 200 other bodies were reported to have been dumped in mid-late March 2004.

The five policemen were arrested in connection with the killings, but the families of the youths, who had been very active in pursuing the arrest of those responsible, reported receiving threats from the *attachés*. They also reported a derogatory treatment and a reluctance to take up the cases when they went to the Police Inspectorate (Inspection Générale de la Police) to report the cases and give their testimony. The brother of one of the victims told Amnesty International that he had started to receive threats after he denounced the cases on the radio, and cited one occasion in which he had to wait to leave one radio station because the *attachés* had heard him speak and were waiting for him outside.

Amnesty International is also concerned at reports that police fired on peaceful pro-Aristide demonstrators as they were nearing the National Palace in Port-au-Prince on 18 May, during Flag Day celebrations, killing at least one person and wounding several more. Thousands of demonstrators had set off from the neighbourhood of Bel-Air, and were nearing the National Palace when uniformed officers of the Company for Intervention and the Maintenance of Order (Compagnie d'Intervention et de Maintien de l'Ordre, CIMO) supported by members of the Multinational Interim Force (MIF), used tear gas and then opened fire to disperse the demonstrators. Twenty-three-year-old Simpson Saintus was fatally shot in the head and three others were wounded. A US journalist taking photos reported that he was shot at by the same policemen, but escaped unharmed. Unconfirmed reports indicate that police may have shot and killed at least four others in other parts of the city during the demonstration

and that the bodies were put in black bags and taken away by the police. MIF soldiers reportedly acted in a threatening manner. Photographs show one soldier taking aim at apparently unarmed demonstrators. The police initially said that the demonstration organizers had not provided adequate notification to the police, and that the demonstration was therefore illegal, but then reportedly apologized, claiming that because of internal communications problems, the police hierarchy had not been informed that notice had been properly given.

### ***Human rights abuses attributed to the MIF***

The Multinational Interim Force (MIF) active in Haiti between the beginning of March and the end of May was largely comprised of US forces. Amnesty International received reports of abuses carried out by these forces, including illegal and intimidating searches and arrests. At least six Haitian men were killed by US military personnel in circumstances that remain unclear, and which likewise arouse concerns about the US forces rules of engagement and terms of reference. Appropriate investigations into these killings have apparently not been undertaken. Amnesty International has sought clarification of these issues, as well as about the legal status of prisoners reported to have been in the custody of US forces in the National Penitentiary, in a letter to US Secretary of State Colin Powell on 7 May. At the time of writing this report, no response had been received.

In the period between 7 and 12 March Amnesty International learned that at least six people were killed by US forces:

- On 7 March, US marines shot and killed a gunman who had reportedly fired on them during a demonstration in front of the National Palace which left seven dead and more than thirty wounded.
- On 8 March, US Marines in Port-au-Prince opened fire on a car that allegedly approached a check-point at high speed, ignoring stop signs, at around 8 p.m. The driver was killed and his passenger wounded. According to a US military spokesman, the body of the driver, Mutial Telusma, was handed over to the Red Cross, and the injured passenger was transferred to the custody of the Haitian National Police. However, an HNP Inspector-General reportedly said that he had not received a report of an injured person being handed over after the incident, and the body of the victim, 31-year-old taxi driver Mutial Telusma, was found on the ground near the checkpoint the following morning.
- On 9 March two people were reportedly shot and killed by US marines patrolling near the residence of then Prime Minister Yvon Neptune. A US spokesman said that

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marines returned fire on gunmen shooting from a nearby rooftop, killing two people. The US Marines came under fire again when, three hours later, they returned to the scene with Haitian National Police to remove the bodies. They reportedly found blood, shell casings and impact marks, but no bodies.

- On 12 March, US marines reportedly killed at least two men during an exchange of fire with unidentified gunmen while patrolling Bel-Air district. Journalists reported seeing three bodies at the scene of the shooting. Two others were injured. Bel-Air residents told the press that up to 11 bystanders had been killed in crossfire and relatives of several of the alleged victims insisted that they had not been involved in political violence. A US spokesman denied the residents' claims, but conceded no weapons had been recovered from the alleged gunmen.<sup>49</sup>

International standards require all security forces to respect the principles of proportionality and necessity, and to resort to lethal force only when necessary to protect lives, including their own, should they come under attack. However, all killings resulting from the deliberate use of lethal force – including those claimed to have been carried out in self defence – must be subject to a thorough, prompt and impartial investigation, which should clarify the circumstances of the killing and identify whether those responsible bear any criminal responsibility. The families of the victims should be kept informed of the progress and results of the investigations. If anyone is found to have been unlawfully killed, the perpetrators must be brought to justice and the families provided with fair and adequate compensation.

