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Haiti: Re-trial of Louis Jodel Chamblain -- test for judicial system in Haiti

The convicted former leader of the 1990s paramilitary group FRAPH, Louis Jodel Chamblain, gave himself up to the police in Port-au-Prince yesterday, 22 April. Another convicted FRAPH leader, Jean Pierre Baptiste, known as "Jean Tatoune", is reported to have said that he will follow Chamblain's example. Both men recently played prominent roles leading the rebel forces that ousted the government of Jean Bertrand Aristide in February.

Louis Jodel Chamblain was convicted *in absentia* and Jean Pierre Baptiste was serving a life sentence with forced hard labour until his escape from prison. Both men were convicted for their roles in the 1994 massacre in the shanty town of Raboteau in which an estimated 20 people died. Chamblain was also convicted of the assassination of pro-democracy activist, Antoine Izméry, in 1993.

"Amnesty International welcomes the fact that both Chamblain and Baptiste, who were convicted of horrendous human rights abuses, could be back in custody," says Amnesty International. "It is crucial that Louis Jodel Chamblain is given a fair trial in compliance with international standards. Only in this way will trust be rebuilt in the Haitian judicial system."

Under Haitian law, those convicted *in absentia* have the right to a re-trial. This provision in the Haitian law does not apply to Jean Pierre Baptiste, as he was present during his trial.

The re-trial of Louis Jodel Chamblain will be a test for the Haitian judicial system. During the recent violence in Haiti, a number of courthouses were burnt down and archives containing evidence of his involvement in the crimes of which he was convicted may have been destroyed. AI is also concerned for the safety of judicial officials and witnesses.

Amnesty International is concerned that Napela Saintil, the judge who convicted Chamblain's *in absentia*, was seriously beaten on 31 March, allegedly because of his involvement in the Raboteau trial. Victims and witness that participated in this trial are reported to be in hiding in fear of retaliation.

Amnesty International has consistently campaigned for convicted perpetrators of human rights violations to be taken to custody and brought before the Haitian justice system. "We call on the Haitian authorities to ensure that other convicted human rights abusers, including Jean-Claude Duperval, Hébert Valmond and all other recent escapees from prison during current crisis, are returned to prison."

"A clear message needs to be sent out that no-one is above the law, which will be an important step towards deterring further human rights violations and putting an end to the impunity that has been prevalent in Haiti," the organization said. "Amnesty International calls on the Haitian authorities and the international community to ensure that no amnesties for past human rights violations are included as part of any political settlement with rebel forces".

Background

Since the departure of President Aristide at the end of February, Haiti has continued to be gripped by serious civil conflict, with a lack of rule of law and little respect for human rights.

The interim government has moved swiftly to arrest high-ranking members of former President Aristide's government and Lavalas Family party suspected of acts of political violence or corruption. However, it has, up until now, failed to act against a number of known perpetrators of grave human rights violations, some of whom have been the leaders of the uprising that led to the departure of President Aristide.

For more information, please see:

Haiti: Perpetrators of past abuses threaten human rights and the reestablishment of the rule of law
- <http://web.amnesty.org/library/index/engamr360132004>