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## @Shattered Hopes: Human rights violations and the coup

### Introduction

On the night of 29 September 1991, a military coup overthrew the democratically elected government of Haiti. President Jean-Bertrand Aristide, an outspoken priest who had been elected in December 1990 with over 67% of the popular vote, was detained the following day. After negotiations between the military and the French, Venezuelan and US ambassadors, he was sent into exile in Venezuela. Brigadier-General Raoul Cédras, Commander-in-Chief of the Haitian Armed Forces, assumed temporary control of the country. On 9 October Supreme Court judge Joseph Nerette was sworn in as Haiti's provisional president. Jean-Jacques Honorat, Executive Director of the *Centre Haitien des Droits et Libertés Publiques* (CHADEL), the Haitian Center for Human Rights, was ratified by the Chamber of Deputies as provisional Prime Minister of Haiti on 14 October.

The days immediately following the coup were marked by violent repression, particularly in the poor communities, where support for President Aristide had been strongest. Soldiers deliberately and indiscriminately opened fire into crowds, killing hundreds of people, including children. In one neighbourhood soldiers reportedly raided private homes and shot more than 30 unarmed people dead, then forced relatives and other local people to bury the bodies. Other human rights violations were widely reported, including torture and short-term arbitrary arrests without warrant, usually accompanied by severe beatings.

On 4 October Amnesty International wrote to Brigadier General Raoul Cédras, urging him to send clear instructions to the security forces to stop human rights violations, to open thorough investigations into those that had occurred since the coup and to bring the perpetrators to justice. (*See - Haiti: Human Rights Violations in the Aftermath of the Coup d'Etat, October 1991, AI Index: AMR 36/09/91*) No response was received.

Since October Amnesty International has continued to receive reports of grave and systematic human rights violations. Hundreds of people have been extrajudicially executed, or detained without warrant and tortured. Many others have been brutally beaten in the streets. Freedom of the press has been severely curtailed and property is being destroyed by members of the military and police forces or by civilians operating in conjunction with them. The military has systematically targeted President Aristide's political supporters, including members of the *Front National pour le Changement et la Démocratie* (FNCD), National Front for Change

and Democracy; members of *Lavalas*,<sup>1</sup> the political grouping supporting the deposed President Aristide; residents of poorer areas of Port-au-Prince such as Carrefour Feuilles, Bolosse, Delmas, Bel Air and Cité Soleil; and those in the rural areas, where most of the people are believed to support President Aristide. Grassroots organizations, which had flourished during the seven months of President Aristide's government, have been virtually eradicated, their equipment and premises destroyed, and most of their activists in hiding; women's groups, peasant development groups, trade unions, church groups and youth movements have all been the victims of severe repression. Even children have not been spared the violence in Haiti. An estimated 200,000 people have been forced into hiding. Since October tens of thousands of people have left Haiti, and more than 10,000 people have reportedly attempted to flee to the United States of America (USA) in flimsy and unseaworthy boats. Over 8,000 of them have been intercepted on the high seas by the US Coast Guard and have been taken to the US naval base in Guantánamo Bay, Cuba where their asylum claims are being assessed. Those not considered to have a valid asylum claim are liable to be returned to Haiti. Amnesty International believes that this procedure lacks certain essential safeguards which must be allowed to asylum-seekers and which are required by international standards.

The fate of many of those arrested has not been clarified and there continue to be widespread reports of torture. Many of those tortured have sustained serious injuries but have been refused medical attention in custody, and at least four people have reportedly been tortured to death. Some of those arrested arbitrarily have reportedly been released only after paying bribes to the soldiers. Families who go to the prisons and detention centres in search of their detained relatives have been intimidated by soldiers and many are afraid to visit their relatives. This may worsen the situation of many prisoners, as food is not always provided by the prison authorities and some prisoners get their only meals from visiting relatives or other inmates.

The reinstatement of *chefs de section*, rural police chiefs, has added to the climate of fear and repression. *Chefs de section*, notorious for widespread human rights violations in the countryside, had been disarmed and placed under civilian authority during the administration of President Aristide. Amnesty International has received reports of grave human rights violations, including killings and beatings, perpetrated by former rural police chiefs who returned to authority after the coup.

On 17 December the *de facto* authorities issued a decree granting an amnesty for "all citizens who were arrested, persecuted, tried or convicted for political crimes during the period from 16 December 1990 to 27 September 1991" (*tous les citoyens qui ont été arrêtés, poursuivis, jugés ou condamnés pour délits ou crimes politiques durant la période allant du 16 décembre 1990 au 27 septembre 1991*). This included the 21 men convicted for the

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<sup>1</sup> As a candidate President Jean-Bertrand Aristide campaigned under the slogan *Lavalas* -- a creole word for landslide or flood.

failed coup staged by Roger Lafontant in January 1991 with the aim of preventing President Aristide from taking power. The decree also provided for a further reduction in the sentence of Luc Désyr, a former secret police chief convicted in 1986 of torture and murder and sentenced to hard labour for life. His sentence had been reduced to 30 years in 1989, and now -- reduced to five years -- has apparently expired, allowing for his release. There is evidence that many of those covered by the amnesty, including two men convicted of human rights violations and jailed in mid-1991, were indeed released in the early days of the coup.

The restrictions on public freedom in place in Haiti since the coup have made it extremely difficult -- often dangerous -- to fully investigate reported human rights violations. Members of the Catholic Church, human rights groups, journalists and others involved in the collection and dissemination of information on human rights abuses have been threatened and intimidated by members of the security forces. Even where specific cases have been investigated and reported, it has not always been possible to acquire accurate follow-up information. Reliable sources have estimated that over 1,500 civilians have been killed, and the number of arrests reported to Amnesty International exceeds 300. But these figures could substantially underestimate the extent of the human rights crisis in Haiti: problems in communications and the climate of fear and repression have meant that many human rights violations remain unreported.

## **1. Human rights violations against politicians and supporters of President Jean-Bertrand Aristide**

President Aristide's landslide victory in the December 1990 elections was made possible by the deprived majority of the Haitian people -- residents of poor areas in towns and cities and peasants in the countryside, and those in organizations working on their behalf. In the days immediately following the coup, those who openly opposed the military take over became the victims of severe repression. Hundreds of civilians were shot and wounded or killed in different sectors of Port-au-Prince, particularly in the poor districts. Some people were fired on by soldiers during demonstrations against the coup, others were shot in deliberate reprisals for attacks on military personnel. Hundreds of people were killed or wounded by military personnel shooting indiscriminately at everyone and everything that moved in the streets, including ambulances and the vehicles of doctors rushing to hospitals, thus preventing treatment of the wounded.

Repression intensified during the anniversary of the 16 December 1990 elections. According to information received by Amnesty International, the security forces raided areas where they believed there to be support for President Aristide, and killings and arrests were reported throughout the country. Most of those arrested -- many of them on charges of sticking up posters of President Aristide -- were severely beaten.

## 1.1 Killings

According to reports, at least 50 people were killed by the armed forces in Cité Soleil, Port-au-Prince, on the night of 30 September, and on 2 October soldiers shot and killed at least 30 people and wounded many more in the same area, apparently in reprisal for an earlier attack by a crowd on the local police post in which at least two policemen were killed. In another incident, approximately 30 to 40 people are reported to have been killed in the area of Lamentin 54, also reportedly in reprisal for the death of a soldier in the hands of an angry crowd. Reports have indicated that soldiers burst into many houses in the neighbourhood and shot dead some of the inhabitants, forcing others to bury the dead. Among those killed in the incident, were a 17-year-old boy and an old man of 75.

Camille César, aged 52, Director of the Port-au-Prince cemetery, and Paul Camille Bazile, aged 50, who ran a community day care clinic in Carrefour, a poor district of Port-au-Prince, were reportedly detained, according to witnesses, by a passing military patrol on 2 October 1991. Both men were members of the *Front National pour le Changement et la Démocratie* (FNCD), National Front for Change and Democracy. Camille César, the son of a family targeted by the Duvalier family, had only returned to Haiti, after more than 25 years in exile in the United States, in order to support the candidacy of President Aristide. The arrests were carried out by seven to eight armed men, some in civilian clothes and some in uniform, between Carrefour and Delmas 18, on the outskirts of Port-au-Prince at around 11.00 am. Both men were taken away to an unknown destination. On 7 October relatives learned that their bullet-riddled bodies were at the morgue in Port-au-Prince, after staff at the morgue recognized Camille César and reportedly informed the family. However, by 9 October, when relatives went to the morgue to make arrangements for their funeral, the bodies of Camille César and Camille Bazile had reportedly been removed. It is believed that their bodies along with many other bodies, that had been taken to the morgue, may have been removed at the behest of the security forces and buried in mass graves.

Luckner Benjamin, aged 28, was reportedly shot by soldiers on 20 October 1991, as he was travelling on public transport from Cap Haitian to Léogâne. The vehicle was stopped by soldiers in Carrefour, a poor district of Port-au-Prince, and passengers ordered to get out. The first passenger to alight was shot by the soldiers in front of his wife. Luckner Benjamin who was the second passenger to leave the vehicle was also shot with two bullets. The soldiers allowed the driver to take Luckner Benjamin to the General Hospital in Port-au-Prince, where he died from the gunshot wounds after undergoing surgery.

