

EXTERNAL (for general distribution)

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UA 139/93 Ill-treatment/Prisoner of Conscience

28 April 1993

HAITI: Cajuste LEXIUS, Secretary General of Centrale Générale de  
Travailleurs (CGT), General Workers' Union  
Phabonor ST. VIL, Secretary of CGT  
Saveur AURÉLUS, member of CGT

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Amnesty International is concerned for the safety of the three trade unionists named above from the Centrale Générale des Travailleurs (CGT), General Workers Union, who were arrested on 23 April 1993 and reportedly severely beaten. The organization is further concerned that they are prisoners of conscience arrested solely for their non-violent trade union activities.

The three men were reportedly arrested by uniformed members of the police belonging to the 30ième Compagnie, 30th Company, in front of Radio Caraïbe in Port-au-Prince, as they were on their way to deliver a press release in support of a general strike scheduled for 26 April. While in custody they were severely beaten with batons to all parts of the body and kicked by the policemen. One of the detainees reported that a policeman had stood on his chest. On 26 April they were transferred to the Service d'investigation et de recherches anti-gang, Anti-gang Investigation Service.

Cajuste Lexius was reported to have been unconscious for two days as a result of the beatings that he received. On 27 April he was transferred to a military hospital on the recommendation of a physician who was allowed to visit the prisoners.

The three men remain in custody and have 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 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 that 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: Human Rights Held to Ransom, AI Index: AMR 36/41/92 of August 1992)

Recent weeks have seen a marked upsurge in human rights violations in Haiti, particularly in the capital, Port-au-Prince. Sources in Haiti suggest that the rise in violations, many of them directed at supporters of ousted President Aristide,

may reflect the military's unease at the negotiations led by United Nations/Organization of American States (OAS) mediator Dante Caputo, to end the country's continuing political crisis. The negotiations, in which the United States is heavily involved, hinge on such issues as the return to office of President Aristide, the selection of a Prime Minister broadly acceptable to all, and whether an amnesty will be awarded to military who participated in the coup against President Aristide and were responsible for human rights violations in its aftermath.

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

- expressing concern at the arrest of the three trade unionists, Cajuste Lexius, Phabonor St. Vil and Saveur Aarélus, on 23 April 1993 and at reports that they have been subjected to ill-treatment by the security forces;

- demanding that they be immediately and unconditionally released since they appear to be prisoners of conscience arrested solely for their non-violent trade union activities;

- demanding that they be humanely treated while they remain in custody;

- demanding that they receive adequate medical attention and be given access to lawyers and family;

- asking for an immediate investigation into the alleged ill-treatment of the three trade unionists and that those found responsible be brought to justice..

#### **APPEALS TO**

##### 1. Prime Minister:

Monsieur Marc BAZIN  
Premier Ministre  
Palais National  
Port-au-Prince, Haiti

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

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

**Faxes: + 509 34 1980, + 509 23 2121**

##### 2. Military commander of the Armed Forces:

Monsieur le Générale Raoul CEDRAS  
Commandant-en-Chef des Forces Armées d'Haiti  
Grand Quartier Général des Forces Armées d'Haiti  
Rue Geffrard  
Port-au-Prince, Haiti

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

**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**

##### 3. Chief of National Police:

Monsieur le Lt.Colonel Michel FRANÇOIS  
Chef de la Police Nationale  
Grand Quartier Général de la Police  
Port-au-Prince, Haiti

**Salutation: Monsieur le Lt. Colonel /  
Dear Lt. Colonel**

**Telegrams: Chef, Police Nationale, Port-au-Prince, Haiti**

4. Head of Anti-gang Investigation Service:

Monsieur le Capitaine Joanis JACKSON

Chef du Service d'investigation

et de recherches anti-gang

Port-au-Prince, Haiti

**Telegrams: Chef du Service d'investigation anti-gang, Port-au-Prince, Haiti**

**Salutation: Monsieur le Capitaine /**

**Dear Captain**

**COPIES OF YOUR APPEALS TO:**

Human Rights Organization:

Commission de l'Ogith des Droits Humains

et Syndicaux (CODDHUS)

Route de Delmas et Delmas 11

No. 121 bis, 2ème étage

Port-au-Prince, Haiti

Newspaper (weekly):

Haiti en Marche

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 June 1993.