

HUMAN RIGHTS WATCH

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October 25, 2012

H. E. Laurent Salvador Lamothe
Prime Minister of the Republic of Haiti
Primature d'Haïti
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Dear Prime Minister Lamothe,

We write to you today to share our concern regarding the safety of several Haitian human rights defenders who have received death threats in recent weeks, as well as the allegation by a former prosecutor that they may have been targeted for arbitrary arrest by the Ministry of Justice.

As you are aware, Human Rights Watch is an international human rights organization committed to accurate fact-finding and impartial reporting of pressing human rights concerns around the world. We have worked in Haiti to address the issue of impunity for grave human rights abuses and to promote the rights of women and girls in Haiti. We have been encouraged by several steps that Haiti has taken recently, including the creation of the Delegate to the Prime Minister on Human Rights and Extreme Poverty and the ratification of the International Covenant on Economic, Social and Cultural Rights.

Nonetheless, we are very concerned about the situation of human rights defenders in the country, including, in particular, lawyers Mario Joseph, Newton St. Juste, and André Michel. Maître Joseph has recently brought cases on behalf of victims against Jean-Claude Duvalier, against the UN for the introduction of cholera, and has represented victims in recent rape cases. Maître St. Juste and Maître Michel have filed criminal corruption complaints against members of President Martelly's family.

Both Maître Joseph and Maître St. Juste have reported receiving numerous death threats over the phone from unidentified callers in the last several months. Maître St. Juste told Human Rights Watch that his family members have also received threats. Human Rights Watch has seen threatening graffiti outside Maître Joseph's office, the Bureau des Avocats Internationaux, as well as similar graffiti outside other human rights nongovernmental organizations.

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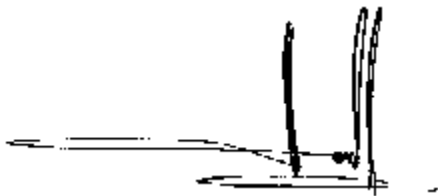
In addition to these threats, we are very concerned by the allegation made by the former Chief Prosecutor of Port-au-Prince, Jean Renel Senatus, who told the Miami Herald that he had been removed from office by Minister of Justice Jean Renel Sanon for allegedly refusing to execute 36 arrest warrants against government opponents, including warrants for lawyers Maîtres Joseph, St. Juste, and Michel. If true, this allegation would represent a serious abuse of authority, and would jeopardize the rights not only of these lawyers, but also of the clients whom they represent.

The Inter-American Commission on Human Rights has made clear the importance of creating an enabling environment for human rights defenders, regardless of their political affiliation, to conduct their work. Moreover, Haiti should act in accordance with the UN Principles on the Role of Lawyers to ensure that lawyers are able to perform their duties “without intimidation, hindrance, harassment, or improper interference,” and that they do not “suffer, or be threatened with, prosecution of administrative, economic, or other sanctions for any action taken in accordance with recognized professional duties, standards, and ethics.”

We therefore urge you to take all necessary steps to ensure the safety of these three lawyers—as well as other human rights defenders in Haiti—to continue their work, and to ensure that there are prompt, thorough, and impartial investigations into any complaints filed by defenders regarding threats or intimidation.

We thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Vivanco', with a horizontal line underneath.

José Miguel Vivanco
Americas Division Executive Director
Human Rights Watch

CC:

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