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## **As Heleno Prepares to Exit: More Blood Spilled in Bel Air**

Five people, including a policemen, died on June 17 after the Haitian National Police (PNH) swept into the neighborhoods of Belair and Delmas 2, bastions of anti-coup and anti-occupation sentiment.

Three civilians were killed on the spot by police gunfire, and a fourth died later from his wounds. One policemen was also killed by gunfire.

Three other people were also wounded.

“Among the first victims shot by the police was 17-year-old Natalie Luzius clutching her 6-month-old son Fritznel Luzius while protecting the child at the moment a police bullet struck her in the head and killed her,” the Haiti Information Project reported on June 17. “According to her brother, ‘Natalie fell without warning as the police shot her.’ Fritznel fell down next to the body of his dead mother and was grabbed by her brother who took him away from the shooting. Her brother continued: ‘There was no warning and Natalie was cooking when

they killed her. She wasn't even on the street. They fired into our home without warning and without cause.”

A 16-year-old boy and a man in his 60s were among those gravely wounded, but they refused to go to the hospital for fear of being attacked en route by the police, they said.

On June 4, the police had cracked down in the same neighborhoods, killing 25 people. A dozen homes were burned.

On June 14, thousands in the capital marched to demand the return of exiled President Jean-Bertrand Aristide, an end to the repression, the release of political prisoners, and a return to constitutional government. Demonstrators also denounced “selection elections” being planned by de facto and occupation authorities for October and November.

Also on June 17, a protestor splashed red paint symbolizing Haitian blood on Canadian Foreign Minister Pierre Pettigrew during a press conference in Montreal to support the upcoming U.S.-sponsored elections in Haiti.

“It is completely understandable that Canadians may be offended by the action taken this afternoon,” said paint-thrower Yves Engler of Haiti Action Montreal in a statement written shortly before he was arrested by Pettigrew’s security detail. “I only ask them to consider whether they are offended by the real blood that is being spilled in Haiti every day, with the full support of Pierre Pettigrew and the Canadian government.”

Meanwhile, the Brazilian general commanding the United Nations Mission to Stabilize Haiti (MINUSTAH) made it know this week that he will not to renew his one-year contract which expired May 30. “I wrote to my superiors three months ago and suggested my replacement, particularly because I think it's a fantastic experience that could be shared by another Brazilian general,” Lt.-Gen. Brazilian

Lieutenant-General Augusto Heleno Ribeiro told Reuters. "I am waiting for a decision by the Brazilian government, with the U.N., and my successor has not been officially communicated to me yet."

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## **Dominican Republic: Haitian-Dominican Children Rally for their Rights**

Over 2,000 children of Haitian ancestry rallied at an amphitheater in Santo Domingo on June 15 to demand that Dominican authorities recognize their nationality and bring an end to the violence and deportations aimed at Haitians and dark-skinned Dominicans in recent weeks.

"These children are here to demand their constitutional rights, like having a birth certificate, which they are refused by being the children of Haitian parents, by the color of their skin or because of their last name," said Brigitte Wooding of the Jacques Viau Network of Dominican-Haitian Encounter, which organized the event. "Without this document, these children cannot receive education or health services."

One after another, delegations of children and some adults, who had come by bus from bateys (worker communities) all over the country, testified to the abuse they have endured in the Dominican Republic. Their persecution includes beatings, rape, arbitrary and unjustified deportation, and being separated from their parents.

Although born and raised in the Dominican Republic, the children are not allowed to enjoy the privileges of Dominican citizenship. "We are abused by adults who yell at us and treat to us badly because they know that our papas are Haitian,"

said 7-year-old Jose Luis in perfect Spanish. He was born in Santiago, 100 miles north of Santo Domingo and has never visited Haiti.

"Why do you reject to me if I am Dominican like you?" asked the poster carried by one child. "We have a right to play," said another.

On the same day as the rally, police authorities announced that they had arrested four Dominicans for the May 9 murder of a Dominican merchant woman, Maritza Nuñez. The crime had previously been blamed on Haitians resulting in several lynchings and beatings of Haitians and Haitian-ancestry Dominicans and thousands of deportations.

"It seems like a miracle, that on this very day, the death of Maritza Nuñez is clarified, so that we know that it was not Haitians who assassinated her, although the thousands who were deported have already paid a price for that crime," said Sonia Pierre, director of the Movement of Dominican-Haitian Women (MUDHA).

The news was announced by Virgilio Almánzar, president of the Dominican Human Rights Committee (CDH), who explained that "it disproves all the offensive, degrading and cruel accusations of our famous 'nationalists,' who try to justify all the abuses committed against Haitians, because supposedly the murder had been committed by citizens of the neighboring country." Almánzar said that now Dominican authorities "no longer have any excuse to continue mistreating human beings in the name of a blessed nationalism that does not exist, because what they are is racist and anti-Haitian."