On 20 April US marines carried out searches in an apparently violent and intimidating manner at the Hervé Medical Centre and, on 23 April, at the building where peasant organization Tèt Kole, and a trade union, Antèn Ouvriye, have their offices. The marines did not show a search warrant, nor were they accompanied by a justice of the peace as required by Haitian law. In both cases, doors were opened by force and damaged and furniture and materials were broken. Reportedly, members of the staff of the Hervé Medical Centre were made to lie on the floor, while those of Tèt Kole and Antèn Ouvriye were held at gunpoint, with their hands on their heads for some two hours while the search was being conducted. They also had to answer repeated questions on their activities and the origin of their financing and surrender the keys to all their offices and filing cabinets, one of which was smashed open by US marines. The documents in it, belonging to both organizations, were read on the spot. Soldiers also confiscated the amount of 34,850 Haitian gourdes belonging to Tèt Kole. At the time of writing the money had not been returned.

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<sup>49</sup> <http://www.wsws.org/articles/2004/mar2004/hait-m20.shtml>

On the night of 9 to 10 May, at about midnight, a contingent of US marines detained Annette Auguste, known as Sò Ann, a prominent singer and member of Fanmi Lavalas, at her home. The marines used explosives to open the front gate, shots were fired and the door to the house was forced open, even though the marines reportedly met no resistance. One of the family's pet dogs was killed in the operation. Annette Auguste and at least 10 members of her family present at the time, including her five-year-old grandson and four other children, aged 9, 12 and 15, were handcuffed and taken into custody; at least some of those arrested had black hoods (black plastic bags) put over their heads. They were taken to the campus of the Aristide Foundation for Democracy University, used as a military base for US forces belonging to the MIF. Several members of her family were interrogated as well. They were all released at about 6 am, except Annette Auguste who was handed over to the Haitian National Police the next morning, and was still being held in the Petion-Ville police station at the time of writing this report.

In a press briefing on 10 May, an MIF spokesperson said that US troops searched Auguste's home after receiving information about activities that could "threaten MIF forces and stability and security in Haiti". The spokesperson noted that the US marines had used force to gain entry to the property, but said that MIF personnel had used "a minimum amount" of force during the operation, and that no injuries had been sustained. However, a justice of the peace later reported that significant damage had been caused to the property, and photographs of the scene appear to bear out his conclusions. No weapons were found in the house, and no details have emerged about the allegations that Auguste was involved in activities that threatened US forces. According to Auguste's lawyer, no warrant was presented during the raid on her house, but a warrant was presented to her later when she was taken to court. The warrant related to her alleged involvement in the violent attack on students and faculty at the State University on 5 December.

Although Amnesty International believes that those suspected of responsibility for human rights abuses must be brought before a court of law, it remains concerned at the apparent violence and intimidation against Annette Auguste and members of her family during her detention, and particularly about reports that children, one of them only five years' old, were handcuffed and held in custody for several hours. The organization expects the US Command of the MIF to carry out a thorough and impartial investigation into this incident, to identify and deal appropriately with those responsible for any abuses, and to provide compensation for the excessive damage caused.

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Amnesty International has received other reports of violent searches conducted by the MIF in particular in poorer neighbourhoods of Port-au-Prince, but that the people concerned do not lodge official complaints out of fear of reprisals.

Finally, Amnesty International is concerned about the legal status of persons who were under the custody of US forces in the National Penitentiary. Amnesty International delegates visited the prison in early April and learned that a number of prisoners were held in a restricted area of the National Penitentiary controlled by US marines, and to which AI delegates were not allowed access. The delegation later learned that those held included former Minister of the Interior Jocelerme Privert and at least one other (rumoured to be Amanus Mayette, a former Fanmi Lavalas deputy). Amnesty International delegates asked a representative of the political section of the US Embassy in Port-au-Prince about these detainees. Although he acknowledged that some Haitians were kept under guard by the US forces, he was unable to provide details about the prisoners, the reasons why they were under the control of US marines or the legal context of their detention. The issues remained unclarified at the end of May, when an MIF spokesperson said that US forces had not exercised control over prisoners, and that they were no longer assigned to the prison.

