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HAITI: AMNESTY INTERNATIONAL FEARS DETERIORATION OF HUMAN RIGHTS SITUATION IF JUSTICE REFORMS ARE NOT SPEEDED UP

Amnesty International fears a possible breakdown in law and order in Haiti which could have serious consequences for the human rights situation, especially if the United Nations forces which have been assisting the Haitian authorities to maintain order are withdrawn before reforms of the police and the judiciary are consolidated.

According to an Amnesty International report published today, *Haiti: A Question of Justice*, the situation has dramatically improved in comparison with the pattern of gross human rights violations that characterized the military government of General Raoul Cédras but it is still plagued by contradictions and confusion which risk fuelling the existing belief within large parts of the Haitian society that the only way to get justice is to take the law into their own hands.

“It would not make sense to abandon the Haitian people at such a crucial moment after all the resources invested by the international community in the country. Much remains to be done to ensure that strong new institutions that respect human rights are put in place,” Amnesty International said.

In the space of one week in January, seven people were reportedly lynched by angry mobs. The risk of increasing violence is further aggravated by continuing social and economic problems. In addition, little effective action has been taken to disarm former members of the military and paramilitary, many of whom are suspected of being involved in ongoing criminal activities, or to bring to justice those responsible for human rights violations in the past.

Many of the initiatives taken by former President Aristide with aid from other governments and international organizations - the dismantlement of the armed forces, the banning of paramilitary organizations, the establishment of a new police force, the setting up of the National Commission for Truth and Justice, and reform of the justice and prison systems - are only just beginning to bear fruit. Amnesty International is therefore concerned that the civilian mission set up by the Organization of American States and the United Nations, MICIVIH, which has played a human rights monitoring role and assisted in institution building, is already beginning to wind down its operations in expectation of its likely complete withdrawal in July 1996. The United Nations Mission in Haiti (UNMIH), made up of troops and police from many countries, has already seen a significant reduction in personnel and at present is only mandated to remain until July 1996.

According to Amnesty International, one of the fundamental problems is that the system is still failing to deliver justice for human rights violations committed both before and since President Aristide's return. Poor training, lack of experience and shortage of the even most basic resources for the administration of justice are undoubtedly a major factor. However, the human rights organization believes that the Haitian authorities could be doing more to improve the situation.

Though investigations are said to be under way, little or no legal action has been taken against members of the police who on a number of occasions have fired on unarmed civilians, sometimes causing death. The same goes for prison guards who have occasionally carried out beatings of prisoners, including minors. Police investigations into some two dozen killings that have occurred over the past year, some of which may have been politically-motivated, have so far produced no results adding fuel to speculation that government officials may have been involved in at least one of them. Legal procedures, including those followed in some cases of government opponents detained on suspicion of plotting against the government or illegally possessing weapons, some of whom have been in detention for several months, often leave a lot to be desired.

Investigations are under way into a few significant cases of past human rights abuse but few trials have taken place. In two particularly prominent cases which did come to trial, all but one of the 20 accused were tried and convicted in their absence. Lack of progress on this front is not only due to the general deficiencies in the justice system and possible lack of political will on the part of some officials but also to fear of reprisals on the part of judges and witnesses.

The organization believes that, in order to break the cycle of impunity that has existed in Haiti for decades, and to deter further human rights violations, it is essential that all necessary steps be taken to seek the arrest of suspected human rights violators, both from the past and the present, wherever they might be, that they be seen to receive a fair trial and that the full facts of each case be brought into the public domain.

Amnesty International calls on the newly elected Haitian government headed by President René Préal to urgently step up the judicial reforms initiated by the outgoing president Jean-Bertrand Aristide. The human rights organization also urges the international community to continue supporting the government's efforts and to maintain an effective human rights monitoring function in the country for the foreseeable future.

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For further information please refer to document:

HAITI: A Question of Justice, Amnesty International, January 1996

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