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Haiti: Chamblain and Joanis overnight trials are an insult to justice

The Haitian interim government failed to ensure justice and to demonstrate its willingness to tackle impunity effectively, said Amnesty International as Louis Jodel Chamblain and Jackson Joanis have been acquitted of the 1993 murder of Antoine Izmary, a pro-democracy activist and business man. The trial has been hastily set up in a special session of the criminal court in Port-au-Prince and the verdict was reached within a day of the hearing.

"There are a number of reasons why we can label this re-trial as a mockery: it was set up without proper instruction and investigation from the Prosecutor (Commissaire du Gouvernement), most of the evidence used in the first trial has been destroyed or is missing since the last armed rebellion, false witnesses have been called to testify and no serious efforts have been made to find the genuine witnesses and ensure their security. Said Amnesty International "Key witnesses are in hiding for fear for their lives. Also no effort has been made to arrest the other twelve paramilitary members prosecuted in absentia in the first Izmary trial in 1995."

"After all the efforts made previously on their original trials, it is an insult to the victims to have undergone such a high-profile re-trial in one day," Amnesty International said, "this is a very sad record in the history of Haiti."

Amnesty International has consistently demanded justice for unpunished crimes committed by former Haitian military and paramilitary members and campaigned for the re-trial of Louis Jodel Chamblain. However, the organization expressed serious concerns about the weakness of the Haitian judicial system and its willingness to vigorously prosecute perpetrators of serious human rights violations and meet international standards of fairness guaranteeing the rights of the victims as well as the defendants.

Background information

Louis Jodel Chamblain was second in command of the paramilitary organisation FRAPH, formed by military authorities who were the de facto leaders of the country following the 1991 coup against then-President Jean-Bertrand Aristide. FRAPH members were responsible for numerous human rights violations before the 1994 restoration of democratic governance.

In September 1995, Louis Jodel Chamblain, along with 13 other military, was convicted in absentia and sentenced to forced labour for life for the murder of Antoine Izmary in 1993, a well-know pro-democracy activist, and for his implication in the 1994 Raboteau massacre. Chamblain went into exile to the Dominican Republic to avoid prosecution. He crossed the border back into Haiti in January 2004 to lead the armed rebellion that ousted former President Jean-Bertrand Aristide. Following international pressure, on 22 April, he turned himself into Police custody.

Military police captain, Jackson Joanis, was convicted in absentia for the execution of Antoine Izméry, and sentenced to forced labour for life. He was deported from the United States in 2002 to serve his sentence. During the rebellion against President Jean-Bertrand Aristide, he escaped prison but turned himself into the police on 9 August 2004.

According to Haitian law, Chamblain and Joanis have the right for a re-trial with no assumption of guilty holding over from the previous one.

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