

BUREAU DES AVOCATS INTERNATIONAUX¹
3, 2ème rue Lavaud
B.P. 19048
Port-au-Prince, Haïti
Tel: +5092943-2106/ 07
Email: avokahaiti@aol.com

The year two thousand twenty,third..... of July;

Upon the request of Sirs and Madams Joseph Charles Eddy, Jean Marie Guerda, Walson Elismé, Jean Robens, Jolis Auguste, Mirlène Longchamp, Hilioda Longchamp, James Alfred, Calixte Chéry, Frédéric Robenson, Aufrance Chéry, Charités Cadet, Désir Fritz, Pierre Antoine Ligondé, Marie Jeanne Jean, Guerrier Delva, Charles Auguste Dervil, Eligène Elismé, Ramong Jean Louis, Morency Michel, François Sanon, Philogène Gédéon, all owners residing and domiciled in Gonaïves, identified respectively by the following numbers, 05-01-99-1957-05-00002; 05-99-99-19570100097; 05-01-99-1983-08-000; 05-01-99-1980-1200-236; 10-55-96-85-79; 05-01-197502-00-151; 05-01-99-1977-12.-0-227; 05-01-99-1988-06-00-160; 00-5.420-15-0; 05-01-99-1984-11-00017; 09-09-99-1960-10-00006; 09-10.99-1967-07-00105; 05-04-99-1963-07-00111; 05-01-99-1966-03-00001; 001-326-303-3; 006-516-864-7; 006-516-877-4; 006-516-863-0; 006-230-288-7; 003-753-250-4; 006-516-938-2; 006-516-867-8; 006-516-870-5; represented by attorneys Mario JOSEPH, Joseph Manès LOUIS, Venel VITAL, Wanique Junior UMÈNE, Gladys Thermezi SAUVEUR, Montus JOACHIN, Marie Kattia DORESTANT, Ricardo DUTREIUL, Caslé JOSEPH, Kenny BEAUBRUN, Chadony CANON et Donald VALCIN, of the Bars of Port-au-Prince and Croix-des-Bouquets, with the last two apprentices under the Bar Associations of Petit Goâve and Mirebalais, duly identified, licensed, and taxed by, respectively, Nos. 003-129-800-7, 187-014-0, 187-0302-27; 003-409-928-0, 10007011548, 2911081161; 004-432-983-3, 3807023203, 8081; 009-047-978-2; 008-775-283-2, 5907017325, 5907017334-6; 003-574-071-9; 002-472-805-4; 004-458-928-2; 004-222-675-9; 004-520-291-1; 007-162-148-0 I-2756840, A-

¹ Translator's note: BUREAU DES AVOCATS INTERNATIONAUX (BAI), translating directly to OFFICE OF INTERNATIONAL LAWYERS, is a Haitian-based law firm defending the rights of the most marginalized, representing them in claims related to the inalienable, inherent, imprescriptible rights of the human person, such as the rights to health and education, and the right to be free of serious human rights violations, such as State terrorism, cholera imported by the United Nations Stabilization Mission in Haiti (MINUSTAH), women and girls victims of rape and sexual assault, and other abuses of law.

050631, 50179-0, 08958-YY and 004-675-072-3, with choice of residence at *Bureau des Avocats Internationaux* (BAI) located at #3, 2ème Impasse Lavaud (Lalue), Port-au-Prince, Haiti, and no. 63 de la ruelle Camayol, Raboteau, Gonaïves;

I,, the undersigned, Bailiff of the Court of First Instance of Port-au-Prince, residing and domiciled in this city, identified by No.:..... stated, said, declared, and MADE KNOWN:

1- Mr. Jovenel MOÏSE, owner, residing and domiciled in Port-au-Prince, in his elected place of residence at the National Palace located at Avenue de la République, Port-au-Prince, where being and speaking to who declared to be the employee responsible for receiving the legal documents, who received my copy and signed my original, and so declared

2- Mr. Joseph JOUTHE, *de facto* Prime Minister, owner, residing and domiciled in Port-au-Prince, in his elected place of residence at the Prime Minister's office located at # 33, Boulevard Harry Truman, where being and speaking to who declared to be the employee responsible for receiving the legal documents who received my copy and signed my original, and so declared

3- Mr. Jean Walnard DORNEVAL, *de facto* Minister of Defense, owner, residing and domiciled in Port-au-Prince, in his elected place of residence at the Ministry of Defense, located at the corner of rue de la République and rue Géffard, where being and speaking to who declared to be the employee responsible for receiving the legal documents who received my copy and signed my original, and so declared

That the *Bureau des Avocats Internationaux* (BAI), legal representative of victims and civil parties in the Raboteau Massacre Trial, has learned that the convicted Jean Robert GABRIEL has been appointed assistant chief of staff G1/G3, following a press release signed by the former Minister of Defense Mr. Hervé DENIS dated March 13, 2018.

