
HASTINGS HUMAN RIGHTS PROJECT
FOR HAITI

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**LAW STUDENTS AND ATTORNEYS LODGE COMPLAINT WITH
INTERNATIONAL COMMISSION ON BEHALF OF FORMER HAITIAN PRIME
MINISTER**

Yvon Neptune held in prison without charges since June 2004.

San Francisco, CA: April 19, 2005. Law students at the University of California, Hastings, along with Haitian and U.S. attorneys will file a petition tomorrow (April 20) with the Inter-American Commission on Human Rights (IACHR) on behalf of Haiti's former Prime Minister Yvon Neptune. Haiti's political situation has been unstable since the February, 2004 coup in which President Jean-Bertrand Aristide was ousted. Yvon Neptune, who was Haiti's last Constitutionally appointed Prime Minister, has been illegally imprisoned since June 2004. Mr. Neptune has yet to see a judge in his case, despite a Constitutional bar against holding detainees longer than 48 hours without judicial approval.

"Mr. Neptune's continued detention has placed his life in substantial danger," explains Hastings law student Kate Orlovsky. "He has survived at least two assassination attempts, as well as a prison massacre and a prison breakout since his arrest." The former prime minister began a hunger strike on February 11, 2005 to protest his indefinite detention and prison conditions, which has left him hospitalized.

At the invitation of the Government of Haiti, the IACHR is conducting an on-site visit to Haiti from April 18-22, 2005 to observe the human rights situation. The IACHR is charged by the Organization of American States (OAS) to examine and report on human rights in the western hemisphere. The Commission investigates claims of human rights violations, makes recommendations to governments, and refers cases to the Inter-American Court of Human Rights. The law students' petition requests immediate action on the part of the Commission to prevent further endangerment of Mr. Neptune's life. In addition to calling for the former Prime Minister's immediate release from arbitrary detention, the petition will ask for international oversight and supervision of Haitian prisons in order to improve their dismal conditions.

"Prime Minister Yvon Neptune should be released immediately," Rep. Maxine Waters, D-CA, demanded. "He has committed no crime and the flimsy allegations against him are simply an attempt to remove Prime Minister Neptune from the possibility of being considered for the presidency. The jailing and the killing of Lavalas members is a tactic used by the illegitimate government to keep Lavalas members from running for office in November. If we wish to see legitimate democracy in Haiti we must insure that the members of Lavalas, including Prime Minister Neptune, are able to participate fully and without compromise."

“The situation of Prime Minister Neptune is nothing short of a travesty of justice,” emphasized Bill Fletcher, Jr., President of the TransAfrica Forum. “The coup that overthrew the duly elected President of Haiti—Jean-Bertrand Aristide—has been followed by nothing short of lawlessness. The imprisonment of Prime Minister Neptune without charge, along with other political prisoners, has illustrated the climate of revenge and intimidation that has existed since the coup. There is no evidence that the so-called interim government has any intention of giving Prime Minister Neptune the proper justice, even if it were capable of meeting out justice. With armed thugs roaming the country much like barbaric hordes, thugs that the interim government clearly cannot control, there is no basis to believe that Prime Minister Neptune can be judged competently or fairly. He should be released immediately.”

The petition will be filed by the Hastings Human Rights Project for Haiti (HHRPH) in conjunction with attorneys from the Institute for Justice and Democracy in Haiti (IJDH) and Bureau des Avocats Internationaux. (BAI).

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For additional information or a copy of the petition, please visit IJDH.org, HastingsHumanRights.org or contact:

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Notes to the editor:

Hastings Human Rights Project for Haiti (HHRPH) was created in 2004 by students and faculty at the University of California, Hastings College of the Law to provide students with practical experience in human rights litigation. First, second, and third year law students work with human rights attorneys and Hastings faculty advisors to bring human rights cases before international courts.

The Institute for Justice & Democracy in Haiti (IJDH) works with the people of Haiti in their non-violent struggle for the return and consolidation of constitutional democracy, justice and human rights, by distributing objective information on human rights conditions in Haiti, pursuing legal cases, and cooperating with human rights and solidarity groups in Haiti and abroad.

The Bureau des Avocats Internationaux (BAI) represents victims of human rights violations in Haitian courts. The BAI's most successful case to date is the 2002 trial of the Raboteau massacre, which led to the convictions of fifty-three men, including the top military and paramilitary leaders of the 1991-1994 dictatorship. BAI was founded in 1995 and has its main office in Port-au-Prince, Haiti.