Orélus Céraphin (or Séraphin), a woodworker, was reportedly extrajudicially executed on the night of 31 October. Four soldiers reportedly entered his house, in the Christ Roi Street in Port-au-Prince and dragged him outside. He was then executed approximately 20 yards from his house. His body was left outside until an ambulance came. It has been reported that his

killing was in reprisal for his participation in the killing of a member of the *tantons macoutes* in January 1991.

On 15 December, the Deputy for Pignon (North Department), Astrel Charles, was killed by a former *chef de section*, who was reportedly arrested the next day. Astrel Charles was a member of the *Parti Agricole et Industriel National* (PAIN), National Agricultural and Industrial Party.

On the evening of 26 December, a tailor known as Amos was reportedly captured and executed by three members of the military. According to the information made available to Amnesty International, his capture and execution followed a discussion he had with a friend on the return of President Aristide to Haiti, which was overheard by an army sergeant. Later, the same sergeant and two soldiers went to Amos' house looking for him. Amos was having a shower, and the military reportedly took him away just wearing a t-shirt. He was then reportedly taken to a field and told to run as each of the military shot him once. His body showed two bullet wounds on his head and one on his back.

Amnesty International has also received several testimonies indicating that the police have extrajudicially executed prisoners. The manner in which these executions have been carried out is reminiscent of the practices under the Duvalierist dictatorships.

On 12 November, soldiers beat and arrested at least 21 people after a mass given in memory of those killed since the coup by Father Antoine Adrien, a radical priest who has himself been the object of intimidation, in the church of St Gérard in Port-au-Prince. Among them was a 13-year-old child, who was severely beaten and kicked. The prisoners were taken to the 4th Police Company, known as *Cafétéria*, where they were again beaten. The child later said that during the night, the prisoners were taken in a vehicle to a place about one and one half hours' drive from the *Cafétéria*. All the prisoners were lined up against a wall for execution by firing. The child's life was spared in the last minute, but the other twenty were all killed. He was then taken back to the *Cafétéria* and again beaten. He was released after his mother reportedly agreed to pay officers \$60.00.

On 19 November at approximately 4.00pm a vehicle containing uniformed policemen entered the zone of Damien near Port-au-Prince. The vehicle reportedly stopped near some woods and witnesses reported that the police forced a man in plain clothes out of the car and shot him at point blank range. The police then got back in their vehicle and left. The same witnesses searched the body after the police had left and found the identity card belonging to Rénald Charles, born on 20 November 1949, and a resident of Port-au-Prince.

## **1.2 Torture and ill-treatment**

Detainees are routinely subjected to torture and ill-treatment. At least four deaths as a result of torture have been reported to Amnesty International. There has also been numerous eye-witness reports of the security forces ill-treating or opening fire on unarmed civilians. Relatives of those being sought by the security forces have been beaten when soldiers could not find the people they were looking for.

Evans Paul, the mayor of Port-au-Prince under President Jean-Bertrand Aristide was arrested by approximately 20 soldiers on 7 October at the Maïs Gâté airport, in Port-au-Prince, where he had gone to meet diplomats from the Organization of American States (OAS). He was then scheduled to leave for Venezuela for talks with ousted President Jean-Bertrand Aristide. He was severely beaten with fists, military helmets and gun muzzles upon arrest and as he was being taken to the *Camp d'Application*, a military training school. However, when he arrived there officers prevented soldiers from continuing beating him. Several hours later, he was taken to the barracks in Pétionville, a wealthy Port-au-Prince suburb. He was reportedly ill-treated on the way there. Eventually, he was released that same night and has since then been in hiding. According to reports received by Amnesty International Evans Paul had, on the day of his arrest, received a personal assurance of safety from General Raoul Cédras, Commander-in-Chief of the armed forces, who led the military coup on 30 September 1991, and had been accompanied to the airport by guards provided by General Cédras.

As a result of the beatings, Evans Paul suffered fractured ribs and a back injury that has impaired his walking. He also sustained an eye injury which has damaged his vision, and a severe burn caused by a hot gun muzzle. However, due to the risk for his safety, he has not been able to have the necessary tests and obtain proper medical treatment in Haiti.

Evans Paul, a leader of the *Konfederasyon Inite Demokratik* (KID), Confederation of Democratic Unity, which supported President Aristide in the December 1990 elections, has been a prominent opposition figure in previous regimes. He was imprisoned and ill-treated in 1980 under the dictatorship of Jean-Claude Duvalier and again arrested and severely ill-treated in November 1989 during the government of General Prosper Avril. The injuries he sustained on the second occasion, which included vertebral damage that impaired his walking, required treatment abroad. His house was attacked and severely damaged by soldiers in the first days of the coup.

On 8 October Chéneker Dominic, 19, reported he was severely beaten by soldiers when two army trucks with approximately 30 soldiers went looking for his father, a businessman and well-known supporter of President Aristide in the town of Jérémie, Department of Grande-Anse. As Chéneker Dominic refused to disclose his father's whereabouts, soldiers beat him repeatedly with a baton. He said he was unable to walk for a week as a result of the beating.

On 28 October, Ernst Charles, a long-standing supporter of President Aristide, was beaten up by uniformed members of the armed forces. They were dressed in blue uniforms. He was reportedly so badly beaten that he bled from his ears and his mouth. The beating stopped only when neighbours intervened. Ernst Charles was reportedly ordered to report to the *Cafétéria* police station, every three days.

Teacher Jean-Claude Museau, known as Klodi, 30, was arrested on 30 December and accused of sticking posters of President Aristide. He was severely beaten in different parts of the body, particularly on the head. His buttocks showed slash wounds. He was released on 6 January, after appearing before the *Parquet* (Public Prosecutor's office). However, on 8 January, he died as a result of the severe treatment he had been subjected to. Jean-Claude Museau, who was also a student at the *Ecole Normale Supérieure*, Teacher's Training School, in Port-au-Prince, was married and had one child. He was also a member of a *Ti Komite Legliz*, base church community. According to the information available to Amnesty International, he was not given medical assistance, despite many appeals from relatives and others. It was reported that a member of the military replied to one such appeal by saying "we should have killed that one - he's giving us too much trouble" (*On aurait dû tuer celui-là; il nous donne trop de problèmes*). At least three more deaths have been reported as a result of torture.

Amnesty International has also learned that several young women, one as young as 14, were raped by the military, particularly in the first days of the coup. According to local human rights groups, most of the rapes have not been reported, and that even in reported cases the victims have requested their identities to be kept secret. According to press reports, several Dominican women working at a bar in Port-au-Prince said in a television interview in Dominican TV that they had been raped and beaten by soldiers. One of the women, who identified herself as Milly Felipe Hernández, said she had been gang-raped by 15 soldiers, and that she watched as her friend was killed when she tried to telephone relatives for help. The women were reportedly escorted back to the Dominican Republic by Dominican diplomats.

### **1.3 Arbitrary or illegal arrests**

Emmanuel ("Manno") Charlemagne, a well-known singer in Haiti and a staunch supporter of ousted President Jean-Bertrand Aristide, was arrested on 11 October 1991. According to information received from the family of Manno Charlemagne, he was arrested by uniformed soldiers who forcibly entered his home in Carrefour, a district of Port-au-Prince, without a warrant. Earlier, two lorry loads of soldiers had arrived in the area of Côte Plage in Carrefour and carried out several arrests. The soldiers then asked for Manno Charlemagne's home and went there. The soldiers beat him in front of his family and took him away. Manno Charlemagne was accused of being a "criminal", of "possession of arms without the necessary permit" and of "incitement to violence". He was subsequently released on 18 October by order of the *Tribunal Civil* (Civil Court) of Port-au-Prince, which declared his arrest illegal.

However, as Manno Charlemagne was leaving the *Pénitencier National* (National Penitentiary) on the day of his release, accompanied by one of his lawyers, a group of men dressed in civilian clothes approached him. They said they had an order for his arrest, but when challenged to produce the written warrant, they refused to do so and brandished their weapons. Manno Charlemagne was then forced into a waiting vehicle and taken to an unknown destination. It was later learned that he was held in the National Penitentiary, and was eventually released on 25 October 1991. Manno Charlemagne went into hiding after his release and has now left the country.

On 15 October Antoine Izméry, a wealthy businessman of Palestinian origin who helped finance President Aristide's presidential campaign, was arrested at his home in Port-au-Prince by over 70 members of the armed forces. He was reportedly beaten and taken away by the soldiers. It was later discovered that he was being held without charge at the National Penitentiary in Port-au-Prince. He was, however, eventually charged with "inciting the public to riot" on 23 October. He had been brought before the *Commissaire du Gouvernement* (Public Prosecutor) for Port-au-Prince on four separate previous occasions, but the Public Prosecutor had failed to appear. He was eventually released on 25 October 1991. The following evening soldiers, reportedly including several of those who arrested Antoine Izméry, raided the house of his brother, threatened the family, and ransacked the house. Antoine Izméry, who had been arrested and ill-treated in January 1990 during a serious clampdown on opposition figures by the government of General Prosper Avril, also went into hiding. In mid-December his name headed a *tonton macoute* death list broadcast by a pirate radio.

