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The BAI Denounces the Appointment of an Ex-Torturer of the Bloody Coup d'Etat of 30 September 1991 to the So-Called High Command of the Haitian Armed Forces

Port-au-Prince, March 19, 2018 - The *Bureau des Avocats Internationaux* (BAI), in its primary mission to defend the inalienable, indefeasible, and inherent human rights of those most defenseless and, in particular, of victims of state-sponsored terrorism, victims of cholera brought by the United Nations' Stabilization Mission in Haiti (MINUSTAH), children fathered and then abandoned by U.N. peacekeeping troops, women and girls victimized by rape, sexual assault and other unlawful actions, takes note of the nominations to the so-called high command of the Armed Forces of Haiti (des Forces Armées d'Haïti, FAD'H) by the Moïse/Lafontant Administration, as indicated in the Ministry of Defense press release dated Tuesday, March 13, 2018, which reads:

1. Lieutenant General Jodel LESAGE, FAD'H : Interim Commander-in-Chief
2. Brigadier General Sadrac SAINTIL, FAD'H : General Chief of Staff
3. Colonel Jonas JEAN, FAD'H : Inspector General
4. Colonel Jean Robert GABRIEL, FAD'H : Assistant Chief of Staff G1/G3
5. Colonel Derby GUERRIER, FAD'H : Assistant Chief of Staff G2/G4
6. Colonel Joseph Jacques THOMAS, FAD'H : Secretary to the General Chief of Staff
7. Colonel Fontane BEAUBIEN, FAD'H : Member of the personnel Staff of the Commander-in-Chief.

BAI is not surprised that, in disregard of the rights of the numerous innocent victims of the bloody coup d'état of September 30, 1991, Mr. Jovenel Moïse assumed the responsibility of naming a « haut Etat-Major » composed of individuals with a sulfurous history, including Colonel Jean Robert Gabriel, army torturer, convicted *in absentia* at the Raboteau massacre trial in Gonaïves on November 16, 2000. The Moïse/Lafontant Administration and, in particular, the so-called Minister of Defense, Mr. Hervé Denis, cannot claim ignorance of the judgment and sentencing *in absentia* of Colonel Jean Robert Gabriel since the judgment was published in the official journal of the Republic, namely in the Thursday, November 23, 2000, 155th year, number 92, issue.

Beyond the issue of justice, the Moïse/Lafontant Administration displays its solidarity with the criminal Colonel Gabriel even though, as a result of his conviction *in absentia*, Colonel Gabriel lost his civil and political rights (article 364 of the Criminal Code annotated by Jean Vandal).

BAI notes that, in accordance with article 372 of the Criminal Code annotated by Jean Vandal, an individual convicted *in absentia* does not have the right to legal recourse: "*judicial review will not be granted for judgments in absentia except by the Minister of Justice and civil party.*"

This nomination confirms once again that the Haitian Armed Forces, remobilized under the direction of the Tet Kale party, are indeed a militia whose hidden agenda is to have the Haitian people relive the darkest hours of the bloody Duvalier dictatorship:

1. Illegal arrests;
2. Arbitrary detention;
3. Torture of prisoners;
4. Forced disappearance of citizens;
5. State-sanctioned killings;
6. Mass exile.

BAI reminds the public of the fact that the Alexandre/Latortue Administration (2004/2006), in a gesture of respect for the rule of law, had required the chief executive torturer of the revolutionary army (Front Révolutionnaire Armé pour le Progrès d'Haiti ci-devant Front pour l'Avancement et le Progrès Haïtien, FRAPH), Louis Jodel CHAMBLAIN, to surrender himself to the authorities before being judged by a "Port-au-Prince Tribunal" assembled for the sake of the cause.

BAI underscores that those convicted *in absentia* in the Raboteau massacre were ordered to pay damages JOINTLY AND SEVERALLY in the amount of one billion Haitian gourdes (\$15,420,000 USD) to the victims of the aforementioned massacre.

BAI considers that the Moïse/Lafontant Administration is obliged to bring this criminal colonel to justice so that he can answer for his actions, even if only to hide the colonel's desire to resume military barbarism and show disdain for the legitimate rights of the Haitian people, especially the rights of the victims of the coup d'état of September 30, 1991.

BAI condemns this exercise of brutality in the streets by the Haitian armed forces against innocent and unarmed people and the return to the barbaric use of weapons to impose silence upon the population, thus imperiling our obligation to remember the past and erasing the country's recent history.

BAI denounces this macoutized army as well as the establishment of this military staff composed of experts in the use of outrageous brutality against the rights of the Haitian people, their interests, and their progress.

BAI, therefore, calls on the public to remain vigilant and to take up their destiny as free men and women, working toward peace, security, progress, and development.

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