

CLOSING STATEMENT

Ladies and Gentlemen of the Commission,

Lysias Fleury has been the victim of torture and abuse by the Haitian National Police and sustained permanent injury to his body. He has also been abandoned by the government of his own country, as they have failed to take measures to protect his life. Worse, because his torturers are free to intimidate and harass him and he has been forced into hiding, away from his wife and three young children, he has been forced to look over his shoulder to see if he was being followed, only to find out that in fact, he was sometimes under surveillance by his assailants or their agents. When the lives of human rights defenders are at risk, they should be protected by professionals trained in security, intelligence, and human rights. Instead, the Haitian government suggested protection from the organization responsible for his torture and even told Mr. Fleury not to leave the house after dark.

Mr. Fleury always remembers the demise of other human rights defenders, like Lovinsky Pierre Antoine, who disappeared in August of last year, and Frantzo Joseph, who has been forced into hiding, or Bruner Esterne, who was murdered in 2005 and whose killers still walk free to terrorize the Haitian population. The police have been able to pursue Mr. Fleury unimpeded by the government of Haiti, which has shown little concern for his plight.

Mr. Fleury has exhausted every internal remedy available to him, by documenting his illegal arrest and torture and filing a criminal complaint. He has continuously followed up with various administrators and government delegations to seek justice. His last recourse was to file a petition with this Commission, putting his faith in you to address these grievances.

We respectfully request the Commission to find that the State of Haiti has violated Mr. Fleury's rights under the following Articles set forth in the American Convention: Article 5 - the right to be free of torture and inhuman treatment; Article 7 – the right to personal liberty; Article 11 - the right to privacy; Article 8 – his right to a fair trial,; and Article 25 – the right to judicial protection. Finally, we ask the Commission to find that the State of Haiti has failed to ensure the protection of its citizens and to guarantee the full enjoyment of their rights under Article 1.

We ask the Commission to issue binding orders on the State to act upon these violations by investigating this crime and punishing those responsible, which would help to end the climate of impunity. We ask also that the Commission issue binding orders on the State to make appropriate reparations to Mr. Fleury and his family. The time is ripe for action. Mr. Fleury's case presents an opportunity for the State to make a concrete and lasting impact on the advancement of human rights for Haitian citizens.

Thank you.