The four-hour event was held at "El Salón de Club San Carlos" in the Dominican capital. The Jacques Viau Network is made up of 16 Haitian and Dominican organizations including MUDHA, the Haitian Dominican Cultural Center (CCDH), the Socio-Cultural Movement of Haitian Workers (MOSCTHA), the Committee for the Defense of Haitian Immigrants (CODIHA), the Dominican Institute for Community Aid (IDAC), and several religious groups.

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## **As Gousse Resigns: Demand Justice for Political Prisoner Jacques Mathelier**

*Every Tuesday, the Institute for Justice and Democracy in Haiti (IJDH) sends out an email suggesting how people can spend a "Half Hour for Haiti." The campaign usually involves sending a letter or making a phone call to an elected official, embassy, or U.N. occupation authority. Below we present this week's campaign, launched on the heels of the de facto Justice Minister's resignation. It was written by IJDH's director Brian Concannon Jr..*

A week ago today, Bernard Gousse, Haiti's Minister of Justice, resigned. Gousse has been the strongest single force behind the persecution of political prisoners in Haiti. He personally (and illegally) countermanded release orders by judges and even his own prosecutors. He personally led at least one midnight illegal arrest (for much more information, see [www.ijdh.org](http://www.ijdh.org)).

Gousse's departure is a good sign in two ways. First, it is a sign that our advocacy is working: most media reports and commentators on the resignation attributed it to the international pressure on Gousse, especially in the Neptune case. Second, it is a sign of hope that political prisoners may be released. But the hope will not automatically transform into reality: the people who placed Gousse in his position and supported him for a year are still there, as is the apparatus of torture and persecution that he oversaw. So after a quick pat on our backs, we need to get back to work.

We'll start with Jacques Mathelier, one of the easiest cases. Mathelier, the former Delegué (the local representative of the Executive Branch) of the South Department was arrested a year ago this Sunday (June 26), on charges that he encouraged violence, arson and an attempted assassination. But the Interim

Government of Haiti (IGH) has produced no evidence of Mathelier's guilt. A judge in Les Cayes noted the absence of evidence against Mathelier, last July 12, and provided the prosecutor a chance to respond with evidence. The IGH responded by transferring Mathelier out of that judge's jurisdiction, to the National Penitentiary in Port-au-Prince. He now lies in legal limbo: the IGH will neither pursue the case against him nor allow him access to a judge.

Despite the injustices he has suffered, Mathelier demonstrated enormous faith in the ideal of justice: he escaped with hundreds of other prisoners during a prison break on Feb. 19, but four days later, when the prison appeared safe, he turned himself in.

Illegalities in Jacques Mathelier's case:

- 1) Arrested at night, when the Constitution prohibits arrests after 6 PM;
- 2) Not allowed before a judge for 16 days, when the Constitution requires a hearing to confirm all detentions within 48 hours;
- 3) Pre-trial investigation exceeded three month legal limit;
- 4) Not allowed access to a judge; and
- 5) No evidence in his file justifying his detention.

Other Injustices: Mathelier's house was burned down in March, 2004. His wife was threatened by the director of National Penitentiary for speaking out about the situation of political prisoners in Haiti. On one occasion, Mrs. Mathelier was assaulted by police or prison guards at the National Penitentiary.

Action: Write to Gousse's successor as Minister of Justice, urge him or her to review the cases of all prisoners who were politically active, and to immediately release all of them who have been detained illegally, or against whom there is no evidence. Urge the Minister to immediately send Jacques Mathelier before the court in Les Cayes, and to respect that court's decision.

A sample letter is below, feel free to adapt it or to use your own language.  
English will do (all Haitian Ministers of Justice over the last decade have read English). French would be even better. Airmail postage for a letter from the U.S. to Haiti is 80 cents.

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Ministre de la Justice et de la Sécurité Publique  
Ministère de la Justice  
19 Avenue Charles Summer  
Port-au-Prince, Haïti

Monsieur/Madame le Ministre:

Congratulations on your nomination as Minister of Justice. I am writing to urge you to show your commitment to the rule of law in Haiti by immediately reviewing the files of all prisoners in Haiti who have been politically active in the past, and to ensure that all of them who are not legally charged, with evidence in their files, are immediately released.

I would like to draw your particular attention to the case of Jacques Mathelier, the former Delegué of the South Department. He was arrested a year ago, on June 26, 2004. Although the charges against him are serious, they are not justified by any evidence presented to the court. In fact, during a hearing on July 12, 2004, the judge in Les Cayes found no evidence to justify Mathelier's detention. Two days later, Mathelier was transferred to the National Penitentiary, where he remains.

Jacques Mathelier left the Penitentiary during the prison break on February 19, 2004. But he showed his faith in the justice system by voluntarily returning four days later. I urge you to show the same faith in justice by ensuring that Mathelier is immediately brought before the court in Les Cayes, and released unless there is strong evidence of his guilt in his case file.

I thank you in advance for your consideration.

Very truly yours,

*For more information about the Half Hour For Haiti program or human rights in Haiti, see [www.ijdh.org](http://www.ijdh.org).*