That on November 16, 2000, the Criminal Court of Gonaïves within the framework of the massacre of Raboteau delivered in a public hearing and in its criminal attributions, the judgment whose content follows:

On these grounds:

The Court, in the Prosecutor's Charge in conformance with the Department of the Public Prosecutor.

1st - Sentences: Raoul Cédras, Philippe Biamby, Karl Dorélien, Jean Claude Duperval Hébert Valmond, Martial Romulus, Frantz Douby, Ernst Prud'Homme, Jean Robert GABRIEL, Joseph Michel Francois, Bellony Groshommes, Reynald Timo, Estimé Estimable, Anatin O. Voltaire, Michel-Ange Ménard, Luc Roger Asmath, Ledix Dessources, Walner Phanord, Madsen Saint-Val Roméus Walmyr, Tony Fleurival, Carlo Noé alias Tiblanc, Pierre Piloge Oriol, Emmanuel Constant, Louis Jodel Chamblain, Armand Sajous also known as Ti-Armand, Wilbert Morisseau, the individual known as Brutus, the individual known as Chéry, the individual known as Koukou, the individual known as Ti Sonson, Pierre Paul Camille, Pierre André Présumé, the individual known as Douze, Raphaël Camille, the individual known as Achou, and Jacob Jean Paul to penal servitude for life.

2nd - Orders them to pay jointly and severally ONE (1) BILLION GOURDES to the victims of the Raboteau Massacre.

3rd - Further orders them to pay fines and costs to the State.

4th - States that the property of the Accused, Sentenced *in absentia*, from the date of the Rendering of the Judgement, shall be considered to be the property of the absentees, and from that date on shall be sequestered and the account of the sequestered goods shall be handed over to the victims and the Haitian State.

5th - States that the judgement shall be rendered at the behest of the Commissioner of the Government.

So rendered by Us, Napela Saintil, Esq., Doyen of the Criminal Court sitting without the Jury, in the presence of the Public Prosecutor's Office as represented by attorneys Frénot Cajuste, Rocky Pierre and Louiselmé Joseph, respectively, Commissioner and Assistant Public Prosecutors of the Commissioner of the Government of his jurisdiction, of the plaintiff claiming damages represented by Atty. Mario Joseph and Atty. Duclas Marcelin, and with the assistance of Citizen RAOUL JACQUES, Clerk of the Court.

That according to the prescriptions of article 366 of the Code of Criminal Instruction Annotated by Jean VADAL, it is mentioned: **“The convicted, rebellious to the law, loses the enjoyment and the exercise of his civil and political rights.”**

Let no one pretend ignorance, a **photocopy of *Le Moniteur*** of Thursday, November 23, 2000, in 155th year number 92 is appended to this present.

That by appointing and causing the convicted Jean Robert Gabriel to sit in the so-called High Staff of the PHTK army is a violation of the Constitution and the laws of the Republic.

That Emmanuel Toto CONSTANT is not the only person sentenced to life imprisonment, the other people duly identified in the above-mentioned judgment continue to circulate in full view of the authorities (Bandi legal) in place, thus enjoying a centuries-old system of impunity.

That the BAI take this opportunity to bring to your attention that, with the exception of the convicted Toto CONSTANT, that no other convicted *in absentia* has been arrested and has not been made prisoner since November 16, 2000. That article 7 of the law on the judicial reform published in *Le Moniteur* of August 17, 1998, elaborated on the principles of the imprescriptibility of the crimes and misdemeanors committed during the period from September 30, 1991 to October 15, 1994. Especially since all the convicted have been sentenced to life.

And, in the same request, residence, domicile, team of lawyers, choice of residence, identity and other qualities as above, I, the aforementioned and undersigned bailiff, being and speaking as said, have made a **SUMMONS IN THE NAME OF THE LAW, JUSTICE AND THE REPUBLIC** to: **Mr. Jovenel MOÏSE, Mr. Joseph JOUTHE, Mr. Jean Walnard DORNEVAL:**

To, without delay, upon receipt of the present documents, take all the necessary measures in order to dismiss the convicted Jean Robert GABRIEL from his duties as assistant Chief of Staff G1/G3 in the so-called High Staff of the Forces Armies of Haiti (FAD'H) and to bring him before the Government Commissioner at the Court of First Instance of Gonaïves in order to do what is right.

Formally declaring that failing by **Messrs. Jovenel MOÏSE, Joseph JOUTHE and Jean Walnard DORNEVAL** to comply with this summons, a Petition will be filed before the Inter-American Commission on Human Rights (IACHR).

So that **Messrs. Jovenel MOÏSE, Joseph JOUTHE and Jean Walnard DORNEVAL** do not pretend a cause of ignorance, I, bailiff, aforesaid and undersigned, being and speaking as above, have left them a copy: **of the fact, of the summons, of *le Moniteur* and my present action** - of which the cost of is one thousand gourdes (1000 gdes), simple bailiff's fee. Affixed on both the original and the copy the special stamp "justice for all" required by law.

Bailiff