



INSTITUTE FOR JUSTICE AND DEMOCRACY IN HAITI

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IJDH Human Rights Alert: **Illegal Arrest of Catholic Priest, Rev. Gérard Jean-Juste**

October 13, 2004

Catholic Priest arrested in Haiti

On Wednesday, October 13, 2004, Haitian police forcibly entered the Sainte Claire Catholic Church in Port-au-Prince and arrested the Pastor, Rev. Gérard Jean-Juste, without a warrant, while he was feeding the hungry children of his parish. Fr. Jean-Juste is a prominent activist for peace, justice and the rights of immigrants in Haiti and the U.S. There are also reports of arrests of two other priests, Rev. Francois and Rev. Sauvagere, as well as raids on three additional churches.

The Sainte Claire Church is located in Petite Place Cazeau, a poor neighborhood of Delmas, a Port-au-Prince suburb. On Wednesdays, Fr. Jean-Juste runs a soup kitchen that gives many area residents, especially children, their only meal of the day. During the feeding program, heavily-armed men surrounded the church and announced their intention to arrest Fr. Jean-Juste. Some wore uniforms of the Haitian National Police (HNP), some wore no uniforms, and many wore masks. The police refused to produce a warrant, and when asked what the charge was, replied that the priest "was a threat to public order." Later, interim Prime Minister Gérard Latortue told journalists there was a warrant, but could not say what the charge was.

When Fr. Jean-Juste refused to leave his feeding program, the police raided the church and dragged him out of the rectory. Witnesses reported that the police punched the priest, and Fr. Jean-Juste reported an injury to his foot. He was transported to a police station holding cell, where he is now being held incommunicado.

Interim Prime Minister Latortue claimed he had intelligence that Fr. Jean-Juste associated with people who were planning to commit violence against the government later this week, and that the Ste. Claire raid was a pre-emptive strike.

The illegal arrest continues a month-long wave of systematic attacks against civil society institutions, including labor unions, radio stations, lawyers and members of Parliament, as well as lethal police raids in poor neighborhoods. It is particularly troubling that the persecution extended to Fr. Jean-Juste, one of Haiti's most persistent and influential voices for peace over the last two decades. The arrest shows a brazenness and disregard of Haitian and International law not seen since the Duvalier dictatorships.

Background

A. Fr. Jean-Juste

Fr. Jean-Juste speaks out forcefully against all forms of violence, from the pulpit and on his radio shows. He spoke out against the state-sponsored violence of the Duvalier regime, the de facto dictatorship (1991-1994) and the Haitian army. He also speaks out against violence by the victims of that violence and by supporters of Haiti's Constitutional governments. When opposition politicians were attacked following the April 2000 funeral of assassinated journalist Jean-Dominique, Fr. Jean-Juste spent his entire two-hour radio show imploring everyone to return to their homes.

Fr. Jean-Juste has been highly effective at fighting political and economic violence through peaceful means. When he was forced into exile for criticizing the Duvalier dictatorship, Fr. Jean-Juste retaliated with a lawsuit, winning a judgment against Jean-Claude Duvalier in Miami Federal Court. In 1979, he co-founded the Haitian Refugee Center in Florida, which provided assistance to thousands of refugees from the Duvalier regime, and fought unjust immigration policies all the way to the U.S. Supreme Court. In Haiti, Fr. Jean-Juste encouraged victims of the de facto dictatorship to organize and to force Haitian courts to deliver justice. On August 16 of this year, Haiti's interim government held a re-trial in the case of slain pro-democracy activist Antoine Izmyer. Although he knew the prosecution was not serious (the New York Times called it "Sham Justice in Haiti"), and feared arrest, Fr. Jean-Juste bravely appeared, the only summoned witness to do so.

