

**BUREAU DES AVOCATS INTERNATIONAUX**

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Port-au-Prince, 06 May 2020

**Mr. Lucmane DELILE**  
**De facto Minister of Justice and of**  
**Public Security**  
**In his offices. -**

Mr. de facto Minister,

The *Bureau des Avocats Internationaux* (BAI), in its primary mission to defend the rights of the most disadvantaged – those rights of the human person that are inalienable, imprescriptible, and inherent, such as the rights to health and education, in particular those of the victims of state-sponsored violence, of cholera introduced by the United Nations Mission for Stabilization in Haiti (MINUSTAH), and of women and girl victims of rape, sexual assault, and other rights violations – writes in regards to credible information relating to a probable deportation to Haiti of the criminal Emmanuel Toto Constant, one of the material and/or intellectual authors of the Raboteau Massacre, by the U.S. federal government on May 11 of this year.

The BAI reminds you that Emmanuel Toto Constant is a criminal, tried and convicted in absentia by the Criminal Court of Gonaïves in the Raboteau Massacre trial on November 16, 2000, **as appears in a copy of the judgment published in "Le Moniteur dated November 23 2000."** Article 369 of the CIC is applicable and provides that **"the fugitive, rebellious to the law, loses the enjoyment and the exercise of his civil rights."** Upon returning, he must surrender to the authorities or be seized by law enforcement officials. For a criminal like Emmanuel Toto Constant, who fled to the United States to evade justice in the United States and in Haiti, it is imperative that he be seized by the police.

Concerned about the eventual return of the criminal Emmanuel Toto Constant, the BAI requests that the Ministry of Justice and Public Security instruct the Croix-des-Bouquets Government Commissioner to mobilize the judicial police to seize this most significant fugitive from the years 1990/2000 when he deplanes on the Toussaint Louverture Airport tarmac, and to deliver him to the Gonaïves courthouse, in accordance with the law.

The BAI further requests the Ministry of Justice and Public Security to instruct the Port-au-Prince Government Commissioner to order the judicial police to seize another former fugitive, who now takes up residence at the Ministry of Defense: Jean Robert Gabriel – a member of the so-called General Staff of the Armed Forces of Haiti (*FAD'H*), characterized by grassroots civil society as a “Rose” army in the service of the “legal Bandits” regime of the Haitian *Tèt Kale* Party (*PHTK*) of Mr. Jovenel MOISE – for the purpose of delivering him, too, to face justice in Gonaïves.

Mister de facto Minister, by acting as requested, you will avoid the dramatic, outrageous, disgusting, and baffling collapse of the Haitian judicial system at a time when gangs are redoubling their energies and defying both the laws and the authorities of the Republic.

Convinced of your favorable response to this request, the BAI conveys to you, Mr. de facto Minister, our genuine patriotic greetings.

For the BAI:

Mario JOSEPH, Attorney

Cc: Mr. Joseph JOUTHE, de facto Prime Minister of the Republic of Haiti

Mr. Renan HEDOUVILLE, Protector of the Citizen

Mr. James L. CAVALLARO, Inter-American Commission on Human Rights (IACHR).