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Human Rights Groups Denounce Illegal Arrest of Haitian Lawyer André Michel

(PORT-AU-PRINCE October 24, 2013)— Two human rights groups—the *Bureau des Avocats Internationaux* (BAI) in Haiti and the U.S.-based Institute for Justice & Democracy in Haiti (IJDH)—condemned Tuesday night’s arrest of Haitian lawyer André Michel as unlawful and politically-motivated. Mario Joseph, managing lawyer with the BAI, was in court with André Michel on Wednesday as one of his lawyers. According to Joseph, “the police detained Attorney André Michel after 6 p.m. and without a valid warrant, which blatantly violates Article 24 of Haiti’s Constitution.”

Attorney Joseph says, “an arrest warrant was issued against Attorney André earlier this year, but was invalid because it was issued without notifying the Haitian bar association, which is required for any criminal charges filed against a lawyer. This same arrest warrant was used by Judge Lamarre Belizaire on Wednesday to justify Attorney André’s arrest, even though the warrant’s validity is still on appeal and Judge Belizaire has been recused in this case pending appeal.” Joseph added, “The court planned this judicial subterfuge to persecute a political opponent.”

Attorney Michel’s arrest is the latest in an escalating series of attacks by the Martelly Administration against lawyers and judges who challenge the government’s impunity through the justice system. Last October, the Inter-American Commission on Human Rights (IACHR) sent an [inquiry](#) to the Haitian government about protection measures for Attorney Michel in light of security and arrest threats he was receiving in relation for a corruption case he filed against President Martelly’s wife and son. Other attacks:

- Attorney Patrice Florvilus [requested protection from the IACHR](#) last month for threats and a criminal summons for crimes he did not commit in retaliation for his legal representation of police brutality victims.
- In July 2013, [Judge Jean Serge Joseph](#), who presided over the corruption case filed by Attorney Michel against the President’s family, died under suspicious circumstances two days after he reported being threatened by top officials, including President Michel Martelly.
- Last October, the IACHR awarded [precautionary measures](#) “to guarantee the life and physical integrity” of Attorney Joseph in response to a report by a former prosecutor that current Minister of Justice Jean Renel Sanon ordered his unlawful arrest and the closure of the BAI.

Attorney Joseph is concerned that “justice is not free from political control by the Martelly government. Anything can happen to us now.”