B. Systematic Attacks Against Civil Society and Supporters of the Constitutional Government

On September 7, the Inter-American Commission on Human Rights issued a statement expressing concern "over several key areas in which the basic rights and freedoms of Haitians remain weak and imperiled." On September 16, Interim Prime Minister Gerard Latortue lashed out at his critics during an interview on Radio Caraibes, complaining that human rights criticism was making his relations with donor countries difficult. Later that day police officers raided the offices of the Confederation of Haitian Workers (CTH) labor union and arrested nine union members, all without a warrant. The official justification for the arrest was that the defendants were "close to the Lavalas authorities." All are still in custody as of October 13. Hours later, masked men in military attire attacked the office of the Committee for the Protection of the Rights of the Haitian People (CDPH).

On October 2, the police raided a radio station and arrested two Senators and a former Deputy from the Fanmi Lavalas party who had criticized the Interim Government during a radio program. As with today's raid on Ste. Claire's Church and the arrests at the CTH union, the radio station arrests were done without a warrant and "justified" outside of the judicial process with vague statements about connections to violence. When a lawyer, also a former Deputy, came to represent the arrestees, he was arrested too. The lawyer and one of the Senators was released on October 5, the other two legislators remain in jail as of October 13 (for more information on these events, see www.ijdh.org).

Fr. Jean-Juste, the nine union members and two legislators join many pro-democracy activists and officials of Haiti's Constitutional government in jail, including former Prime Minister Yvon Neptune, former Minister of the Interior Jocelerme Privert and former Delegate Jacques Mathelier. All are held illegally: Neither Prime Minister Neptune nor Minister Privert have ever been brought before the judge who issued their arrest warrant. Mr. Mathelier was brought before a judge, who ordered his liberation on July 12, but prison authorities transferred Mathelier out of that judge's jurisdiction, where he remains three months later.

On September 30, police interrupted a legal demonstration commemorating the anniversary of Haiti's September 30, 1991 coup d'etat. Human rights observers accompanying the demonstration reported that police fired on the march, after several attempts to disperse it failed. On the morning of October 1, interim Prime Minister Latortue conceded in a radio interview that the police had shot at protesters and individuals had been killed, and indicated that the authorities would take action against further protests.

Latortue's announcement was followed by two weeks of police raids in poor neighborhoods, considered to be bastions of support for Haiti's Constitutional government. One raid on Wednesday, October 6, a purported arms search in the poor neighborhood of Bel-Air, yielded seventy-five illegal arrests, but not a single weapon. Although it is difficult to confirm the deaths, at least two dozen people have been killed by police and their paramilitary allies so far in October.

The United Nations troops in Haiti have not intervened to restrain illegal police behavior. UN troops guarded the perimeter of the radio station during the October 2 arrests. According to a BBC translation of an interview broadcast October 8 on Haiti's Radio Metropole, the UN Commander General Augusto Heleno Ribeiro Pereira, in discussing police raids in poor neighborhoods declared that "we must kill the bandits but it will have to be the bandits only, not everybody."

The U.S. government has not intervened to restrain the interim government's persecution of civil society, despite having both the ability and the responsibility to do so. The U.S. played a leading role in installing interim Prime Minister Latortue after forcing out Haiti's elected President in February. The U.S. is currently Haiti's largest donor and international patron. The U.S. has not made a single public statement urging the interim government to respect the Constitution or refrain from persecution throughout the month-long wave of attacks on civil society. To the contrary, the U.S. has provided diplomatic cover to the repression, with completely unsubstantiated statements that the violence is being directed by Haiti's Constitutional President, Jean-Bertrand Aristide, now in exile in South Africa.

What You Can Do

The best way for people outside of Haiti to stop the attacks against civil society is to pressure the U.S. Government and the United Nations to intervene to stop it. Please call, fax or email, asking the U.S. and the U.N. stop the attacks, and ensure that Fr. Jean-Juste and all the other political prisoners are freed immediately.

UNITED STATES GOVERNMENT:

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For more information, and updates on this situation, see www.ijdh.org,
www.haitiaction.net.