

PUBLIC

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Arbitrary arrest/prisoner of conscience

25 July 2005

HAITI

Gérard Jean-Juste (m), aged 59, Catholic priest

Catholic priest Gérard Jean-Juste was taken into custody at a police station "for his own protection" on 21 July, after he was assaulted, but while he was at the police station he was accused of murder. He was abroad at the time of the murder of which he has been accused, but he is a prominent opponent of the government. Amnesty International considers him a prisoner of conscience, detained solely because he has peacefully exercised his right to freedom of expression. He risks spending a long time in custody awaiting trial on apparently trumped-up charges.

Rev. Jean-Juste has been an outspoken supporter of former president Jean-Bertrand Aristide, and critic of the present government, in his sermons and in radio broadcasts. On 21 July he attended the funeral of journalist Jacques Roche, at a church in the Pétionville suburb of the capital, Port-au-Prince. He was assaulted and threatened by a mob outside the church, who said he was one of those responsible for the violence that is sweeping the capital. He was taken to Pétionville police station by officers from the Haitian police and the UN civilian police force, CIVPOL. None of his attackers is known to have been detained.

At the police station, officer Jean-Daniel Ulysse, from the Central Command of the Judicial Police (*Direction Centrale de la Police Judiciaire*, DCPJ) accused him of the murder of the journalist. Although he was supposedly there simply for his own safety, he was locked up in a cell at the police station with another 43 detainees. The following day he was transferred to the National Penitentiary, where he is in solitary confinement. According to his lawyer, he has reportedly been charged with the murder of Jacques Roche. However, Rev. Jean-Juste and his lawyers were not shown an arrest warrant or any other official statement of the charges. He is one of dozens of Aristide supporters who have been arbitrarily detained in this way.

Journalist Jacques Roche was kidnapped on 10 July, and murdered when the full ransom demanded was not paid. Rev. Jean-Juste was in the United States at the time, returning from Miami on 15 July.

Rev. Jean-Juste has been a target for government repression for some time. On 13 October 2004, he was arrested by police without a warrant at his church, Saint Claire's, in Port-au-Prince. A warrant issued on 18 October accused him of "plotting against the internal security of the state." He was released on 29 November, after six weeks in custody. When he flew in from Miami on 15 July, he was stopped at Port-au-Prince airport, searched and questioned. He was ordered to present himself to the judicial police on 18 July, and two days later he was questioned by the investigating magistrate, regarding the accusation leading to his October arrest.

BACKGROUND INFORMATION

President Jean-Bertrand Aristide was ousted on 29 February 2004, after an armed rebellion led by former military officers took control of the whole country. The same day, a US-led multinational force was deployed in Haiti, authorised by the UN Security Council. An interim government was put in place in early March with Gérard Latortue sworn in as Prime Minister. In June 2004, the UN Stabilisation Mission in Haiti (MINUSTAH) was sent to assist the interim government in securing the country, reforming the national police and protecting human rights. Since October 2004, the violence has escalated, particularly in the capital, where armed gangs, some of which allegedly have political affiliations to Aristide's party, are responsible for numerous killings and grave human rights abuses.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French, English or your own language:

- expressing concern at the arrest and detention without formal charges of Rev. Gérard Jean-Juste;
- pointing out that he appears to be a prisoner of conscience, detained solely for the legitimate expression of his opinions, and urging the authorities to release him immediately and unconditionally;
- calling on the authorities to put an end to the arbitrary detentions that are prevalent throughout Haiti.

APPEALS TO:

Prime Minister

Gérard Latortue

Ministère de l'Intérieure, Villa d'Accueil, Delmas 60

Musseau, Port-au-Prince, HAITI (W.I.)

Fax: +509 298 3901

Salutation: Monsieur le Premier Ministre/Dear Prime Minister

Minister of Justice and Public Security

Me. Henri Dorléans

Ministère de la Justice

19 Ave. Charles Sumner, Port-au-Prince, Haiti (W.I.)

Fax: +509 245 0474

Salutation: Monsieur le Ministre/Dear Mr. Dorléans

General Director of the Haiti National Police

Mario Andresol

Directeur Général de la Police Nationale d'Haïti

Grand Quartier Générale la Police

12 rue Oscar Pacot, Port-au-Prince, Haiti (W.I.)

Fax: +509 245 7374

Salutation: Monsieur le Ministre/Dear Mr. Andresol

COPIES TO:

Special Representative of the UN Secretary-General

Juan Gabriel Valdés

United Nations Stabilization Mission in Haiti (MINUSTAH)

385, Ave. John Brown, Bourdon, B.P. 557, Port-au-Prince, Haiti (W.I.)

Fax: +509 244 3512

Salutation: Monsieur le Représentant spécial/Dear Special Representative Valdés

Head of Human Rights Division

Thierry Fagart

Human Rights Division, MINUSTAH

385, Ave. John Brown, Bourdon, B.P. 557

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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 5 September 2005.