

EXTERNAL (for general distribution)

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EXTRA 44/92 Legal Concern/Fear of Ill-treatment

HAITI: Harry NICOLAS, 25-year-old plumber

Amnesty International is concerned at reports of the apparently arbitrary arrest of Harry Nicolas on Sunday 29 March 1992 in Cap Haïtien, North-east Department. He is a 25-year-old plumber and an active member of several popular organizations, including the local literacy movement and the local neighbourhood committee.

According to the information received by Amnesty International, a Justice of the Peace accompanied by four soldiers came to the house of Harry Nicolas at around 2 pm on 29 March 1992, and asked to search his house. The military reportedly did not find any incriminatory material in the house, but arrested Harry Nicolas nevertheless. He was brought to the prison of Cap Haïtien where he remains in detention.

On the morning of Sunday 29 March 1992, Harry Nicolas, who had spent approximately six months in hiding following the September 1991 coup, had participated in a reportedly peaceful demonstration in support of the Haitian Constitution. To date, no formal charges have apparently been brought against him, nor has he been taken before a court. Amnesty International understands that Harry Nicolas has not been allowed to see a lawyer. No information as to the reasons for his arrest has been given, but sources in Port-au-Prince believe that he has been arrested solely because of his participation in the demonstration and because of his past activities with popular organizations.

Amnesty International is concerned that he might be ill-treated in custody, because a number of suspected opposition activists who have been detained in similar circumstances, have been subjected to torture and ill-treatment.

BACKGROUND INFORMATION: (Note to translators: see EXTRA 34/92, AMR 36/12/92, 25 March 1992, for the same paragraph as the following, except for additional sentence at the end)

In a coup on the night of 29 to 30 September 1991, troops overthrew the democratically elected government of President Jean-Bertrand Aristide, who had taken office in Haiti on 7 February 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 agents of the security forces, or on some occasions, by men in civilian clothes believed to be associated with them. Grassroots and peasant organizations have been particularly targeted for repression by the security forces and civilians working with them. (See Haiti: The Human Rights Tragedy)

- Human rights violations since the coup - AMR 36/03/92, January 1992)

RECOMMENDED ACTION: Please send telegrams/telexes/faxes:- Please note that mail to Haiti which is directed via Miami appears to have been temporarily suspended. This does not apply to letters from Europe, however, which are channelled through France (except for UK and Ireland). Therefore we advise that only European countries, excluding UK and Ireland, should send letters. Electricity supplies are also limited so if you do not succeed in sending your fax or telex, do please keep trying).

- expressing concern at the reported arrest of Harry Nicolas and asking for clarification as to the reasons for his arrest and his legal status;
- asking that his physical integrity be guaranteed while in detention and that he be granted access to his family and to legal counsel;
- asking that unless charged with a recognizably criminal offence he be immediately released.

APPEALS TO:

1. President:

Son Excellence

Maître Joseph C. NERETTE

Président de la République d'Haïti

Palais National

Port-au-Prince, Haïti

Telegrams: President Nerette, Port-au-Prince, Haiti

Telephone: + 509 22 4020

Telexes: 20068 palais or 20551 specexec

Faxes: + 509 23 2121

[Salutation: Monsieur le Président / Dear President]

2. Prime Minister:

Maître Jean-Jacques HONORAT

Premier Ministre

Présidence de la République de Haïti

Palais National

Port-au-Prince, Haïti

Telegrams: Premier Ministre Honorat, Port-au-Prince, Haiti

Faxes: + 509 22 2121

[Salutation: Monsieur le Premier Ministre / Dear Prime Minister]

3. Commander in Chief of the Armed Forces:

Monsieur le Général Raoul CEDRAS

Commandant-en-Chef des Forces Armées d'Haïti

Grand Quartier Général des Forces Armées d'Haïti

Rue Geffrard

Port-au-Prince, Haïti

Telegrams: Comandant-en-Chef des Forces Armees Cedras, Port-au-Prince, Haiti

Telephone: + 509 22 3935

Telexes: 20391 GQFADH

Faxes: + 509 23 9407

[Salutation: Monsieur le Général / Dear General]

4. Minister of Justice:

Monsieur Antoine LECONTE

Ministère de la Justice

Cité de l'Exposition
Port-au-Prince, Haïti

Telegrams: Ministre de la Justice Leconte, Port-au- Prince, Haiti

Telephone: + 509 45 0474 or 45-1626

Telexes: 20166 Justice

[Salutation: Monsieur le Ministre / Dear Minister]

COPIES OF YOUR APPEALS TO:

Haiti en Marche (Newspaper)

173 N.W. 94 St

Miami

FL 33150, USA

and to diplomatic representatives of Haiti in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 26 May 1992.