Rodrigue Jacques, 25, a worker with the state telephone company, Téléco, was reportedly taken away from his place of work on 21 October by four men in plain clothes carrying guns and army equipment. His family have enquired at police stations and army installations, but all deny holding him and no news of his whereabouts have reportedly emerged. The names of 10 people who were reportedly arrested in early October in different areas of the country and subsequently "disappeared" were made available to Amnesty International. The list included the name of Adonis Jean-Paul, a member of the *Comité Revolutionnaire Chomeur Haitien*, Revolutionary Committee of the Unemployed Haitian).

Raymond Toussaint, a member of the *Comité National des Congrès des Mouvements Démocratiques* (KONAKOM), National Committee of Congress of Democratic Movements and of a rural development group known as CODEP, was arrested on 25 October 1991 and was reportedly ill-treated. According to information received by Amnesty International, Raymond Toussaint was arrested without a warrant by uniformed soldiers, who reportedly came to his home in Petite Rivière de l'Artibonite, Artibonite Department and accused him of "spreading propaganda in favour of President Aristide". Raymond Toussaint was taken to the army barracks in Petite Rivière, where he was reportedly severely beaten. He was subsequently

transferred to Saint Marc prison, where he was said to be in poor health because of ill-treatment. He was allegedly denied access to his lawyer, visits by his family or medical treatment. He was released in late November 1991.

Solange Lafontant, the wife of Prime Minister René Préval, was arrested by soldiers on the morning of 26 October. She was accused of possession of a fire-arm without the necessary permit (apparently her permit had expired). She was released later the same day. Prior to her arrest, her name had been announced over the government-controlled Radio Nationale among the list of those people ordered to report to armed forces headquarters in Port-au-Prince. René Préval has, since the coup taken refuge in a foreign embassy. Régine de Volcy, sister-in-law of former Minister of Public Works Frantz Vérella, was arrested on the morning of 6 December, but released the same day. On their own admission, soldiers told her that the army was using relatives of Frantz Vérella as a way to find him.

Up to 30 people were arrested by soldiers without warrant on Sunday 27 October in the Carrefour-Feuilles district of Port-au-Prince. Soldiers also forcibly entered and searched a day-care centre in the area. The same soldiers threatened parents if they did not send their children to school the following Monday. Many of those who oppose the coup have refused to obey the government's demands that children return to school from the beginning of November.

Serge Etienne, aged 35 and a former member of the armed forces, was arrested without a warrant by soldiers at his home on 27 October 1991. He was accused of incitement to riot on the day the coup took place, but the family believe he has been arrested because he is a *Lavalas* supporter. He was held at the *Service d'investigation et de recherches anti-gang*, (Anti-gang investigation and research service), where access to his relatives was severely restricted.

At approximately 10.00pm on 15 November 1991, a military street patrol from the *Service de la circulation* (traffic division), surprised Adelin Télémaque as he was writing "*Viv Titid*" ("Long-live Titid" - Titid is a nickname for President Jean-Bertrand Aristide) on a wall in his neighbourhood of Delmas 6. The army shot at him and then followed him on foot when he ran away. They finally caught up with him and began beating him severely according to witnesses. He was then taken away. On 17 November, his parents made enquiries with the traffic division of the armed forces. They reportedly mocked the family and said that he was not being held there. The traffic division suggested the parents try the 4th Company of the Police, known as the *Cafeteria*, who denied holding him. When Adelin Télémaque's parents returned to the traffic division the officers there suggested they look for their son at the National Penitentiary, but the National Penitentiary also denied holding him. The parents returned again to the traffic division of the armed forces, who this time reportedly suggested that their son may have been executed and they should look for his body. Amnesty International is concerned that Adelin Télémaque may have been extrajudicially executed.

Also on 15 November, some 40 youths in Cité Soleil, a district of Port-au-Prince, were reportedly arrested by a group of uniformed military agents and men in civilian clothes. The youths were suspected of preparing to leave the country. They were beaten in full view of Cité Soleil residents and were forced to identify the houses of other youths who were thought to be getting ready to leave.

On 19 December, in Montrouis, Artibonite Department, around 30 people were about to board a "*canter*" (one of the boats in which Haitian asylum seekers try to leave Haiti), were surprised by the armed forces and severely beaten.

On Saturday, 30 November soldiers went to the home of Dr Margareth Dufour (*née* Degand), a medical surgeon, and her husband Christian Dufour, a French citizen, who is confined to bed following a serious accident. The soldiers were reportedly looking for Jean-Robert Sabalat, the Minister of Foreign Affairs under the government of President Jean-Bertrand Aristide, who is a neighbour and friend of Margareth Dufour. Jean-Robert Sabalat, whose house was searched without a warrant by soldiers in mid-October, has been in hiding since the coup. The soldiers were accompanied by a *Juge de Paix* (justice of the peace), and they reportedly declared that they found grenades and ammunition belonging to Jean-Robert Sabalat in Margareth Dufour's house. However, some reports have indicated that the soldiers brought the weapons into the house in order to incriminate Jean-Robert Sabalat. Since they could not find Jean-Robert Sabalat, the soldiers arrested Margareth Dufour, and reportedly accused her of harbouring him. Following her arrest, Jean-Robert Sabalat issued a statement denying possessing weapons. Margareth Dufour was taken to the *caserne de Pétienville*, but was later released.

Other officials reportedly arrested include Gérard Jules, the Justice of the Peace at Cayes-Jacmel, South-East Department, along with the FNCD mayor of the town and three others; Jocelyne Balonquet (also reported as Palenquet), a civil servant with the Ministry of Education; Donald D. Prosper, mayor of St-Marc, Artibonite, and his two deputies, and Fanovil Dornévil, a member of the Communal Assembly of the 5th Section of Bastien in Verrettes, Artibonite. Judge Milot was arrested in Limbé (North Department) for a short period, as was the Justice of the Peace for Arcahaie, Artibonite, Pierre Charles Douzé. Others included Carlo Jean Rateau and his brother Jean Richard Rateau, two artists and supporters of President Aristide.

Arrests were also reported in the days prior to the first anniversary of the December 1990 elections. In Carrefour Feuilles, for example, about 30 youth were reportedly arrested by soldiers. Their neighbourhood, as several other in Port-au-Prince, was "visited" by soldiers those days, in an apparent effort to intimidate any demonstration of support for President Aristide at the time of the election anniversary.

## **1.4 Threats and destruction of property**

In the early days of the coup, armed soldiers forcibly entered and conducted unwarranted searches on the homes of officials of the Government of President Aristide, including those of Prime Minister René Préval; Minister of Information Marie-Laurence Jocelyn Lassègue; Minister of Economy and Finance Marie-Michèle Rey; former Foreign Minister Marie Denise Fabien Jean-Louis and presidential advisor Claudette Werleigh. All of these officials went into hiding immediately after the coup took place.

In mid-October, the home of Max Montreuil, President of the *Comités de quartier du Cap-Haïtien* (Neighbourhood Committees of Cap-Haïtien), was attacked with gunfire, ransacked and set on fire. Max Montreuil has been a long-term target under previous military regimes. He was arrested in January 1990 and expelled to the Dominican Republic, when the government of President General Prosper Avril arrested scores of opposition figures and declared a state of siege. The home of Marc Antoine Noël, the Director of the *Fonds d'Aide Economique et Sociale* (FAES), Fund for Economic and Social Aid, was fired on by a group of soldiers, on the nights of 12 to 13 October and two FAES cars were stolen by a group of 10 soldiers on the same occasion.

Amnesty International is also concerned at "hit lists" which are being broadcast or disclosed to the public, in an apparent effort to maintain the climate of fear and intimidation which is reigning among the population. On 1 November the High Command of the Armed Forces reportedly announced over *Radio Nationale* (National Radio), that they had uncovered a plot by "anarchists" intended to cause panic among the population of Haiti. A list of 45 people sought was read over the radio. The list included the private secretary of President Aristide, Henri Claude Ménard, trade union leaders, former Minister of Public Works Frants Vérella and other government officials.

On 15 December, a pirate radio station calling itself *Radio VSN-57* broadcast a list of 96 individuals and some 200 organizations to be suppressed. Journalists; businessmen; political activists; government officials (including former Minister Vérella); radical priests; Bishop Willy Romélus of Jérémie, an active critic of the current authorities; and friends of President Aristide were included in the list. VSN are the initials of the *Volontaires de la Sécurité Nationale*, Volunteers for National Security, the official name of the notorious *tonton macoutes*. 1957 was the year in which François Duvalier came to power. In the broadcast, the speaker called on the *tonton macoutes* to mobilize against supporters of President Aristide: "When you find them, [...], you should know what to do [...]. Go and do your job [...] crush them, eat them, drink their blood" ("*Il faut les trouver [...] afin de les écraser*". "*Quand vous les trouverez [...] vous saurez quoi faire avec eux [...]. Allez, faites votre travail [...] écrasez-les, mangez-les, buvez leur sang...*"). The list was later rebroadcast by the National Radio, in the guise of news coverage.

Since the appearance of the list, Amnesty International learned that the military attempted to arrest one of the individuals listed and that the house of another one was forced into by the military. He was not present at the time, but other residents of his home were reportedly beaten and furniture and other items were destroyed.

