



Storybook reading to children in Haiti's tent camps



September 25, 2013

The Honorable Pamela White
United States Ambassador to Haiti
United States Embassy
Port-au-Prince, Haiti

Dear Madame Ambassador,

We, the undersigned organizations working for a sustainable and just recovery in Haiti, write to express our concern about escalating threats and intimidation targeting Attorney Patrice Florvilus and other human rights lawyers and defenders in Haiti. It is critical that the Haitian government act swiftly and decisively to stop these actions that undermine Haiti's democratic stability.

Attorney Florvilus is one of a number of Haitian human rights lawyers and defenders who have experienced recent threats and intimidation. Attorney Florvilus is the founder and executive director of

the Defenders of the Oppressed (DOP), which represents Haitians who are marginalized, poor and cannot afford to pay for legal representation. His clients include victims of ex-dictator Jean-Claude Duvalier; residents of displacement camps facing forced evictions; human rights defenders who report being unlawfully arrested; and victims of suspected police-executed extrajudicial killings.

As a result of his contributions as a human rights defender, Attorney Florvilus has been targeted by several individuals, including state agents, with illegal surveillance, death threats and frivolous criminal charges. In April 2013, Attorney Florvilus took a case concerning two young men who had been beaten and tortured by police. The men had been living in the displacement camp Acra Adoken, on land purportedly owned by ex-dictator Jean-Claude Duvalier, and had been protesting against an arson attack in the camp. One of the men was beaten so severely that he died in police custody within hours of his arrest, his body covered with bruises and wounds. The attack occurred just few days after Reynold Georges, the lawyer of both Duvalier and First Lady Sophia Martelly, had threatened the camp residents to “use all possible means to evict them.”

Since taking this case, Attorney Florvilus has received intimidation and police surveillance that has disrupted his personal and professional life, as well as placed him and his family in danger. He and his family have moved homes, he is being accompanied at all times by an American citizen for protection, and DOP staff is working under increased security measures. In May 2013, Amnesty International issued an [urgent action](#) expressing concern for his safety. Frontline Defenders issued an [alert](#) in August 2013.

In August 2013, Attorney Georges filed frivolous charges *against* Attorney Florvilus and the petitioners in the police brutality case, accusing them of arson at camp Acra Adoken and "association with wrongdoers" (conspiracy). After two court summons, Attorney Georges agreed to withdraw the charges. However, to date, the charges have not been dropped and the case against Attorney Florvilus remains open.

Attorney Florvilus joins other Haitian human rights lawyers and defenders who have experienced recent threats and intimidation. Mario Joseph from the *Bureau des Avocats Internationaux*, who represents victims in the prosecution of Duvalier, and André Michel and Newton St. Juste, who filed a corruption case against President Michel Martelly's family, have been targeted in a similar fashion. These threats prompted the involvement of the Inter-American Commission on Human Rights (IACHR), who, in October 2012, [urged](#) the Haitian government “to guarantee the life and physical integrity” of the three lawyers.

While the IACHR's order led to a subsidence in threats, the attorneys remain the subject of political intimidation. Recently, criminal charges were also filed against Attorney Michel for the murder of a man killed by the police in 2010, whose family Attorney Michel represents. As a consequence, a magistrate appeared at Attorney Michel's office without a prosecutor while police surrounded the building for hours. Attorney Michel escaped arrest for now. The charges came just at the time when the corruption case against President Michel Martelly's family was reaching a critical stage.

Lawyers are not the only human rights defenders targeted in Haiti. In August 2013, a group of men fired gunshots at 1:30 a.m. at the home of Malya Villard-Apollon, where she lives with her children. Apollon is the co-director of the Commission of Women Victims for Victims (KOFAVIV), a grassroots women's organization working to prevent and redress sexual assault. This attack is the latest in a series of escalating threats and acts of intimidation against Apollon and other members of KOFAVIV in retaliation for their work defending victims of sexual violence. Front Line Defenders issued an [alert](#) in August 2013.

Our collective investment in Haiti's reconstruction and development is in jeopardy without an independent justice system that protects human rights defenders like Apollon and Attorney Florvilus, and holds government actors accountable. The surveillance, threats and frivolous criminal charges against lawyers has created a climate of fear among lawyers, such that other lawyers and rights defenders hesitate to come to their defense and may be deterred from continuing their peaceful and legitimate efforts to promote human rights.

We therefore request that the United States government publicly express its support for human rights defenders and encourage the Government of Haiti to implement the following [recommendations](#) of Front Line Defenders:

1. Drop all charges against human rights defender Patrice Florvilus;
2. Carry out a thorough, impartial and immediate investigation into the incidents of harassment, threats and intimidation of Patrice Florvilus and other DOP staff members, make the findings of the investigation public, and, based upon such findings, hold the relevant parties accountable; and
3. Guarantee in all circumstances that all human rights defenders in Haiti are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.

Thank you for considering our urgent appeal. To discuss this further, please feel free to contact Ian Schwab from American Jewish World Service, ischwab@ajws.org, or Alexis Erkert from Other Worlds, alexis.otherworlds@gmail.com.

Sincerely,

American Jewish World Service
Amnesty International USA
Center for Gender and Refugee Studies
Church World Service
Conference of Major Superiors of Men
Gender Action
Haiti Support Group
Institute for Justice & Democracy in Haiti
Latin America Working Group
Li, Li, Li! Read
Mennonite Central Committee U.S.
Global Justice Clinic, NYU School of Law¹
Other Worlds
Quixote Center
Unitarian Universalist Service Committee
United Methodist General Board of Church and Society
University of Miami School of Law Human Rights Clinic

¹ This letter does not represent the institutional views of NYU School of Law.