

PUBLIC

AI Index: AMR 36/005/2007

24 October 2007

UA 277/07 Fear for safety/Death threats

HAITI **Dérilus Mérilus (m)**
Sanièce Petitphat (f)
Other members of the *Comité des Droits Humains de Savanette* (Savanette Human Rights Committee)

Human rights defenders Dérilus Mérilus and Sanièce Petitphat have received death threats since they helped a rape victim to seek justice. Amnesty International believes they, and other members of the organisation they work for, are in grave danger.

Dérilus Mérilus and Sanièce Petitphat work for the *Comité des Droits Humains de Savanette* (Savanette Human Rights Committee), based in Savanette, near the border with the Dominican Republic. They have been working on behalf of a 26-year-old disabled woman who was raped on 8 September: they were the first to help her to contact the local judicial authorities, which led to the alleged rapist being arrested, though he was released shortly afterwards. They and other members of the Human Rights Committee, as well as another NGO working in the area, the *Groupe d'Appui aux Rapatriés et Réfugiés* (Support Group for Refugees and Repatriated Persons, GARR) intervened, and the police arrested the man again on 5 October.

The police moved him to Mirebalais, where there is a courthouse. Since then, family and friends of the alleged rapist have threatened Dérilus Mérilus and Sanièce Petitphat to their faces, saying "*une fois libéré il prendra sa revanche*" (once he's freed he will take his revenge). According to the Savanette Human Rights Committee, the family of the alleged rapist have given the victim's father 20,000 Haitian Gourdes (US\$560) to drop the case. On 16 October, the alleged rapist was released after the Prosecutor ruled that there was no longer a criminal case for him to answer. He has reportedly returned to Savanette.

BACKGROUND INFORMATION

The Savanette Human Rights Committee is part of a network of 37 Haitian and Dominican organizations working for the promotion and defence of human rights in the border area, where there is a minimal police presence and effectively no rule of law.

The work of human rights defenders and activists in Haiti is difficult due to the widespread impunity, apathy and corruption within the judicial system. In September 2006, human rights defender Esterne Bruner, who had been trying to get the authorities to take action against gang members in Port-au-Prince, was shot dead. No one is known to have been detained or charged in relation to his murder.

Impunity is especially prevalent in cases of violence against women in Haiti. The number of rapes reported has been increasing, particularly in the border area, but the number of prosecutions has remained insignificant. Victims of sexual abuse have little access to justice, crimes are not adequately investigated and the perpetrators are not brought to justice. In rural areas of Haiti, where there is no effective rule of law, rapes, particularly of minors, are commonly settled out of court, with the victim's family accepting payment from the alleged perpetrator to drop charges.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French, English or your own language:

- expressing concern for the safety of Dérilus Mérilus, Sanièce Petitphat and other members of the Comité des Droits Humains de Savanette;
- calling for a thorough and impartial investigation into the threats received by Dérilus Mérilus and Sanièce Petitphat, with those responsible brought to justice;
- urging the authorities to ensure that they receive protection, in accordance with their wishes;
- reminding the authorities that human rights defenders have a right to carry out their activities without any restrictions or fear of reprisals, as set out in the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO:

Minister of Justice and Public Security

Monsieur René Magloire

Ministre de la Justice et de la Sécurité Publique, 19 Avenue Charles Sumner, Port-au-Prince, HAITI (W.I.)

Fax: +509 245 0474

Salutation: Monsieur le Ministre/Dear Minister

General Director of the Haiti National Police

Mario Andresol

Directeur Général de la Police Nationale d'Haïti

Grand Quartier Général de la Police

12 rue Oscar Pacot, Port-au-Prince, Haiti (W.I.)

Fax: +509 245 7374

Salutation: Monsieur le Directeur Général/Dear Mr Andresol

COPIES TO:

Human rights organization

GARR, Groupe d'Appui aux Rapatriés et Réfugiés

c/o Comité des Droits Humains de Savanette

1ère rue Rivière, no. 13

Port-au-Prince, Haïti (W.I.)

Email: garr-haiti@yahoo.com

comgarr@garr-haiti.org

Fax: +509 244 4146

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 5 December 2007.