

**Inter-American Commission on Human Rights
General Situation of Human Rights in Haiti Hearing
March 4, 2005
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Attacks Against the Press In Haiti

Politically-motivated attacks against the press in Haiti have been widespread and well-documented since the Interim Government of Haiti's (IGH) installation in March 2004. Perpetrators of the attacks include IGH officials, the former soldiers who control large areas of the country, and armed gangs. Journalists have been shot, abducted, arrested, beaten and intimidated, radio and television stations have been closed down by the government. To our knowledge, not a single person has been arrested, nor a single government official disciplined for attacks against the press during this period.

A. Physical Attacks

On February 4, 2005, Raoul Saint-Louis, co-host of Radio Mégastar's "Point Final" program, was shot in the arm in front of the station's studios in Port-au-Prince. Saint-Louis' program often criticizes the government, and in the days preceding the attack, government and police officials had spoken out against Mégastar for providing IGH opponents a mouthpiece.

January 14, 2005, was particularly difficult day for journalists. Haitian police shot and killed radio journalist Abdias Jean, who was wearing a press badge and covering a Haitian police operation in Cité de Dieu, a poor neighborhood of Port-au-Prince. According to several witnesses, about an hour after Jean observed the police execute two people, officers searched for Jean, located him and shot him several times. There have been no arrests for this killing, nor any reported disciplinary action. There has been no autopsy or forensic examination of Mr. Jean's corpse, despite a formal request by Mr. Jean's mother and her lawyer on January 25, 2005. UNESCO Director-General Koïchiro Matsuura called the killing an "intolerable attack on democracy and rule of law."

The police confiscated the camera of another journalist covering the same police operation, cameraman Harry Francillon of "Télé Ginen." Police later returned the camera, but not the videotape that was in it. Also on January 14 in Port-au-Prince, Claude Bernard Serant and Jonel Juste, two reporters from the newspaper, *Le Nouvelliste*, were beaten and their lives were threatened by people claiming to support the former government.

Throughout 2004, reporters for Radio Solidarité, the most prominent critic of the IGH's human rights record among Haitian media, suffered attacks. The station closed down from March 1 to April 6 because of telephone death threats. On March 30, Lyonel Lazarre, a correspondent for Radio Solidarité and the Agence Haïtienne de Presse in Jacmel, was abducted by a group of soldiers. He was beaten and forced to disclose the location of a correspondent for another station that had criticized the IGH, Jacky Jean-Baptiste of Radio Ginen, who was forced into hiding. On

April 16th Jeanty André Omilert, correspondent for Radio Solidarité and a reporter for Radio Excelsior in Mirebalais was abducted from in front of the radio station by a group of former soldiers and illegally detained at the local police station. Omilert was held for three days, then released.

On August 30, 2004, a gang alleged to support the ousted constitutional government attacked Lyonel Louis, a photographer with the *Haiti en Marche* newspaper with rocks.

On May 15, Charles Prosper, a correspondent for Radio Tropic FM in Mirebalais, was abducted by a group of rebels and detained in a police station for two days. He had received several threats in the weeks before the abduction, accusing him of supporting the Lavalas party.

B. Official Harassment of Radio Stations

The IGH illegally closed Radio TiMoun and TéléTimoun, both based at the Aristide Foundation for Democracy, on May 18. Neither has been allowed to broadcast since. The IGH alleges in public that the stations were involved in financial impropriety, but it has not justified this claim in the court file. Although a judge was present at the original closing, he acted pursuant to an oral order by the Minister of Education, who has no authority in the matter. The legal procedures for revoking a station's license have not been followed.

On May 28, police arrested Arens Laguerre, a cameraman for TéléTimoun, without a warrant. The police claimed he had bullets in his pockets, but no proof was ever presented. Laguerre was finally released in June, after the Committee to Protect Journalists issued a protest.

On June 11, Jean-Michel Boisrond, the General Director of the National Telecommunications Council (CONATEL), informed Radio Solidarité that it was required to change its frequency. Only one other station was required to make a similar change. No stations that are members of the pro-government National Association of Haitian Media were required to change their frequencies. Changing frequencies would be an immense financial burden on Radio Solidarité-its management has said that it will be forced to close down. Singling Radio Solidarité out, in light of its prominence as a critic of the IGH's human rights record, is a thinly veiled attempt to eliminate a dissident voice. The station has been given a slight extension to comply with the change order, but the IGH insists that the change must be made.

On October 2, 2004, Haitian police forcibly entered Haiti's Radio Caraïbes and arrested two Senators, Yvon Feuillé and Gerard Gilles, and former Deputy Rudy Hérivaux, who had criticized the Interim Government during a radio debate on violence. The warrantless arrests were illegal and a clear violation of the detainees' freedom of association and of expression, and of Radio Caraïbes' right to broadcast a debate. When the station manager refused to allow the police entry into the station, a Justice of the Peace instructed the police to cut the locks and make the arrests. No evidence of criminal activity by the arrestees was ever presented, even though two of them spent three months in jail.