## Conclusions and Recommendations

Human rights abuses against the Haitian population continue, despite the presence of international troops. Still, Haiti now has a unique opportunity to break the cycle of violence and impunity that has plagued the country for so many years. The new UN mission, MINUSTAH, has a mandate to support the transitional government and Haitian human rights institutions in promoting and respecting human rights, in order to ensure individual accountability for human rights abuses and redress for victims. The international community must be ready to provide personnel, training, expertise and funds. However, this support needs to be matched by an equal commitment on the part of the Haitian authorities who must demonstrate to the people of their country that they are all equally entitled to justice, and that no one is above the law. Failure to do so will mean that the violence and instability that Haiti has known for much of its history will continue without hope for a solution.

### Recommendations to the government of Haiti

1. As an immediate priority, take steps to re-establish State authority in all of Haiti, and disarm and disband armed groups. In co-operation with MINUSTAH, draft and implement a comprehensive disarmament strategy which should include measures to restore the rule of law, ensure that the perpetrators of criminal acts are

brought to justice, and address the specific needs of children who participated in armed violence;

2. Thoroughly and impartially investigate all reports of past and current human rights abuses, and send a strong and unambiguous message that those responsible for human rights abuses will be brought to justice in accordance with international standards for fair trial, regardless of their position of power or political views;
3. Arrest and return to prison freed or escaped prisoners who had been serving sentences for human rights abuses or other crimes, regardless of whether they support or oppose the current administration;
4. Make clear that there will be no amnesties for human rights abuses and that anyone found to be responsible for committing such abuses will be unable to hold public office;
5. Work with international experts to put in place a thorough, effective and fair vetting process for the recruitment of new police and the screening of existing police officers; one of the aims of the process should be to prevent perpetrators of human rights abuses, including from among former military and armed groups, from joining the new Haitian police service;
6. Give clear and public directives to the restructured Haitian police force regarding the duties and responsibilities of its officers to protect human rights, and ensure that ongoing human rights training is fully integrated into the police structure;
7. Work closely with MINUSTAH and civil society to draft a national plan of action to strengthen police, judicial and prison institutions and to establish the rule of law and end impunity for human rights abuses, including sexual and other violence against women and children. Attention should be paid to an effective witness protection programme, and the collection, preservation and protection of evidence including that pertaining to past abuses;
8. In consultation with MINUSTAH and regional bodies, develop a long-term strategy to address impunity for past violations. As a priority, the process should identify an appropriate venue in which Louis-Jodel Chamblain and other alleged perpetrators of human rights abuses can receive a fair, open trial in accordance with international standards;

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9. Work with MINUSTAH, other UN agencies and other donors to draw up a comprehensive sustainable development plan that ensures access to basic rights such as health, food, clean water and education for the whole population, and to address Haiti's widespread poverty and inequality.

### **Recommendations to the United Nations Stabilization Mission in Haiti (MINUSTAH)**

1. Give priority to the development of an effective nation-wide disarmament programme together with the Haitian National Police and regional and national organizations with expertise in the field, paying special attention to the needs of children who participated in armed violence;
2. In co-operation with the Haitian authorities, address the urgent need to rebuild an effective and independent judiciary, police force and prison system committed to observing human rights obligations;
3. Allocate a central place to the promotion and protection of human rights - civil, cultural, economic, social and political - and the ending of impunity in Haiti in order to help ensure individual accountability for human rights abuses and appropriate redress for victims. Work with the Haitian police and institutions, and with local actors including non-governmental organizations to develop a comprehensive, long-term strategy and national plan of action to protect human rights and end impunity in Haiti. Ensure that the mission is adequately equipped with the human and material resources to carry out gender-sensitive human rights monitoring, reporting and promotion.
4. Ensure that the anti-impunity strategy include measures to ensure that reported violations of human rights and international humanitarian law are effectively investigated throughout the country, that the suspected perpetrators of recent and past human rights abuses, including politically motivated sexual violence against women, are arrested and brought to justice in accordance with international standards for fair trial, and that any future political agreements exclude an amnesty for crimes under international law including serious violations of human rights. Future MINUSTAH reports should include regular assessments of progress achieved and obstacles met in ending impunity and establishing individual accountability for human rights abuses;
5. Create a justice component within MINUSTAH to work closely with the Haitian judicial system to facilitate efforts to end impunity and promote the rule of law. This component should include personnel with expertise in gathering and

preserving documentary, testimonial, and forensic evidence, prosecuting human rights cases, establishing accountability mechanisms and building respect for the rule of law and for human rights, including the rights of women and children.

