

EXTERNAL (for general distribution)

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Torture

24 April 1991

HAITI: **Philistin Auguste, 54-year-old agricultural worker**
 Lucien Auguste, his son, aged 24) both
 Joseph Nixon, aged 23) unemployed

Amnesty International is concerned at reports of the torture in military custody on 4 March 1991 of the three men named above. Philistin Auguste, an agricultural worker, his son Lucien Auguste, and Joseph Nixon, both unemployed, come from the village of Obléon, Kenscoff region of the Département de l'Ouest (Western Department). Amnesty International is also concerned at reports that Lucien Auguste and Joseph Nixon, who remain in detention at the Pénitencier National (National Penitentiary), have been denied medical treatment.

On 4 March 1991, members of the armed forces went to Obléon looking for Lucien Auguste, whom they accused of stealing three candles. When they could not locate him, they arrested his father Philistin Auguste in his place. Philistin Auguste was taken to the Kenscoff military base, where he was subjected to torture by a technique known as the djak, where the victim's hands are tied together and a baton is wedged under the thighs and over the arms of the victim who is then beaten repeatedly. Philistin Auguste was released later the same day. Medical evidence obtained after his release documented bruises on his lower back and buttocks, swelling of the left ankle, impeding movement, and a fracture of the fibula (lower leg bone).

Lucien Auguste and Joseph Nixon were both arrested when they went to the military base on 4 March to inquire about Philistin Auguste. Both men were also subjected to the djak. On 23 March 1991, they were taken before the Tribunal Civil (Civil Court) of Port-au-Prince, capital of Haiti, where their case was heard by the Government Commissioner. They were then transferred to the Pénitencier National (National Penitentiary) in Port-au-Prince.

Lucien Auguste and Joseph Nixon are reportedly suffering from pains in the soles of their feet and ribs as a result of the torture they were subjected to (Joseph Nixon is reportedly unable to stand). Amnesty International is concerned at reports that they have been denied medical treatment in prison.

BACKGROUND INFORMATION

A new government under President Jean-Bertrand Aristide, took office in Haiti on 7 February 1991. The new government promised to take concrete measures to ensure that human rights will be fully respected. The government has opened investigations into several cases of human rights abuses under previous governments, and has given a commitment to continue those judicial proceedings initiated under the administration of Mrs. Ertha Pascal-Trouillot which concern cases of human rights violations. It is Amnesty International's belief that such investigations constitute an important safeguard against future violations, by making clear that human rights abuses cannot be perpetrated with impunity.

RECOMMENDED ACTION: Telegrams/telexes/faxes and airmail letters:

- expressing concern at the arrest and subsequent torture by members of the

armed forces of Philistin Auguste, his son, Lucien Auguste and Joseph Nixon;

- asking for an immediate, full and impartial investigation into the allegations of torture of the three men, and that those found responsible be brought to justice;

- urging that adequate medical treatment be granted without delay to Lucien Auguste and Joseph Nixon for their injuries sustained under torture at the hands of the armed forces.

APPEALS TO:

Son Excellence
Père Jean Bertrand Aristide
Président de la République d'Haïti
Palais National
Port-au-Prince, HAITI

**Telegrams: President,
Port-au-Prince, Haiti**
**Telexes: 20068 PALAIS;
20551 SECEXEC**
Faxes: + 509 23 2121

Docteur Daniel Henrys
Ministre de la Santé Publique
et de la Population
Ministère de la Santé Publique
et de la Population
Palais des Ministères
Port-au-Prince, HAITI
**Telegrams: Ministre de Sante,
Port-au-Prince, Haiti**
Telexes: 20321

Monsieur René Préval
Premier Ministre, Ministre de
l'Intérieur et de la Défense
Nationale
Présidence de la République de
Haïti
Palais National
Port-au-Prince, HAITI
**Telegrams: Premier Ministre
Preval, Port-au-Prince, Haiti**
Faxes: + 509 34 1980

COPIES TO:

Public Prosecutor for the
Port-au-Prince area:
Maître Anthony Alouidor
Commissaire du Gouvernement
près le Tribunal de première
instance de Port-au-Prince
Parquet de Port-au-Prince
Port-au-Prince, HAITI

Minister of Justice:
Maître Bayard Vincent
Ministre de la Justice
Ministère de la Justice
Cité de l'Exposition
Port-au-Prince, HAITI

and to diplomatic representatives of Haïti in your country.

Commander of West Military Zone:
Monsieur le Colonel Hébert Valmont
Commandant du Département
Militaire de l'Ouest
Caserne de Pétionville
Département de l'Ouest, HAITI
**Telegrams: Commandant Valmont,
Caserne de Petionville, Haiti**

National Penitentiary Director:
Monsieur le Directeur
Pénitencier National
Rue du Centre
Port-au-Prince, HAITI
**Telegrams: Directeur, Penitencier
National, Port-au-Prince, Haiti**

Director of Prisons:
M. Yvon Richard Maurasse
Directeur
Administration Pénitentiaire
Nationale (APENA)
Ministère de la Justice
Cité de l'Exposition
Port-au-Prince, HAITI

Raynand Pierre,
Centre Lafontant Joseph de
Promotion de Drois Humains
135, rue des Miracles
Port-au-Prince, HAITI

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 6 June 1991.