

PUBLIC

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06 January 2006

Further Information on UA 195/05 (AMR 36/008/2005, 25 July 2005) Arbitrary arrest/prisoner of conscience New concern: Medical concern

HAITI

Gérard Jean-Juste (m), Catholic priest

Prisoner of conscience Gérard Jean-Juste is reportedly suffering from leukaemia. His condition could deteriorate if he continues to be detained at the National Penitentiary Annex, in the capital, Port-au-Prince.

Gérard Jean-Juste, a Catholic priest, has been detained without charge since 21 July 2005. In December 2005, after suffering from fatigue and swollen lymph nodes, he was examined by two doctors from the USA, who carried out blood tests and diagnosed leukaemia. According to reports, doctors at the National Penitentiary Annex, who have not carried out any blood tests of their own on Gérard Jean-Juste, have denied that he has leukaemia. It is not known if he is receiving any medical treatment in prison. He may be at risk of infection if he remains in prison, and his health is therefore at serious risk.

Gérard Jean-Juste has been accused of kidnapping and murdering journalist Jacques Roche. However, no evidence has been produced to support these allegations. Amnesty International believes he is a prisoner of conscience detained solely for the peaceful exercise of his right to freedom of expression, as he is an outspoken supporter of former president Jean-Bertrand Aristide and the *Fanmi Lavalas* party. Gérard Jean-Juste had announced his intention to stand as a presidential candidate for the *Fanmi Lavalas* party in the forthcoming elections, but the Electoral Council rejected his candidacy because he was not able to register it in person.

Gérard Jean-Juste was first illegally arrested on 13 October 2004 at his church, Saint Claire's, in Port-au-Prince on suspicion of "plotting against the internal security of the state." After six weeks in custody, he was released on 29 November because of a lack of evidence against him. On his way back from a trip to Miami, USA, on 15 July 2005, Gérard Jean-Juste was again detained and questioned at Port-au-Prince airport in relation to the same accusations. Six days later, he attended the funeral of journalist Jacques Roche, at a church in Pétienville, a suburb of the capital, Port-au-Prince. He was assaulted and threatened by a mob outside the church, who said he was one of those responsible for the violence that is sweeping the capital. He was taken to Pétienville police station by officers from the Haitian police and the UN Police, UNPOL. Later he was transferred to the National Penitentiary and finally to the National Penitentiary Annex, in Pacot, Port-au-Prince, where he remains imprisoned.

The investigation into the allegations against Gérard Jean-Juste should have been released within three months of his arrest, in accordance with Haitian Criminal Procedures. It is well overdue.

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

- expressing concern for the health of Rev. Gérard Jean-Juste, who is being held without charge at the National Penitentiary Annex, in Pacot, Port-au-Prince;
- expressing concern that his continued imprisonment could put him at risk of infection, and thus seriously endanger his health;
- calling for guarantees that he is being given access to all necessary medical treatment;
- urging the Haitian authorities to release Fr. Gérard Jean-Juste immediately and unconditionally, as he is a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression;
- calling on the authorities to put an end to the arbitrary detentions that are prevalent throughout Haiti.

APPEALS TO:

Minister of Justice and Public Security

Me. Henri Dorléans

Ministère de la Justice

19 Ave. Charles Sumner, Port-au-Prince, Haiti (W.I.)

Fax: +509 245 0474 (please ask for the fax: "La ligne de fax, s'il vous plait")

Salutation: Monsieur le Ministre/Dear Mr. Dorléans

General Director of the Haiti National Police

Mario Andresol

Directeur Général de la Police Nationale d'Haïti

Grand Quartier Générale la Police

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

Fax: +509 245 7374

Salutation: Monsieur le Directeur Général/Dear Mr. Andresol

COPIES TO:

Special Representative of the UN Secretary-General in Haiti

Juan Gabriel Valdés

United Nations Stabilization Mission in Haiti (MINUSTAH)

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

Fax: +509 244 3512

Head of UN Human Rights Division in Haiti

Thierry Fagart

Human Rights Division, 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 17 February 2006.