6. In developing institution-building programmes, co-operate closely with Haitian government authorities, but also with the full range of civil society actors, including local grassroots organizations. Haitian ownership of such programmes is essential for achieving sustainability. To facilitate co-operation, MINUSTAH should seek to employ Creole speaking staff where possible. The co-operation and advice of the Organization of American States, relevant UN agencies and bilateral donors should also be sought.
7. Take special measures to protect women and children from gender-based and other forms of violence, particularly rape and other forms of sexual abuse. Establish training programmes for mission staff and Haitian counterparts on the protection, rights and particular needs of women and children.
8. Recruit international police personnel with the ability to assist with the restructuring and retraining of the Haitian police, and provide immediate technical and financial assistance for the establishment and operation of a thorough, effective and fair vetting process for the recruitment of new police and the screening of existing police officers.
9. Set clear objectives and outcomes for human rights programmes with the adoption of benchmarks to measure and assess progress, including that made by both the UN mission and the Haitian authorities. Support from the UN mission for rebuilding vital rule of law institutions should be conditional on the observance by the Haitian authorities of mutually agreed rules and benchmarks to guarantee the impartial and independent functioning of these institutions.
10. Work together with Haitian authorities, actors from all sectors of society, as well as with the Organization of American States, relevant UN agencies and International Financial Institutions, to develop an integrated gender-sensitive poverty-reduction and development strategy in which rule of law and human rights are an integral part. MINUSTAH should include staff with expertise in development and in the implementation of social and economic rights.
11. Ensure that peace-keeping troops strictly adhere to international human rights and international humanitarian law standards. Distribute codes of conduct to all military and civilian personnel, and ensure that they are fully explained by human

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rights officers, gender advisers, child protection advisers and commanding officers. Troops must abide by the provisions of the Secretary-General's Bulletin of 6 August 1999 on the Observance by United Nations forces of international humanitarian law, of the Secretary-General's Bulletin of 9 October 2003 on Special measures for protection from sexual exploitation and sexual abuse and should also incorporate the Six Core Principles of the Inter-Agency Standing Committee on Emergencies into its mission code of conduct, in line with the recommendations of Security Council resolutions 1460 (2003) on children and armed conflict, and 1325 (2000) on women, peace and security, respectively. Ensure that there is an easily accessible complaints mechanism and prompt investigation and effective follow-up of any alleged human rights violations by peace-keeping troops.

### **Recommendations to the US Command of the Multinational Interim Force**

1. Ensure that thorough, prompt and impartial investigations are carried out into all killings resulting from the use of lethal force by US personnel. In accordance with international standards, such investigations should determine, at minimum, the cause, manner and time of death, as well as the person or persons responsible. The families of the victims should be kept informed of the progress and results of investigations. If the investigations indicate that any of these killings may have been carried out unlawfully, those responsible should be brought to justice, and measures taken to prevent such incidents from recurring. The families of anyone found to have been unlawfully killed should be provided with fair and adequate compensation.
2. Ensure that thorough, prompt and impartial investigations are carried out into all incidents where civilians appear to have been subjected to violence or intimidation during MIF search and detention operations, and that compensation be provided where excessive damage has been caused;
3. Confirm the names of all those prisoners who were in the custody of US personnel or other international forces and clarify the basis for holding them and their legal status, as well as what steps were taken to ensure they had access to full legal safeguards.

### **Recommendations to the international community**

1. Make a long-term commitment to assist Haiti as requested by the UN Secretary-General. The re-establishment of the rule of law and institutional building will

take many years to achieve and to be sustainable. The ending of poverty in a country with the highest rate of child mortality in the region requires an equal long term commitment. Political capital and financial resources should be committed to that end, including at the forthcoming donors conference in July 2004.

2. To provide well trained peace-keeping troops, including in accordance with the recommendations in Security Council resolution 1325 (2000) on women, peace and security, and with the necessary logistical support to MINUSTAH to enable its deployment as quickly as possible in all parts of the country. French speaking countries are particularly urged to provide personnel.
3. Ensure that the mandate of MINUSTAH is regularly renewed as required in accordance with the wish of the UN Secretary-General to provide Haiti with the continuity necessary to stabilize the country and sustain the international effort to build a better future. The “stop-start” cycle of some 10 international missions in 10 years must be broken, in order to help Haiti forge a permanent solution to its ongoing political, financial and human rights crisis.