## **2. Human rights violations against members of the clergy and religious organizations**

Amnesty International is concerned that members of the church who are real or perceived supporters of President Aristide are being targeted by the armed forces. More than 50 Roman Catholic priests reportedly went into hiding shortly after the coup. Lay Christian workers and members of church-sponsored development organizations are also at risk. At least eight priests, one nun and eight members of church groups have been arrested, and dozens more have been threatened and harassed by soldiers.

In the first days of the coup soldiers knocked with their rifle butts at the gate of the home of one priest working in a poor area of Port-au-Prince. He was not in and the soldiers began shooting in the air after they failed to gain access to the house.

Sénatus and Fritzner Nosther, both Christian activists and supporters of President Aristide, were arrested by members of the security forces on 4 October 1991 and taken to the *Caserne de Thiotte* (Thiotte military barracks), in the locality of Jacmel, South-east Department. Both men were reportedly ill-treated. Amnesty International is concerned for their safety.

The headquarters of the *Programme Regional d'Education et du Développement* (PRED), Regional Education and Development Programme, in Léon near Jérémie, department of Grande-Anse, were attacked on 19 October by a group of soldiers. Soldiers arrested Father Eddy Julien, a Roman Catholic priest and Director of PRED, who was accused of *incitation à la subversion* (inciting subversion). Eddy Pierre, a worker at PRED was also reportedly arrested. Both men were subsequently released without charge. During the attack, the soldiers damaged equipment and took away office machinery, including typewriters. On 18 October, the day prior to the attack, a letter reached Port-au-Prince in which Father Julien denounced threats he was receiving from members of the former *tonton macoutes* in Léon.

Jocelyne Lange, a member of a women's group, and Mrs. Jean Claude Avena and Mrs. Jean Baptiste Chèrazade, were arrested in late October reportedly because they were all members of a Christian Base Community in Limbé, North Department. All were released a day later.

Several priests and monks in the area of Les Cayes were reportedly being sought by the army in the wake of a general strike on 21 October. In Laborde, a district of Les Cayes, the

presbytery of Father Lanpi was ransacked by soldiers. The Sacré Coeur Christian brothers' house was also ransacked and brother Enold Clerismé arrested by soldiers and held for several days. In Dusis, the presbytery of Father Claudel Wagnac was searched and the priest himself arrested. He was released shortly afterwards.

Sister Loretta Philistin, director of the Catholic primary school in Ranquitte, North Department, was arrested on 8 November by the sergeant of the local police post. She was beaten and then released.

Foreign priests have also been subjected to arrest and ill-treatment. On 17 November, Father Julián travelled from his parish of Barahona in the Dominican Republic to Banane in the parish of Thiotte, in the locality of Jacmel, South-east Department of Haiti, in order to celebrate mass. As he was leaving the church in the company of Augustin (no surname given), the church sacristan, both men were arrested by members of the armed forces. The Bishop of Barahona in the Dominican Republic intervened and was able to obtain the release of Father Julián. Augustin however, was badly beaten and taken to the *caserne* of Thiotte.

On 18 November Father Jean-Claude Pascal Louis, the parish priest of Baron, near Saint Raphaël, North Department was arrested by members of the armed forces. He reportedly arrested in connection with the closure of schools in the area. He was subsequently taken to the *caserne* (barracks) of Baron. He was released after the intervention of the Bishop of Cap-Haïtien, and subsequently went into hiding, fearing further reprisals by the armed forces. Other priests reportedly arrested include Father Danier Roussière of Gonaïves, Artibonite, Father Lexilien Pierre of Bas-Limbé, North Department, and Father Marc Fivez of Thomassique.

In addition, during the month of October, CARITAS, a foreign Catholic church agency, had several its offices searched. In Dondon, North department, soldiers fired on the convent of a Canadian Roman Catholic order of St. Joseph de Vallières, which has reportedly closed as a result.

In another incident a Roman Catholic priest, Father Cherry, from the diocese of Cap-Haïtien, North Department, was threatened by former *tontons macoutes*, who reportedly did not like the theme of the sermon given by the priest at the Sunday Mass. The theme was "*il est plus difficile à un riche d'entrer dans le royaume des cieux qu'à un chameau de passer dans le trou d'une aiguille*" ("it is more difficult for a rich man to enter heaven than it is for a camel to pass through the eye of a needle"). The priest subsequently went into hiding.

On Monday, 4 November, soldiers opened fire on the cathedral in Gonaïves, some of the bullets penetrating the cathedral, during a mass which was being concelebrated by the Bishop of Gonaïves, Monseigneur Emmanuel Constant, along with 10 other priests in honour of the patron saint of Gonaïves, Saint Charles. Several members of the armed forces in civilian

clothes were inside the church during the mass and a group of armed soldiers in uniform were posted outside the church. As the mass finished the army opened fire. Cartridges were found inside the church. As the priests were leaving the cathedral, soldiers blocked their vehicles and accused them of preaching violence, and of belonging to the *Service de Sécurité de la Présidence* (SSP), Presidential security service, a personal security force set up under President Aristide and made up of civilian and military personnel. The armed forces had cited the creation of the SSP as one of the reasons why they had staged a coup. The armed forces arrested three young people, who were later released. During the arrest, one of the priests, Father Gérard, was jostled and abused. Nobody was injured in the incident. On 14 December soldiers allegedly looking for weapons searched the car and personal belongings of Bishop Emmanuel Constant.

At about 11.00 pm on 9 November the parish priest of Ballan, Father Marcel Bousset, of Belgian nationality, was going to Cap-Haitien to take a sick man to hospital when his car was followed and shot at by members of the armed forces. Neither Father Marcel nor the sick man were wounded in the attack. However, some hours later members of the armed forces went to the convent in Ballan looking for Father Marcel, who had by this time gone into hiding.

The tightening of repression in Mid-December was also felt by the Church. On the evening of 18 December a group of about 20 uniformed military and civilians armed with iron bars, pics and stones forcefully entered the presbytery of St-Gérard Church, in Carrefour Feuilles. They tried to get the priest out of the church, but he did not. The assailants told him they had been informed that a meeting was taking place inside, and that they wanted the attendants out as political meetings were forbidden. However, there was no meeting being held at the time there, and the men left after a while. However, a child found outside the church was taken and beaten.

### **3. Repression in the countryside**

Despite difficulties in communications, there have been continuous reports of human rights violations in the rural areas. Most of the reports have come from the departments of the North, Centre, Artibonite and Grande-Anse. As in Port-au-Prince, human rights violations have included extrajudicial executions and unwarranted and arbitrary short-term arrests accompanied by torture and ill-treatment. Amnesty International has also noted with concern the rising numbers of incidents of ill-treatment and intimidation of the population by the security forces in the streets and in private homes. There have also been reports that violations have been committed by former *tonton macoutes* and former *Chefs de section*, rural police chiefs notorious for the abuses they committed against the rural poor under the Duvalier regimes and the regimes that followed. After President Aristide came to power, *chefs de section* were instructed to turn in their weapons and were placed under civilian authority as "*agents de police*

*communale*". Some *chefs de section* well known for their violations of human rights were dismissed and others reportedly retired.

However, following the coup many *chefs de section* and their deputies returned to their former posts and have been reportedly responsible for many human rights abuses, including the extrajudicial execution of Senator Astrel Charles, the burning of the home of FNCD Deputy Jean Mandenave and the killing of two people and the arrest of 15 others in Rossignol, Artibonite reportedly constituents of FNCD Deputy Samuel Milord. Thirty houses were also reportedly burned in the occasion. Amnesty International also learned of the arrest of at least one rural police agent in late October or early November.

### **3.1 Killings in the countryside**

On 2 October, seven people were reportedly shot and killed and seven others were wounded when soldiers opened fire on demonstrators marching in support of President Aristide in the Artibonite town of Gonaïves.

[PHOTOS]

Frantz Moyiz, aged 26, unemployed, and Fred Chériska (alias T-Fred), aged 19, were both reportedly killed when the armed forces opened fire on the 2 October demonstration. Fred Chériska died on arrival at hospital. Elisyen Dazme, aged 33, and his cousin Jean-Pierre Dazme, aged 27, were also reportedly shot and killed by soldiers. Elisyen and Jean-Pierre Dazme were on their way to the hospital on a motorcycle to enquire about the fate of Fred Chériska, when soldiers opened fire, killing them both. Line Joseph, aged 39, was killed early on the morning of 2 October, in the Détour Laborde district of Gonaïves, while on his way to a nearby factory to look for a job, when soldiers opened fire indiscriminately. Navwa Odena, aged 35, was killed by soldiers, in the Trou-Sablé district of Gonaïves. He was reportedly shot after being intercepted on the street by soldiers. Farilien Predestin, aged 33, was shot in unknown circumstances, also on 2 October. Gérard Janit, aged 34, died of a heart attack in the Pont-Gaudin district of Gonaïves, after the military began opening fire in the area and one of his young brothers, Makenzy Janit, was threatened and reportedly violently beaten by the army.

In early October, in Marécage, Department of the Centre, over 10 people were killed when a group of over 1,000 supporters of the previous *chef de section* of Marécage, including armed civilian agents of the police, attacked the town residents. Over 26 houses were ransacked and their contents destroyed or stolen. Many of the surviving residents were forced to flee the area.

