

EXTERNAL (for general distribution)

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UA 18/93 Ill-treatment/Legal Concern

26 January 1993

HAITI: Jean EMILE

Direct JEAN-BAPTISTE, aged 30

Amnesty International is concerned at two recent separate incidents of severe ill-treatment reportedly carried out by members of the armed forces in the Marchand Dessalines locality of the Artibonite department.

Jean Emile was reportedly arrested on 22 January 1993 in the village of Pont Joux, 3rd Section of Marchand Dessalines, following an argument with the local *chef de section* (rural police chief). He was taken to the home of the *chef de section* where he was severely beaten. Leaflets with the name of former President Aristide, ousted in a violent coup in September 1991, were reportedly planted on Jean Emile. He was subsequently accused of being a supporter of President Aristide and of Lavalas, the political movement which supported the deposed President. He was taken to the prison of Marchand Dessalines, reportedly in a bad physical condition as a result of the beatings. On 23 January he was bound hand and foot, with his hands behind his back and taken by members of the armed forces to the St Marc prison, without having been brought before a Justice of the Peace in Marchand Dessalines, as required by law.

Amnesty International is concerned about his state of health and that he may suffer further ill-treatment at St Marc.

Direct Jean-Baptiste was reportedly detained on 20 January 1993 in the town of L'Estère, near Marchand Dessalines when he refused to hand over his driving licence, after being stopped by a member of the armed forces. He was taken to the military barracks where he was beaten severely. His testicles were crushed by several soldiers using their hands. He was given blows to his stomach with a club and when he tried to stop the blows to the stomach he was slapped about the face with extreme violence.

On one occasion he was slapped on the eyes, which are now severely blood-shot. His face is also swollen as a result of the beatings he received. He was released the same day.

Prior to this, on 15 January 1993, Direct Jean-Baptiste was stopped by a member of the armed forces in L'Estère and his driving licence was confiscated. He travels every day between Dessalines and L'Estère. On 19 January he went to the local barracks in L'Estère and asked for the return of his licence. The army demanded the sum of 90 Haitian dollars. He refused to pay so much and it was agreed he would pay 50 dollars. It is reported that the military barracks at l'Estère are noted for extorting money from drivers using the pretext of supposed traffic offenses. It was for this reason that he reportedly refused to hand over his driving licence a second time when stopped the following day.

BACKGROUND INFORMATION

Troops violently overthrew the democratically elected government of President

Jean-Bertrand Aristide, who took office in Haiti on 7 February 1991, in a coup on the night of 29 to 30 September 1991. Since then Amnesty International has learned of widespread human rights violations committed by the security forces, including a large number of extrajudicial executions, torture and ill-treatment and mass arrests without warrant. Several of those detained by the authorities remain "disappeared".

These abuses have been carried out by uniformed security force agents or, on some occasions, by men in civilian clothes ostensibly linked to them.

Victims have included those supporting or suspected of being supporters of President Jean-Bertrand Aristide. An Amnesty International delegation which

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visited Haiti in March 1992 also found extensive evidence of widespread arbitrary abuse by the security forces against the civilian population, including extortion by members of the armed forces or civilians working with their connivance. The delegation learned of many cases where members of the security forces and those working with them would force people to give them sums of money to prevent them being detained; or if detained, to prevent or reduce the severity of beatings or to secure their release. (See Haiti: Human Rights Held to Ransom, AI Index: AMR 36/41/92 of August 1992)

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in French, English or in your own language:

- expressing concern at the reported detention and subsequent ill-treatment of Jean Emile and Direct Jean-Baptiste;
- asking for an investigation into the reported ill-treatment in military custody of both men and that those found responsible be brought to justice;
- asking that Jean Emile be treated humanely in custody;
- asking also that he be given access to adequate medical treatment in custody as well as access to legal representation and to his family;
- asking also that unless charged with a criminally recognizable offence that he be released.

APPEALS TO

1) Prime Minister:

Marc BAZIN

Premier Ministre

Palais National, Port-au-Prince, Haiti

Telegrams: Premier Ministre BAZIN, Port-au-Prince, Haiti

Faxes: + 509 34 1980, + 509 23 2121

**Salutation: Monsieur le Premier Minister /
Dear Prime Minister**

2) Commander-in-Chief of the Armed Forces:

Monsieur le Général Raoul CEDRAS

Commandant-en-Chef des Forces

Armées d'Haïti

Grand Quartier Général des Forces Armées d'Haïti

Rue Geffrard, Port-au-Prince, Haïti

Telegrams: Commandant-en-Chef des Armées d'Haiti Cedras, Port-au-Prince, Haiti

Telephone: + 509 22 3935

Telexes: 20391 gqfadh

Faxes: + 509 23 9007, + 509 23 9407

**Salutation: Monsieur Commandant-en-Chef /
Dear Commander-in-Chief**

3) Minister of Justice:

Maître Moïse SENATUS

Ministre de la Justice

**Salutation: Monsieur le Ministre /
Dear Minister**

Ministère de la Justice

Cité de l'Exposition, Port-au-Prince, Haïti

Telegrams: Ministre de la Justice Senatus, Port-au-Prince, Haiti

Telephone: + 509 45-0474, + 509 45-1626

Telexes: 20166 Justice

COPIES OF YOUR APPEALS TO:

1) Commander of the Artibonite Military

Base:

Monsieur le Commandant du Département

Militaire de l'Artibonite

Rue Lamartinière

Gonaïves, Département de l'Artibonite,

Haïti

2) Prison Director - St Marc Prison:

Monsieur le Directeur

Prison St Marc

St Marc, Département de l'Artibonite,

Haïti

3) Haïti en Marche (News weekly)

173 N.W. 94 St

Miami, FL 33150, USA

and to diplomatic representatives of Haiti accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 March 1993.