



Institute for Justice & Democracy in Haiti *Bureau des Avocats Internationaux*

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Court's order that Jean-Claude Duvalier appear in court is another victory for the victims

The Bureau des Avocats Internationaux (BAI), in its mission to defend Haiti's poor and the inalienable rights inherent to all human beings, considers the appellate court's reiteration on February 7, 2013, of the summons to Jean-Claude Duvalier to personally appear in court another victory for his victims.

Additionally, this was the first time that the Court recognized Jean-Claude Duvalier's status as the accused, so his personnel appearance at a hear set for February 21, 2013, will be required or he risks arrest. According to lawyer Mario Joseph of the *Bureau des Avocats Internationaux*, one of the victim's lawyers, "the Court's order is also a victory for the victims claiming civil damages because the Court also confirmed our standing as civil claimants despite efforts from the lawyers for the accused to derail the process. Their strategy was to block Duvalier from appearing before the court to be questioned."

The lawyers note that this victory comes in the midst of a very difficult context for a fair hearing. Haiti's President, Michel Martelly, has publicly supported Mr. Duvalier, and his top officials include many children of top Duvalier regime officials. The Martelly government's largest supporters, especially the United States, France and MINUSTAH, have declined to publicly recognize the Haitian government's international law obligation to pursue the crimes against humanity claims against Mr. Duvalier.

According to Brian Concannon of the Institute for Justice & Democracy in Haiti, "every human rights organization that has addressed the issue - from the [UN High Commissioner for Human Rights](#) and the [Inter-American Commission on Human Rights](#), to [Amnesty International](#), [Human Rights Watch](#) and the [FIDH](#) - has concluded that Duvalier's victims should get their day in court. By refusing to speak up in favor of financial accountability and against political violence, the Martelly regime's supporters are placing friendship over the long-term stability and prosperity of Haiti. It is especially disappointing that the current U.S. State Department, which boasts some of the world's top human rights lawyers and speaks out boldly for human rights elsewhere, is letting Duvalier's victims down."