Régé Vorbé, aged 45, was reportedly wounded by members of the armed forces on 19 October 1991 in the town of Petit-Goâve. He was subsequently taken to hospital for treatment. The soldiers reportedly traced him to the hospital and killed him.

The climate of fear and repression being felt by the population is clearly shown by the report on the death of a young woman known as Antoune in Bonneau, North Department, on 18 December. Antoune, the mother of a 7-month old baby, was among a crowd celebrating the arrival of oil in Bonneau. However, a military informer told a soldier that the people were demonstrating in favour of President Aristide. The soldier immediately arrived on the spot and shot at the celebrators. Antoune was hit by a bullet and cried for help. The soldier, however, prevented anyone from assisting her, and allegedly threatened to shoot some nurses who wanted to help her.

### **3.2 Torture and ill-treatment**

Seven people were wounded by gunfire when soldiers opened fire on 2 October on demonstrators marching in support of President Aristide in Gonaïves. Among those wounded were 11-year-old Garina Sainfort and 16-year-old William Pierre. Three other people wounded were aged 18.

In Gonaïves alone, 55 people reported having been beaten by the security forces or by civilians acting apparently with their connivance in the period from 1 to 19 October. If those incidents not reported were taken into account, it was at the time estimated that over 80 people were reportedly injured as a result of beatings by soldiers in Gonaïves and the surrounding areas, in the same period. The victims include men, women and children. Soldiers reportedly beat victims with clubs, sticks, iron bars and the butts of rifles. Several victims were hospitalized as a result of the beatings and blows received - many suffered fractures to limbs, including arms and legs and ribs. Several others received blows to the head, face and back. In one case a soldier beat a man, whose surname is Tazen, on the corner of Indépendance Street and Egalité Street in the district of Anba Pointe, Gonaïves, after he found him listening to Radio "Voice of America".

Paul Laroche, a 33-year-old teacher of literacy was arrested by soldiers on the evening of 15 October 1991 in Port-au-Prince and taken to the *Service d'investigation et de recherches Anti-Gang*. He is reported to have been severely beaten and tortured and on 17 October was taken to the state hospital for treatment, bleeding from his right ear and sub-conjunctival haemorrhages in both eyes. The right side of his face and both buttocks were swollen from beatings and his abdomen was distended due to intestinal perforations sustained during torture. After five weeks in hospital, Paul Laroche was returned to the National Penitentiary in very poor health, where he was held until his release on 13 December. An international human rights delegation which visited Haiti in early December reported seeing Paul Laroche in very poor health, chained to his bed at the infirmary of the National Penitentiary. They reported that Paul Laroche was now deaf in his right ear as a result of the beatings he was subjected to, and had lost some visual capacity in his right eye. He was also said to be unable to walk unsupported and had not regained the weight lost after his treatment in hospital.

François Destin, 24, a member of the Association of Youth for the Liturgy, (association des jeunes pour la liturgie) was arrested without a warrant on 10 November, as he was going to his field, in Ravine Achen, Artibonite. He remained in detention for a week in Verrettes, where he was beaten and tortured with the "djak" method, by which a baton is wedged under the thighs and over the arms of the victim who is then repeatedly beaten all over the body in different positions. On 17 November, he was transferred to St. Marc prison, and was released in early December.

On 6 January Dieulemè Jean-Baptiste, 32, a KONAKOM militant and a member of the *Comité Central pour les Droits Humains et le Développement des Paysans*, Central Council for the Human Rights and Development of Peasants, was reportedly arrested in Liancourt, Artibonite. The reasons for his arrest were not disclosed. He was taken to the military barracks in Verrettes and reportedly severely tortured. His wife, Suzanna Janack, a member of the same committee, who was six months pregnant at the time of Dieulemè Jean-Baptiste's arrest and reportedly looked for by the military, went into hiding. Dieulemè Jean-Baptiste was released two days later, and had to be hospitalized due to the severe treatment he was subjected to.

Also on 6 January, several people were reportedly beaten by soldiers in Bizoton, as a result of a dispute between a woman and a man courting her. Accounts of the incident indicated that the woman slapped the man in the face, ignoring that he was a soldier. The man then went to look for military reinforcement and went back to have his revenge. Soldiers sprayed with gunfire the house where they thought the woman had taken refuge, and coerced the local residents to disclose her whereabouts. Bizoton residents have reportedly been the object of severe intimidation by the local military, who have reportedly publicly stated that they are going to "finish with the local people" (*ils vont en finir avec les gens du coin*).

### **3.3 Arbitrary arrests**

In Saint Marc, Artibonite Department, seven people were arrested in the days immediately following the coup on 30 September 1991. One of those arrested, Sèn Siyis, was released nine days after being detained by soldiers. He had reportedly gone to the military to collect his bicycle, that had been taken from him by soldiers during the curfew imposed in the area. The local judge refused to intervene in the case and the military allegedly demanded \$5,000 (One Haitian dollar is equivalent to 5.00 *gourdes*. The official rate for the US dollar is 7.00 *gourdes*) for his release. They finally agreed to accept \$3,000 for his release. He was finally released on 7 October reportedly after paying \$2,000, and has been given until 7 January 1992 to pay the remaining \$1,000.

Gesner Marius, aged 27, was beaten and as a result seriously injured by a group of civilians accompanied by soldiers on 5 October in Gonaïves. Family members who went to the Gonaïves military barracks were threatened. It is not known if he has been released.

In Jérémie, department of Grand-Anse, several people were reportedly arrested in the week of 14 October 1991. All were arrested allegedly for being in possession of clandestine newspapers, being circulated among the population as a result of the closure of many newspapers and radio stations. They were reportedly held at the prison in Jérémie.

Smith Joseph, aged 29, and a father of three children was arrested by a group of 6 soldiers in a white jeep, on 16 October in Gonaïves, accused of speaking against the army. He was held for three days in prison, during which time he was beaten. He received blows to his right ear, his right eye and his left wrist. He was released without charge.

*Konbit Komilfo*, a grassroots group in Grand Goâve in South-East Department, was also targeted by the military. The houses of eight of its members were burned. Two other peasants, belonging to the group, Jean Robert Pierre and Polinis Pierre were arrested some time in October 1991, and a third member was arrested in early January 1992.

Eveillard Premilus, the communal police agent of Verrettes Artibonite Department, was arrested in late October by order the local military commander and sent to Saint-Marc prison. According to reliable sources, the former rural *chef de section*, now returned to the area, had stated that Eveillard Premilus should be killed so that the dogs could eat his remains, because he had allowed people to demonstrate for the return of President Aristide.

Patrick Frantz Beauchard and his brother-in-law, Saurel Gomez, were arrested on Saturday 2 November 1991 in Hinche, in Haiti's Central Department, and were detained at the military barracks there. Patrick Beauchard was subsequently transferred to the National Penitentiary in Port-au-Prince but later released. No new information on the whereabouts of Saurel Gomez has been received. No information as to the reasons for their arrest was given by the authorities, and sources in Haiti believe they have been arrested solely on account of their support for deposed President Jean-Bertrand Aristide, or as a revenge against Patrick Beauchard's alleged earlier participation in a failed coup against President Avril.

Patrick Beauchard, a former sergeant in the Presidential Guard *Forces Armées d'Haïti* (FAd'H), Haitian Armed Forces, had supported the coup led by General Prosper Avril in September 1988. After the coup, however, he and a group of soldiers continued to make demands for radical changes both in the armed forces and in government administration, and were arrested a month later on the grounds that they were preparing a further coup. They were released without charges in December 1988 but were dismissed from the army. Patrick Beauchard and some of the soldiers arrested subsequently formed the *Organisation Populaire*

*17 Septembre* (OP-17), of which he became a leader. In December 1989 Patrick Beauchard was arrested a second time and accused of plotting against the security of the State. Another OP-17 leader, Marino Etienne, together with political opponent Evans Paul and trade unionist Jean-Auguste Meyzieux had been arrested one month earlier on the same charges. Upon arrest, the four men were severely ill-treated and required treatment abroad. The four were released as a result of an amnesty in February 1990.

Several arrests were reported in Hinche between 1 and 4 November. One of those arrested was Jaquelin Kebreru, a judge nominated by the government of President Aristide. The same judge worked with the Justice & Peace Commission of the Roman Catholic Church in Hinche. He was subsequently released.

At least four people were reportedly arrested by the Security forces in Darbonne, in the district of Léogane, West Department, during the week of 10 November. The arrests were carried out at night, without a warrant. None of those detained was reportedly brought before a tribunal. Relatives were refused access to the prisoners and those arrested were reportedly beaten by the security forces. Residents who live near Darbonne prison have complained that prisoners were being tortured in custody. In some cases the prisoners were released only when relatives have agreed to pay sums of money - in one case reported to the organization relatives were asked to pay \$300. Many of those imprisoned were allegedly arrested after being identified by paid army informers as having allegedly been involved in the destruction of the police post in Darbonne on 30 September, the day the coup took place. These informers were reportedly paid for every person they identified.