Appendix	Chronology 1990 - 2004
December 1990	Aristide wins first free presidential elections.
February 1991	Aristide inaugurated as President; René Preval appointed as Prime-minister.
September 1991	President Aristide ousted in a coup led by army Brigadier General Raoul Cedras. The United States (US) and the Organization of American States (OAS) impose sanctions.
September 1992	De facto government agrees to team of 18 OAS human rights observers.
February 1993	The UN/OAS International Civilian Mission (MICIVIH) human rights observer mission is established.
June 1993	UN imposed oil and arms embargo and freezing of assets of the de facto authorities.
July 1993	Dramatic increase in violence in Port-au-Prince area. The UN/OAS brokered Governors Island Agreement between Aristide and the military regime sets October 30 as deadline for Aristide's return to Haiti
August 1993	UN General Assembly votes to suspend sanctions.
September 1993	Emergence of the Revolutionary Armed Front for the Progress of Haiti (Front Révolutionnaire Armé pour le Progrès d'Haïti, FRAPH). Armed men attack ceremony to reinstate Port-au-Prince mayor Evans Paul, killing five people. Assassination of pro-Aristide businessman Antoine Izméry. UN Security Council authorizes "immediate dispatch" of a UN technical military and police mission to Haiti, UNMIH.
October 1993	MICIVIH becomes object of threats and attacks. Aristide signs amnesty for political offences between 29 September 1991 and 3 July 1993. First UNMIH police contingent arrives. FRAPH demonstration at Port-au-Prince harbour results in withdrawal of US vessel Harlan County carrying US and Canadian military. Assassination of Justice Minister Guy Malary. Withdrawal of UNMIH contingent and MICIVIH. UN reimposes sanctions.
January 1993	MICIVIH returns to Haiti.
April 1994	Haitian troops and FRAPH members kill at least 20 unarmed people in the slum area of Raboteau in Gonaïves.
July 1994	MICIVIH expelled from the country. UN Security Council passes Resolution 940 authorising foreign intervention in Haiti using "all necessary means" to restore democracy.
September 1994	US troops land in Haiti at the head of a multinational force

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October 1994	The military regime relinquishes power and Aristide returns to Haiti to be re-installed as President. MICIVIH returns.
March 1995	UN Mission In Haiti (UNMIH) replaces US-led Multinational force.
June 1995	Aristide's Lavalas Political Organization (Organisation Politique Lavalas, OPL), wins legislative elections.
December 1995	OPL candidate René Preval wins presidential elections.
February 1996	René Preval is inaugurated as President.
June 1996	Mandate of UNMIH expires. The United Nations Support Mission in Haiti (UNSMIH) is established.
May 1997	Second round of elections for the Senate cancelled amidst accusations of electoral fraud.
July 1997	The United Nations Transition Mission in Haiti (UNTMIH) replaces UNSMIH.
December 1997	UNTMIH's mandate expires. Establishment of the UN Civilian Police Mission in Haiti (MIPONUH).
January 1999	President René Preval declares parliament's term expired and begins ruling by decree.
March 2000	The mandates of MICIVIH and (MIPONUH) expire. The UN Civilian Support Mission to Haiti (MICAHA) replaces them.
May 2000	Legislative elections held, but declared flawed by OAS.
August 2000	The new parliament is inaugurated.
November 2000	Aristide wins presidential elections which were boycotted by the main opposition parties.
February 2001	Aristide is inaugurated as President. MICAHA's mandate expires and not renewed.
July 2001	Presidential spokesman accuses former army officers of a coup attempt after armed men attack three locations.
December 2001	Thirty armed men try to seize the National Palace in a coup attempt. Twelve people are killed in the coup attempt, which the government blames on former army members.
July 2002	Haiti becomes a member of the Caribbean Community (Caricom).
January 2004	Celebrations marking 200 years of independence marred by violence and protests against President Aristide's rule. The terms of the majority of both houses of parliament expire. President Aristide starts to rule by decree.
February 2004	Uprising against Aristide starts. Insurgents seize a number of towns and cities. President Aristide leaves the country. Supreme Court Chief Justice Boniface Alexandre is sworn in as

Interim President. UN Security Council resolution 1529 authorises a US-led Multinational Interim Force (MIF) in Haiti, which immediately begins deployment.

March 2004 Gérard Latortue is appointed Interim Prime Minister.

June 2004 A UN peacekeeping mission (MINUSTAH) takes over from the MIF.