

EXTERNAL (for general distribution)

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Fear for safety / Excessive use of force

21 September 1994

HAITI

Port-au-Prince demonstrators

Reports indicate that at least one and possibly other Haitian civilians have been killed by Haitian police since United States (US) forces began disembarking in Haiti on 18 September. The killings reportedly occurred when uniformed police accompanied by their civilian adjuncts, the so-called *attachés*, attacked crowds demonstrating for the return of President Jean-Bertrand Aristide and welcoming the arrival of US troops.

Demonstrators were first attacked on 19 September, but the reported killings occurred after even more brutal police assaults against crowds on the following day. A major incident occurred outside Port-au-Prince harbour, where most of the US forces thus far in Haiti are based. A crowd formed, apparently spontaneously, and ran alongside US army vehicles taking troops in the direction of Port-au-Prince airport. About half an hour later, police appeared, firing their guns into the air, but reportedly also firing directly at the crowd. It has also been alleged that police attacked demonstrators with crowbars, killing one man. Some reports indicate that at least one more man was shot and killed by police. Demonstrators reportedly threw rocks and rotting coconuts at the police, and there have been reports that a policeman was shot and wounded by a civilian.

The US troops, who arrived under the terms of a new agreement between the US government and the Haitian military brokered over the weekend of 16-17 September by a US delegation led by former President Jimmy Carter, have stood aside and simply observed the incidents. They are apparently under orders not to interfere in "internal security issues," and to use their arms with caution, and only when directly threatened.

BACKGROUND INFORMATION

Haiti has been suffering a long-term human rights crisis, during which Amnesty International has received regular reports of human rights violations, directed principally at supporters of President-in-exile Aristide, but also affecting the population at large. President Aristide was overthrown by the military in September 1991.

On 31 July 1994 the UN Security Council meeting in special session passed Resolution 940 (1994) authorizing the formation of a multilateral force under unified command, opening the way to a US-led invasion of Haiti. In response, Haiti's *de facto* government declared a state of siege, suspending constitutional guarantees.

A previous agreement between the Haitian military and President Aristide, the so-called Governor's Accord, had been reached under the aegis of the UN and the Organization of American States (OAS) in July 1993. Under that agreement, General Cédras was to take early retirement on 15 October 1993, an amnesty was to be accorded for political offences, and President Aristide was to return to Haiti. However, as the date for his return approached, human rights violations escalated, and President Aristide remained in exile.

Under the new agreement, Haiti's military leaders are to step down (again on 15 October), and President Aristide is to return. The accord has been widely

criticised in that it does not require any of the top military leadership associated with the massive human rights violations in Haiti to leave the country. Neither does it call for the disarming of the police or military, nor for perpetrators of the violations to be brought to justice. Instead, it provides for a general amnesty to be voted into law by the rump Haitian Parliament or to take effect on 15 October, whichever is earlier, and for the Haitian military and police to work in close cooperation with the US military.

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

- expressing concern at what appears to have been an excessive use of force by the Haitian police in reacting to demonstrations in Port-au-Prince on 19 and 20 September, resulting in at least one person dead;
- calling for a thorough and independent investigation into the incidents, and in instances where it is found that any law enforcement officials or any person under their command have used excessive force, pressing strongly for them to be brought to justice;
- pointing out that both Haitian military and police officials and any troops that have entered Haiti under the terms of UN Resolution 940 are responsible for ensuring that all agents involved in crowd control or law enforcement conform to internationally recognised standards, such as in the UN Code of Conduct for Law Enforcement Officials.
- urging that these standards be immediately disseminated in appropriate languages including Haitian Créole to all such officials, and that it be made known that any official found in violation of these standards will be brought to justice.

APPEALS TO

Commander in Chief of the Armed Forces

Monsieur le Général Raoul CÉDRAS
 Commandant-en-chef des forces armées d'Haiti
 Grand Quartier général des forces armées d'Haiti
 Rue Geffrard, Port-au-Prince, HAITI

Telegrams: Commandant-en-Chef des Forces armées d'Haiti Général Cédras, Port-au-Prince, Haiti

Salutation: Monsieur le Général / Dear General

The Honourable William J. Perry

USA Secretary of Defense
 Office of the Secretary of Defense
 The White House
 Washington, DC 20301, USA

Faxes: (703) 695 1219 (at The Pentagon)

Telegrams: Defense Secretary Perry, White House, Washington DC, USA

Salutation: Dear Secretary of Defense

General Hugh Shelton (Commander of US operations in Haiti)

c/o Embassy of the United States
 Cité de l'Exposition
 Port-au-Prince, Haiti

Telegrams: General Shelton, US Embassy, Port-au-Prince, Haiti

Salutation: Dear General

United Nations Secretary General

Boutros Boutros-Ghali
United Nations
New York
NY 10017, USA

Salutation: Dear Secretary General (mail only)

COPIES TO:

diplomatic representatives of Haiti accredited to your country.

President Jean-Bertrand Aristide
International Liaison Office
PO Box 25535, Washington DC 20007, USA

President Bill Clinton
The White House
Office of the President
1600 Pennsylvania Ave.
Washington DC 20500, USA

Faxes: (202) 456 2461

Please also consider copying your appeals to any Haitian exile radio stations or newspapers that may exist in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 November 1994.