On 15 November a group of armed civilians working in conjunction with the armed forces, arrested Leridor Simon and Anelo Paul in Marécage, Thomonde, in Centre department. Both men had been in hiding since the reported massacre in Marécage in the beginning of October. Both men were reportedly beaten upon arrest. Ophèlène Sortilus, was also reportedly arrested and beaten. She was subsequently released after she was forced to pay \$50.

Venès Cado, also a resident of Marécage, was reportedly arrested between 9 and 11 October during the reported massacre. He was taken to the prison in Hinche, the capital of the Centre Department, where he was reportedly very badly tortured. He was subsequently released, but was reported to be seriously ill as a result of the torture he was subjected to.

On 1 December, an old woman known as Dieula was arrested in the area of Charrier, first communal section of Verrettes, Artibonite Department. She had reportedly been watching the military go into the area several times looking for communal leaders and threatening and harassing the local population, and said: "When are all these things going to finish?". She was released the next day, against payment of a "large sum" of money.

On 15 December in Arcahaie, Artibonite, tens of people were reportedly arrested. Among those arrested were Justice of the Peace Pierre Charles Douzé and supporters of President Aristide. In one reported case, the military severely beat the aunt of one of those they were seeking, as he was not at his house when they arrived looking for him.

#### **4. Human rights violations against journalists**

Since the beginning of the coup, the news media have been consistently targeted by the security forces. Despite public assurances that freedom of expression would be guaranteed, Amnesty International has learned of numerous incidents of journalists and others working in the Haitian news media being singled out as targets for human rights violations, including extrajudicial execution, arrest and ill-treatment. On 30 September, many radio stations, which are the main sources of information in Haiti, were closed down or placed under military control. The offices and equipment of many of these stations were destroyed or damaged. Other stations simply stopped broadcasting because they feared reprisals from the security forces. Only those radio stations under government control are now permitted to broadcast inside the country. People found listening to foreign broadcasters, including Radio France Internationale; the Voice of America, which transmits in Creole from the United States; and Radio Enriquillo, a Roman Catholic radio station operating from the Dominican Republic, have been arrested and beaten by the security forces. Journalists found in possession of clandestine information sheets, which are being disseminated throughout the country, were also targeted by the security forces. National and foreign correspondents have reportedly suffered intimidation by the security forces; many have had cameras, film or notes destroyed or confiscated, and some have been threatened.

Immediately following the coup several radio stations, including *Radio Haïti International*, *Radio Cacique* and *Radio Caraïbe* were attacked by soldiers in order to force them to stop broadcasting. Printing equipment was stolen, or destroyed. On Friday 4 October soldiers reportedly attacked *Radio Lumière*, and five staff members were wounded as a result of the attack. In Jérémie, Grand-Anse department, soldiers destroyed the radio transmitter belonging to the Tèt Ansanm (Heads Together) radio station (belonging to the Roman Catholic church). The staff of the station reported being threatened by soldiers.

*Radio Nationale* director Michel Favard was arrested by soldiers on 29 September, after a broadcast warning of the military coup. The soldiers burst into the radio, demanding to know the sources of Michel Favard's information. He was subsequently released.

Jacques Gary Siméon, known as Jacky Caraïbe, a journalist and director of *Radio Caraïbe*, was taken away on Monday 30 September, after a group of soldiers arrived at his home, severely beat him in the presence of his family, and took him away to an unknown

destination. His dead body was later found in the Delmas 31 district of Port-au-Prince, bearing marks of severe torture. According to information received by Amnesty International, his eyes had been gouged out and his teeth knocked in.

In the first weeks after the coup, Amnesty International also received reports that several newspaper vendors who were attempting to sell opposition newspapers were shot at by members of the armed forces in Port-au-Prince. It is not known if any were hurt. In Delmas 2, a district of Port-au-Prince, a group of 26 people were reportedly listening to the foreign radio station *Voice of America* when a group of soldiers fired on the group, killing three; many in the group were beaten, and several others arrested and severely beaten in custody. In the countryside, five people were reportedly beaten and arrested by soldiers in early October in Desdunes, Artibonite, after they were found listening to foreign radio stations. All the detainees were taken to the Saint Marc prison. At least one of the detainees, identified as Dieufaute Chérilus, was subsequently released.

Jean-Mario Paul, a journalist with the privately-owned *Radio Antilles Internationale* in Petit-Goâve, South-east department, was reportedly arrested in Port-au-Prince on 9 November 1991 by seven armed men in civilian clothes and a member of the police in uniform. Jean-Mario Paul was severely tortured in custody after being transferred from Port-au-Prince where he was arrested to Petit Goâve, South-east department. Soldiers put him in the "toad" position (*le crapaud*), in which a victim's neck is tied to his legs and he is beaten on the back and buttocks for long periods of time. On 10 December, over one month after his detention, he was reportedly transferred to Petit-Goâve Hospital as he was seriously ill and in need of urgent medical attention as a result of the torture he has been subjected to at the hands of the armed forces. However, on 16 December, he was returned to Petit-Goâve prison, allegedly for reasons of security. Jean-Mario Paul was readmitted to hospital over the Christmas period again in need of urgent medical attention. At the time of writing Jean-Mario Paul was once again back at Petit-Goâve prison and is reported to be in a stable physical condition.

Jean-Mario Paul has been charged with burning down a police precinct and a court house and "disarming" a policeman in Grand-Goâve a town near Petit-Goâve. *Radio Antilles Internationale*, however, maintain that Jean-Mario Paul was, at the time of the incident, carrying out his legitimate work as a radio journalist. The home of Jean-Mario Paul in Petit Goâve had been attacked and burned in the wake of the coup on 30 September 1991. Jean-Mario Paul, a supporter of President Jean-Bertrand Aristide, had fled the area following the attack on his home, and had gone to Port-au-Prince.

Nicolas Sorenville from *Radio Nationale* (National Radio) was arrested, along with Marcel Beaublanc a journalist with Radio Plus, in Mirebalais, Central department by soldiers on 8 November 1991. Both men were taken to the *caserne* (military barracks) in Hinche, capital of Central department, but were subsequently released.

Claudy Vilmé, a photographer with the Haitian magazine *Haiti-Relais* was reportedly arrested in mid-November 1991 by four soldiers, dressed in civilian clothes, who forced him into their vehicle, which carried no licence plates. He was beaten and threatened and asked for the address of journalist Clarence Renois of *Radio Métropole*. His photographic equipment was also destroyed by the soldiers. He was released later that day.

On 10 December 1991 Félix Lamy, the Director of *Radio Galaxie*, was abducted when seven unidentified men who forcibly entered the radio premises, damaged equipment and took him away to an unknown destination after he broadcast a story filed on 7 December by journalist Ives-Marie Chanel, who also works with the Inter Press Service Third World News Agency (IPS), about a possible rebellion within the armed forces. Both *Radio Galaxie* and *Radio Tropiques FM* used the story on their radios. The following day, the Assistant Director and two journalists from *Tropiques FM* were reportedly summoned to Police headquarters and questioned about the source of the broadcast. Ives-Marie Chanel went into hiding following reports that he was being sought by the army.

A delegation of Americas Watch, the National Coalition for Haitian Refugees and Physicians for Human Rights which visited Haiti in early December 1991, reported the names of other journalists arrested since the coup. The list included Hérald Gabliste and Jean-Pierre Louis of *Radio Antilles Internationale*; Lucianna Giani, an Italian free-lance journalist; Frère Roday; Philiare from *Radio Cacique*; Miché Sully of *Radio Galaxie*; Fernand Billon of *Radio Soleil*; Masner Beauplan of *Collectif Kiskeya* in Hinche, Central department; and Jean-Robert Philippe of *Voice of America*. Other journalists physically assaulted and threatened by the security forces include Thony Belizaire of *Agence France Presse*; Sony Bastien and Lilianne Pierre Paul of *Collectif Kiskeya*; Jean-Laurent Nelson of *Radio Plus* and a member of the Association of Haitian Journalists; Edwige Balutansky of *Reuters*, and Marcel Dandin of *Radio Haïti-Inter*.

## **5. Human rights violations against trade unionists and members of grassroots organizations**

Popular organizations have been particularly targeted for repression by the security forces and their civilian counterparts. These have included trades unions, grassroots and peasant organizations, women's groups and literacy organizations, all of which have been virtually paralysed since the coup. Most of their members have been forced into hiding as a result of a systematic campaign of violence unleashed against them; others have been arrested and ill-treated. The offices of many such groups have been ransacked and their files and equipment looted or destroyed.

Uniformed members of the armed forces arrested various members of the *Association des Moniteurs d'Alphabetisation* (AMAP), Association of Literacy Teachers between 15 and

16 October in the districts of Carrefour Feuilles and Delmas, Port-au-Prince. Reports have also been received that members of *Kay Fanm*, a women's group, were also arrested in the Cité Soleil district of Port-au-Prince around the same time. Families have reportedly been denied on the whereabouts of their relatives. A few days later, members of the *Association des Mouvements d'Organisations Populaires* (AMOP), Association of Popular Organization Movements, were reportedly arrested in the Carrefour district of Port-au-Prince.

