

EXTERNAL (for general distribution)

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Legal Concern/Ill-treatment

12 June 1992

HAITI:

Valentin VILLARD

Amnesty International is concerned at the arrest on 11 May 1992 of Valentin Villard, a member of the *Mouvman Popilè Jen Nationalis Folibèté* (Popular Nationalist Youth Movement of Fort-Liberté), carried out by members of the police in Trou-du-Nord, North-East department. Amnesty International is concerned that he was reportedly ill-treated in custody and that he has not been brought before a judge as laid down by the Constitution.

According to information received by Amnesty International, Valentin Villard was arrested by members of the police in the town of Trou-de Nord, where he had fled the repression of members of the armed forces in Fort-Liberté, the capital of the North-East department.

The police reported that he was arrested in possession of leaflets bearing a picture of ousted President Aristide. He was reportedly taken to the Trou-du-Nord prison where he was severely beaten about the head and hips. His family report that he is unable to walk as a result of the beatings he received. They also report that he has not been receiving adequate medical attention in prison. He was subsequently transferred to prison in Fort-Liberté at the beginning of June, reportedly bound hand and foot.

Valentin Villard has reportedly has not appeared before a judge which is in violation of Article 26 of the Haitian Constitution of 1987 which states "*nul de peut être maintenu en détention s'il n'a comparu dans les quarante-huit (48) heures qui suivent son arrestation par devant un juge appelé à statuer sur la légalité de l'arrestation et si ce juge n'a confirmé la détention par décision motivée.*" ("a person may not be held in detention if, within forty-eight (48) hours of their arrest, they have not been brought before a judge called to rule on the legality of the arrest and if the judge has not confirmed the detention was justified.")

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. These abuses have been carried out by uniformed security force agents or, on some occasions, by men in civilian clothes ostensibly linked to them. (See Haiti: The Human Rights Tragedy - Human rights violations since the coup, AI Index: AMR 36/03/92 of January 1992)

An Amnesty International delegation visiting Haiti in late March and early April 1992, has found evidence of continuing gross human rights violations, including serious intimidation and harassment, arbitrary and illegal arrest, severe ill-treatment and torture and extrajudicial execution. Amnesty International has also found evidence of extortion of money from civilians by the Haitian security forces, in order to ensure that they will not be subjected to arrest, torture or other ill-treatment, that they will be given better prison conditions, or simply to obtain their release from prison. Victims of human rights violations have included all sectors of the population, particularly peasants, trade unionists and popular organizers, students, members of the press and the Catholic church, and virtually anyone suspected of supporting the return of deposed President Jean-Bertrand Aristide.

In past weeks, anti-government protests have been followed by increased repression by the security forces, with students and residents of popular districts of Port-au-Prince being

particularly targeted. Following the protests, Amnesty International has learned of increased numbers of arrests and at least nine people have reportedly been victims of extrajudicial execution.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes and airmail letters:

- asking for an investigation into the reports of the ill-treatment in custody of Valentin Villard and that those found responsible be brought to justice;
- asking for guarantees for his safety in custody and that he be granted immediate access to adequate medical treatment;

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- asking that his legal situation be clarified and that he be immediately brought before a court in compliance with Article 26 of the Haitian Constitution and charged with a recognizably criminal offence or that he be released.

APPEALS TO:

1. Prime Minister:

Maître Jean-Jacques HONORAT
Premier Ministre
Palais National
Port-au-Prince, Haiti

**Telegrams: Premier Ministre Honorat,
Port-au-Prince, Haiti**

Faxes: + 509 34 1980

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

2. Minister of the Interior and Defence:

M. le Colonel Serge CHARLES
Ministre de l'Intérieur
et de la Défense Nationale

Palais des Ministères
Port-au-Prince, Haiti

**Telegrams: Ministre de l'Interior
Charles, Port-au-Prince,
Haiti**

Telephone: + 509 22 9198; + 509 22 1090

Telexes: 20515 Dptindn

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

COPIES OF YOUR APPEALS TO:

Commander of North-East Department
Monsieur le Commandant
Département Militaire du Nord-Est
Fort-Liberté
Département du Nord-Est
Haiti

Human Rights Organization:

Monsieur le Directeur
Centre Oecuménique des
Droits de l'Homme
4 rue des Marguerites
Turgeau, Port-au-Prince
Haiti

and to diplomatic representatives of Haiti in your country

3. 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, Haiti

**Telegrams: Comandant-en-Chef des Armees
d'Haiti Cedras, Port-au-Prince, Haiti**

Telephone: + 509 22 3935

Telexes: 20391 gqfadh

Faxes: + 509 23 9007; + 509 23 9407

**[Salutation: Monsieur le Général / Dear
General]**

4. Fort Liberté Public Prosecutor

Monsieur le Commissaire du Gouvernement
Parquet du Tribunal Civil, Fort-Liberté,
Département du Nord-Est, Haïti

**Telegrams: Monsieur le Commissaire du
gouvernement, Parquet du Tribunal Civil,
Fort- Liberté, Haïti**

**[Salutation: Monsieur le Commissaire du
gouvernement / Dear Sir]**

Haïti en Marche (Newspaper)

173 N.W. 94 St

Miami

FL 33150, USA

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 24 July 1992.