

PUBLIC

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27 October 2008

UA 300/08 Fear for safety/ death threats

HAITI **David Boniface (m), aged 27**
His family

David Boniface, a school teacher and human rights activist in the community of Les Irois, Grande Anse department, has received death threats. Amnesty International is concerned for his safety and that of his family.

David Boniface was threatened when he returned to Les Irois on 13 October in order to visit his parents. He had been in hiding for the previous 15 months after his brother was killed by armed men allegedly associated to the community's mayor. On 14 October, David Boniface fled the community when he received reports from neighbours that armed men, including the alleged killer of his brother, went to his home looking for him.

Around 8pm on 27 July 2007, the Mayor of Les Irois and several armed men broke into the Boniface family home. They were looking for David who was not there at the time. However, they found his 23-year-old brother, Ecclésiaste Boniface who was attacked with several machete blows before being shot dead by one of the Mayor's assistants. The man who pulled the trigger has been identified by at least two eye-witnesses, but has yet to be arrested. On 28 July 2007 after burying his brother, David Boniface left Les Irois community fearing for his life.

David Boniface believes that he and not his brother would have been killed because of his work as a human rights activist in Les Irois. Earlier on 27 July, he had helped a woman lodge a complaint after she was allegedly smacked by the Mayor because she threw some garbage on the side of the road. David Boniface accompanied the woman to the office of the Justice of the Peace [*juge de paix*] to lodge a complaint. Under pressure from the Mayor, the Justice of the Peace sent the woman into detention [*garde à vue*] at the nearest police station in Anse d'Hainault, a community located at a 15-minute drive from Les Irois. The woman was released without charge three days later.

Earlier in the year, the Mayor of Les Irois was allegedly implicated in another case of violence in the community, when on 8 April 2008 he broke into the local community radio and cybercafé accompanied by a large number of his supporters. Nissage Marthyr, the owner of the premises and radio staff member Jildens Ismé, received gun shots and as a result of which, they respectively had a foot amputated and lost one eye. On 29 September 2008, the Mayor was arrested and is currently held in pre-trial detention in the town of Jérémie where he faces charges of murder for the death of Ecclésiaste Boniface and the attempted murder of Nissage Marthyr, and Jildens Ismé.

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

- expressing concern for the safety of David Boniface and his family;
- urging the authorities to provide them with adequate protection and to guarantee their safety according to their wishes;
- calling for a full, prompt and impartial investigation into the death of Ecclésiaste Boniface and the threats received by David Boniface, for the results to be published and those responsible to be brought to justice;

- reminding the authorities that the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals.

APPEALS TO: (It may be difficult to send faxes to Haiti, but please keep trying)

Prime minister and minister of Justice and Public Security

Madame Michèle D. Pierre-Louis

La Primature, Route de Bourdon, Imp.Prosper, n.1,(Villa d'Accueil),Port-au-Prince, HAITI

Fax: +509 3228 2772

+509 3245 0474 (please keep trying and ask for the fax line "la ligne de fax s'il-vous-plaît")

Salutation: Madame la première ministre et ministre de la Justice/ Dear Prime minister

General Director of the Haiti National Police

Mario Andrésol

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 3245 7374

Salutation: Monsieur le Directeur Général/Dear Mr Andresol

Head of Human Rights Section- MINUSTAH & Representative of the High Commissioner for Human Rights

Lizbeth Cullity

Human Rights Section, MINUSTAH, 385, Ave. John Brown, Bourdon, B.P. 557, Port-au-Prince, Haiti (W.I.)

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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 8 December 2008.