On 20 October 1991, Joseph Manucy Pierre, a leader of *Centrale Autonome des Travailleurs Haïtiens* (CATH), Autonomous Centre for Haitian Workers, was arrested without a warrant at his home in Port-au-Prince by a group of soldiers, and accused of illegal possession of a firearm. Relatives report that his house was searched, but deny the accusation stating that nothing was found during the search. Joseph Manucy Pierre was held at the National Penitentiary, before being released without charge on 24 October.

At 5.00 am on 21 October 1991, Lutèce Marius and approximately ten other peasants were arrested in Bocozele, Artibonite Department, by members of the armed forces. According to several peasants who managed to flee the area and avoid arrest, soldiers entered the house of Lutèce Marius and the homes of the 10 others and took them away without a warrant. Lutèce Marius as well as the others arrested are all members of the *Groupe de Défense des Planteurs de l'Artibonite* (Planters' Defence Group of Artibonite), a peasant land reform pressure group. They are also supporters of President Jean-Bertrand Aristide. Approximately two weeks prior to his detention of 21 October, Lutèce Marius had been briefly detained.

Other peasant groups as well as grassroots organizations who were supporters of President Jean-Bertrand Aristide have reportedly been the object of harassment since the beginning of the coup. The offices of the *Mouvement Paysan de Papaye* (MPP), Papaye Peasant Movement were attacked and ransacked by soldiers. The MPP has been a long-term target of human rights violations by the armed forces under previous military regimes in Haiti. The leadership of the MPP has reported that soldiers from Hinche, capital of the Central Plateau, were drafted into Papaye to seek out the entire leadership of the MPP, including its president, Chavannes Jean-Baptiste, Vilga Jacques, Moy Alvarez, Jean Enihol Casimir. On 16 October MPP member Aldajuste Pierre, president of Kosmika, an MPP cooperative, was arrested by soldiers in Hinche. He was reportedly very badly beaten, and was subsequently transferred to the military hospital in Hinche, with blood in his urine. Another leader of the MPP, Dr Dieudonné Jean Baptiste, the brother of MPP's president Chavannes Jean Baptiste, was arrested by police in Port-au-Prince on 17 December 1991. He was subsequently released. Ten days earlier soldiers had ransacked the home of Chavannes Jean Baptiste, only one week after the home of two Belgian *coopérants* (voluntary workers), working with the MPP, was also ransacked by soldiers.

On 15 November a group of over 30 soldiers searched the premises of the *Mouvement Paysan Soleil Leve* (Soleil Leve Peasant Movement) in Jérémie, Grand-Anse department. They said they were looking for arms. They returned the following day, 16 November and arrested Fleurant Robert, a leader and spokesperson for the Movement, which has publicly expressed its opposition to the coup.

Also in November, the house of Fadine Jeanty, a member of the peasant development organization *Tet Kolle*, another long-term target of human rights violations, was ransacked on 10 November. She, as well as other members of *Tet Kolle*, have reportedly gone into hiding.

Two trade unionists, Abel Pointdujour and Evans Fortuné, belonging to the *Syndicat d'Électricité d'Haïti* (Electrical Workers' Union of Haiti), were arrested on 17 December 1991 in Port-au-Prince, while trying to negotiate payment for electrical workers who had dismissed since the coup. They were subsequently released. Duckens Rafaël, the General Secretary of the Electrical Workers' Union has gone into hiding after his name appeared on a list of trade unionists and other grassroots leaders, reportedly being sought by the armed forces.

## 6. Targeting of human rights monitors

On 12 October, the house of human rights lawyer Jean-Claude Nord, Secretary General of the *Ligue des Droits de l'Homme*, (Human Rights League), was searched by members of the armed forces. Jean-Claude Nord was subsequently arrested and then released without an explanation.

Maria Téréntia Dehoux, a human rights activist formerly working with CHADEL, whose Executive Director is the present Provisional Prime Minister of Haiti, Jean-Jacques Honorat, was arrested in Port-au-Prince on 30 October 1991. She was reportedly taken by soldiers to the National Penitentiary, where she was held for several hours, accused of belonging to an illegal political movement. She was, however, released without charge the same day. Maria Téréntia Dehoux had been wounded in September 1988 during an attack on the parish church of President Aristide in Saint Jean Bosco, a poor area in Port-au-Prince.

Virginie Sénatus, responsible for the *section féminine* (women's section) of the *Centre Lafontant Joseph de Promotion des Droits Humains* (Lafontant Joseph Centre for the Promotion of Human Rights), was arrested during a student gathering at the *Université d'Etat d'Haïti* (Haiti State University) in Port-au-Prince on 12 November 1991. She was subsequently released. (See Section 7, Human rights violations against students).

On the evening of 12 November, armed civilians and uniformed members of the armed forces went to the home of the Head of Publications of the Joseph Lafontant Centre for the Promotion of Human Rights, Loby Gratia, enquiring about his whereabouts and the whereabouts

of Raynand Pierre, the Executive Director as well as other members of the Centre. According to his wife, who answered the door, the men had a list of people they were looking for. Neither of those sought were at the house and those looking for them left, only to return the following morning, 13 November. Raynand Pierre reported to Amnesty International that he had been warned by friends the week before not to go out on the street too frequently. The Centre Lafontant Joseph for the Promotion of Human Rights has been very active in denouncing the wide ranging human rights violations that have occurred in Haiti since the military coup. He and other members of the Centre Lafontant Joseph went into hiding after the incidents of 12 and 13 November.

Amnesty International also learned that the offices of the *Centre Oecuménique des Droits de l'Homme*, (Ecumenical Centre for Human Rights) were ransacked on the night of 18 November.

## **7. Human rights violations against students**

On 12 November, students belonging to the *Fédération Nationale des Etudiants Haïtiens* (FENEH), National Federation of Haitian Students, gathered at the university campus outside the Faculty of Science of the State University of Haiti, for a meeting, a press conference and to demonstrate support of the return of President Jean-Bertrand Aristide. As they were chanting slogans and clapping hands, joined by local residents, troops stormed into the campus, beating students and chasing foreign journalists away.

Many students ran for safety into the Faculty of Science building. Eyewitnesses have stated that uniformed policemen and armed civilians then started throwing stones at the building before they broke in, reportedly causing severe damage to university facilities and equipment. The students inside were reportedly brutally beaten with batons and rifle butts. Well over 100 students were subsequently arrested, along with several journalists, including an Italian journalist, Lucianna Gianni.

Military trucks reportedly took a group of the arrested students and journalists to the *Service d'Investigation et de recherches Anti-Gang*, while another other group, numbering approximately 50, was taken to the National Penitentiary. Those students held at the Anti-Gang Investigation Service were also later to the National Penitentiary. The journalists were reportedly released shortly after arrest, as were apparently some of the students. According to the testimony several students held at the National Penitentiary which was given to a foreign delegation<sup>2</sup>, they were questioned by the wife of de facto Prime Minister Jean-Jacques Honorat,

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<sup>2</sup> See *Return to the Darkest Days - Human Rights in Haiti since the coup*, by Americas Watch, National Coalition for Haitian Refugees and Physicians for Human Rights, December 1991, p. 9.

who runs a prison visiting service, CAPOC, and promised they would be released if they agreed to give statements for her radio program that they had not been ill-treated. The students were not, however, reportedly allowed visits by family or lawyers.

On 14 November the *doyen* (president) of Port-au-Prince civil court declared the students' arrest illegal and ordered their immediate release. However, police at the Anti-Gang Investigation service refused to release them saying that it was up to the police to release the students, since it was them who had arrested the students. Most of the students were released from one to two weeks later. However, according to the information available to Amnesty International, some 30 students still remain in detention.

One student released reported being beaten with batons by a cordon of soldiers on entering the *Service d'Investigation et de recherches Anti-Gang*. "*A l'Anti-Gang, deux rangées de militaires nous attendaient; ils nos ont frappés avec des bâtons, sur les dos, le thorax, les reins et le visage...J'ai reçu 3 coups de poing...*" ("At Anti-gang, two lines of soldiers were waiting for us; they beat us with their batons on the back, thorax, kidneys and face... I received three punches...") The same student said that on arrival at the National Penitentiary they were again forced to go through lines of soldiers "*il y avait encore deux rangées d'hommes qui étaient là pour nous frapper, alors qu'un autre nous maintenait par le collet et nous forçait à avancer lentement afin que nous puissions recevoir plus de coups. A ce moment, j'ai failli perdre connaissance tellement on m'avait frappé.*" ("there were still two lines of soldiers who were there to beat us, as well as a third to hold us by the collar to force us to proceed more slowly, so that we would receive more blows. At that moment I lost consciousness, I was beaten so badly.") A female student had her arm broken as a result of beatings she received.

Another student held prisoner at the National Penitentiary reported being singled out for beating by a soldier who beat him about his stomach and his head. His left eye was reportedly injured, as was his jaw. Released students reported that the physical condition of some of their fellow students was worse than their own, some of them having infected wounds. The students did not receive any care during the nine days they were in detention.

## **8. Children as victims of widespread abuse**

Children have not been spared the violence that followed the coup and they can be counted among the hundreds of victims of extrajudicial execution, arrests and ill-treatment. At least 25 children have been arrested since the 30 September, and there have been numerous reports of children having been beaten by the security forces on the look out for their relatives or others. Institutions working on behalf of street children have also been targeted.

