

URGENT ACTION

HUMAN RIGHTS DEFENDERS' LIVES IN DANGER

Human rights defenders David Boniface and Juders Ysemé fear for their lives following the sudden death of their colleague, Nissage Martyr, one day after service of a lawsuit filed by the three men in the US for grave human rights violations against Jean Morose Viliena, the former mayor of their hometown in Haiti. The men have reported repeated death threats and attacks from the former mayor since 2007, and must be provided adequate protection.

On 22 March, **David Boniface, Juders Ysemé** and **Nissage Martyr** filed a lawsuit in a federal court in Boston, northeast US, against Jean Morose Viliena, the former mayor of their hometown of Les Irois, southwestern Haiti. The lawsuit was filed in the US because Jean Morose Viliena fled to the US in early 2009 after Haitian authorities opened a criminal investigation against him for the 2007 murder of David Boniface's brother, and a 2008 attack on a community radio station wherein Nissage Martyr lost a leg and Juders Ysemé lost his eye from bullet wounds. The three men claim that Jean Morose Viliena is responsible for a series of attacks against his critics between 2007 and 2009, including "arson", "extrajudicial killing", "attempted extrajudicial killing", "torture", and "crimes against humanity", which were carried out under his lead by an armed group aligned with his political party. The day after Jean Morose Viliena was served with the lawsuit, 24 March, Nissage Martyr suddenly became violently ill and died on the way to the hospital in Les Irois. His family claims he had been in good health and, with the help of their lawyers, has demanded an immediate independent autopsy and a full investigation into his death. The local prosecutor has authorized the autopsy, but to date, no investigation has been initiated.

David Boniface and Juders Ysemé are human rights defenders and perceived supporters of the Struggling People's Party (Organisation du Peuple en Lutte), an opposition party in Haiti. Since 2007, the two men and Nissage Martyr have reported that Jean Morose Viliena and his associates have sent them death threats, violently attacked and attempted to kill them for carrying out their legitimate work defending human rights, starting the community's first radio station, and pursuing justice against Jean Morose Viliena and his associates to stop violence in the community. In 2015, the Inter-American Commission on Human Rights granted the three men and their families precautionary measures to ensure their safety. David Boniface and Juders Ysemé told Amnesty International that the Haitian authorities have done nothing to comply with these measures due to rampant impunity in the country. The two men and their families fled Les Irois following Nissage Martyr's death for fear for their safety. They stated that the only way justice will be served is if they are able to testify against Jean Morose Viliena, but that without adequate protection, they fear they will be killed before they are able to do so.

Please write immediately in French or your own language:

- Calling on the authorities to initiate an immediate, prompt and impartial investigation into the death of Nissage Martyr, to make the results public and bring those responsible to justice;
- Urging them to comply with the precautionary measures ordered by the Inter-American Commission on Human Rights in 2015, and immediately provide effective protection to David Boniface, Juders Ysemé and their families, in accordance with their wishes.

PLEASE SEND APPEALS BEFORE 24 MAY 2017 TO:

Minister of Justice and Public Security

Heidi Fortuné
Ministre de la Justice et de la Sécurité
Publique
Primature d'Haïti
33, Boulevard Harry Truman
Port-au-Prince, Haïti, HT - 6110
Email: via web:
http://primature.gouv.ht/?page_id=9
Salutation: Dear Minsiter/ Cher Ministre

Prime Minister

Dr. Jack Guy Lafontant
Premier Ministre
Primature d'Haïti
33, Boulevard Harry Truman
Port-au-Prince, Haïti, HT - 6110
Email: via web:
http://primature.gouv.ht/?page_id=22
**Salutation: Dear Prime Minister/ Cher
Premier Ministre**

Minister of Foreign Affairs

Antonio Rodrigue
Ministre des Affaires Etrangères
Primature d'Haïti
33, Boulevard Harry Truman
Port-au-Prince, Haïti, HT - 6110
Email: via web:
http://primature.gouv.ht/?page_id=9
**Salutation: Dear Minister/ Cher
Ministre**

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation
Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

In December 2006, Jean Morose Viliena was elected Mayor of Les Irois as a representative of the Haitian Democratic and Reform Movement (Mouvement démocratique et rénovateur d'Haïti, MODEREH). Amnesty International issued an Urgent Action in 2008 calling for protection for David Boniface, Juders Ysemé and Nissage Martyr, following incidents spearheaded by Jean Morose Viliena that began in 2007 (see: <https://www.amnesty.org/en/documents/amr36/005/2008/en/>).

Around 8pm on 27 July 2007, Jean Morose Viliena, then Mayor of Les Irois, and several armed men went to David Boniface's family home. They were reportedly looking for David Boniface who was not there at the time. They found his brother, Ecclesiaste Boniface, who they dragged into the street and attacked with several machete blows and then shot dead. Earlier that same day, David Boniface had accompanied the woman to the office of the Justice of the Peace (*juge de paix*) to defend a complaint filed against her by the mayor, after the mayor allegedly smacked her for throwing some garbage on the side of the road. Since the murder of his brother, David Boniface has continued to seek justice and has subsequently received additional death threats.

On 8 April 2008, Jean Morose Viliena broke into the Radio Nouvelle Vision community radio station, accompanied by a large number of his supporters. The men beat Nissage Martyr, the owner of the premises, and radio supporter Juders Ysemé, and when they attempted to run away from the building, Nissage Martyr stated that Jean Morose Viliena ordered his security guard to shoot and kill them. Although the two men survived the gunshots, Juders Ysemé lost an eye and Nissage Martyr's leg was amputated as a result of the bullet wounds.

Jean Morose Viliena fled to the Boston, Massachusetts area in early 2009, where media reports state he began working as a bus driver and later an Uber driver. David Boniface, Juders Ysemé and Nissage Martyr claim that Jean Morose Viliena continued to travel to Les Irois and exercise control over an armed group aligned with the political KOREGA militia while based in the US, in order to continue intimidating and repressing his perceived political opponents in Les Irois. Nissage Martyr reported that on 29 October 2009, he watched as Jean Morose Viliena's associates set fire to 36 homes belonging to perceived supporters of the opposition Struggling People's Party in Les Irois, including their own homes.

Haiti has faced great political instability since the 2004 coup, after which the UN established its Stabilization Mission in Haiti (MINUSTAH), whose mandate continues to this day. The devastating earthquake on 12 January 2010 added to this instability, which left more than two million people homeless and created a crisis of internally displaced people. Cholera broke out in Haiti in October 2010, which has taken more than 9,000 lives and sickened 800,000. UN negligence in maintaining its sanitation facilities and waste disposal have been shown to have majorly contributed to the outbreak (see: <https://www.amnesty.org/en/latest/news/2015/10/un-failing-cholera-victims-in-haiti-five-years-after-outbreak/>). On 5 February 2016 a national agreement establishing a transitional government was reached to find a solution to the political crisis. Following this, Jovenel Moïse was elected President and took office on 7 February 2017.

Between 2012 and 2014, Amnesty International recorded numerous instances of attacks, threats and harassment against human rights defenders in Haiti, including lawyers, which often seemed to be related to their human rights work. In most cases, the authorities have failed to carry out prompt and thorough investigations. Moreover, the authorities have not put in place effective protection measures to enable the defenders to carry out their work without fear of reprisals, in violation of multiple orders from the Inter-American Commission on Human Rights.

Name: David Boniface, Juders Ysemé and Nissage Martyr

Gender m/f: m

UA: 87/17 Index: AMR 36/6045/2017 Issue Date: 12 April 2017