On 1 October, 17-year-old Jacques Séus Jean-Gilles was reportedly killed and five other people wounded in an attack by the security forces on the premises of Father Aristide's orphanage for street boys, *Lafanmi Selavi*. Another 17-year-old child, (see) was reported killed on 2 October together with over 30 others, in Lamentin 54. On 30 November, five-year-old Farah Michel was reportedly extrajudicially executed by a police officer in the Cité Soleil district of Port-au-Prince.

On 2 November, 16-year-old Napoléon Saint Fleur, unable to prevent some military agents from ill-treating his mother in Cap Haitien, shouted "*A bas l'armée! Vive Aristide!*" ("Down with the Army! Long Live Aristide!"). The military reportedly beat him severely, and took him away. Prisoners released from Cap Haitien prison reported the case of a youth who was severely tortured, and human rights workers feared it could have been Napoléon Saint Fleur.

Two girls were also arrested with the over 100 students arrested on 12 November in Port-au-Prince. Fourteen-year-old Mama and 16-year old Marjorie Garre were arrested, severely ill-treated and held for several days at the National Penitentiary in Port-au-Prince. Also on 12 November, a 13-year-old boy was arrested with 20 adults after a mass in the memory of the victims of the repression following the coup outside the church of St-Gérard in Port-au-Prince. The child was severely beaten by policemen from the 4th Police Company, and he was saved from execution by shooting only after he had been lined up against a wall with the other 20, who were all killed. The child was taken back to the police station, where he was beaten again, and only released after his mother agreed to pay \$60.00. Another young boy was reportedly beaten outside St-Gérard church on 18 December after a group of about 20 uniformed military and civilians forcefully entered the presbytery of St-Gérard and tried unsuccessfully to get the priest out of the church.

On 24 November, Judith Larochelle, 14, was reportedly arrested in Port-au-Prince near the quai where boats leave for Jérémie. She was arrested as soldiers were looking for her cousin, whom the army had accused of stealing \$15.00, and whom they could not find.

In late November, the premises of the *Centre d'Education Populaire* (CEP), Centre for Popular Education, an organization that provides for street children and youths, was ransacked and much of its equipment destroyed. A young boy was arrested in Pignon, North Department, in early December, reportedly because he stopped to look at a picture of President Aristide on a church wall. He was surprised by soldiers who told him off for looking at the picture, and then accused him of sticking it himself. The child was severely beaten, as the military tried to force him to take the picture off, which the child could not do because he was too small to reach it. He was eventually released after several hours in prison.

In mid-December, Amnesty International learned that about 20 street boys aged between 10 and 15 years were being detained at the National Penitentiary among the adult population.

They had reportedly been arrested by the security forces because they were "children of Aristide", meaning that they belonged or that they were thought to belong to *Lafanmi Selavi*. Prison conditions at the National Penitentiary have for years been extremely hard, and many inmates have been in ill-health as a result of malnutrition, poor hygiene and lack of medical treatment. In the past three months, conditions at the National Penitentiary have reportedly deteriorated even further.

Around that same time, a soldier entered the house of a woman in her 60s in Bolosse-Martissant, Port-au-Prince. The woman was getting ready to leave for the provinces with her daughters and granddaughters, her family having been the object of repression since 30 September. As the woman was not present at the time, the soldier beat the young girls and searched the house, claiming that he was looking for the woman's son. As the woman was going back to the house, she saw the soldier in the house and run away. The soldier followed her and beat her badly. She reportedly was bleeding profusely from the face. The soldier then dragged her on the street. He reportedly let her go only after the local people collected \$20.00 and gave them to him. Other reports of children beaten by soldiers have been received by Amnesty International.

## **9. Situation of Haitian asylum-seekers**

Since the coup of 30 September 1991, thousands of people have fled from Haiti. It is estimated that tens of thousands have gone overland to neighbouring Dominican Republic. Others have left the country by boat, some 1,500 landing in Cuba, but many more apparently intending to seek protection in the United States. By the end of 1991, over 8,000 Haitian asylum-seekers have been intercepted by US Coast Guard ships before reaching US territorial waters. In November the US Government asked other countries in Latin America and the Caribbean to accept Haitian asylum-seekers, and Honduras, Venezuela, Belize, and Trinidad and Tobago each agreed to grant some temporary refuge to some of the asylum-seekers. The others who have been intercepted by US Coast Guard ships are interviewed by the US authorities to assess whether they are likely to have a claim for asylum in the US.

On 18-19 November the US authorities returned over 500 asylum-seekers against their will to Haiti. In a statement on 18 November the US State Department announced that only those who may be able to qualify for asylum would be allowed to proceed to the US to lodge an asylum claim, and that about 50 such people had so far been identified; the others, apart from those who had been granted temporary refuge by other countries in the region, would be returned to Haiti. The statement added that the US Government did not believe the asylum-seekers sent back to Haiti would face persecution there. On 19 November a Federal Court in Miami issued an order temporarily prohibiting the US authorities from returning any more asylum-seekers to Haiti pending further examination of the issue. The US Government appealed

the decision, but a series of court rulings further prevented the US Government from forcibly returning any Haitian asylum-seekers who have been intercepted at sea. The government's appeal against these rulings was apparently due to be heard on 22 January 1992. Depending on the outcome of the hearing, the US authorities may start returning the Haitian asylum-seekers immediately. Over 1,600 of the Haitians intercepted by the US authorities have been "screened in" and will be allowed to proceed to the US to lodge an asylum claim. However, Amnesty International is concerned that the US authorities have not given Haitian asylum-seekers a full and fair examination of their reasons for fearing to return there, and that therefore those returned could include many people who would be at risk of serious human rights violations in Haiti.

Article 33 of the United Nations Convention relating to the Status of Refugees, which is binding on the US, prohibits *refoulement* -- the forcible return of any person to a country where they risk serious human rights violations. In order to ensure that such people are properly identified and given effective protection from such forcible return, it is essential that the US Government grants all asylum-seekers access to a full and fair procedure for determining the merits of their asylum claims. Amnesty International is concerned that the US Government has not given any such opportunity to the Haitian asylum-seekers currently wishing to seek protection in the United States. They are "screened" at Guantánamo, the US naval base in Cuba, in order to ascertain whether they are likely to have a claim for asylum and so may be allowed to proceed to the United States to lodge their asylum claim; others are liable to be returned to Haiti. But this screening procedure lacks certain essential safeguards which must be allowed to asylum-seekers and which are required by international standards. These essential safeguards include the right of every asylum-seeker to appropriate legal advice and, if their application for asylum is rejected, the right to have an effective review of their case before being expelled from the country where they seek asylum.

Since September 1981 a bilateral agreement between the governments of the US and Haiti has permitted the US authorities to intercept outside US territorial waters those Haitians travelling to the US and to return them to Haiti. The US Government contends that under this arrangement no one is sent back who may have a legitimate claim to refugee status. However, of the more than 20,000 Haitians interviewed at sea in the ten years from September 1981 to September 1991, only about 30 were permitted entry to the US to pursue their asylum claim.

The US State Department maintains that the asylum-seekers sent back to Haiti would not face persecution there, and that "there is no indication that persons returned by the US under the interdiction programme are detained or subject to punishment". However, Amnesty International is seriously concerned that those who have tried to leave the country following the coup could be perceived as government opponents and, as such, become targets for abuses perpetrated by the security forces and armed civilians acting with them. Indeed, in past years, Amnesty International knew of several cases where asylum-seekers who had been refused

asylum in the United States and returned to Haiti were imprisoned and in some cases ill-treated on their return, and has evidence that many Haitians deported from the US after having completed criminal sentences there have been imprisoned in Haiti for months without any legal basis for their detention. Amnesty International therefore believes that large numbers of those who have fled Haiti in recent weeks could indeed be at risk of serious human rights violations if returned there.

Amnesty International's concern on this point is heightened by a report that on the morning of 15 November 1991 a group of Haitian military officers, some uniformed and some in plain clothes, arrested several young men in the poor district of Cité Soleil, in Port-au-Prince, whom they suspected of preparing to leave the country. The youths were reportedly severely beaten in full view of Cité Soleil residents and were forced to identify the houses of other youths who were thought to be getting ready to leave. About 40 youths were taken away, and their current whereabouts are not known. In late December a group of people preparing to board a "canter" (one of the vessels in which Haitians undertake the sea journey to the US) were severely beaten and some were arrested in Montrouis, Artibonite department.

Amnesty International has been unable to assess the present situation of those asylum-seekers that have returned to Haiti. It has been reported that they are being placed under the care of the Haitian Red Cross upon arrival, and from there sent back to their villages. However, given in part the difficulties in communication - most of the refugees come from La Gonâve island or areas in the North-West where communication has been the most difficult - and information gathering, no news has emerged as to their present situation. However, Amnesty International views with concern the report that 73 Haitians returned reportedly voluntarily from Venezuela on 3 December were thoroughly questioned and searched. They were reportedly taken to the police headquarters, where they were fingerprinted and photographed.

In late December Amnesty International requested permission to visit the base at Guantánamo to interview Haitian asylum-seekers and to assess the screening procedures used there, but the request was refused by the US authorities. At the time of writing, the organization was awaiting a reply to its request for reconsideration of the refusal.