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Alliance Strengthens Impunity

by LADB Staff

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[The following article by James Joseph is reprinted with the permission of Noticias Aliadas in Lima, Peru. It appeared in the Nov. 4, 2002, edition of Latinamerica Press.]

People walking by Martyr's Place on the anniversary of Haiti's 1991 coup were shocked by the sight. Standing shoulder to shoulder in the shadow of a monument honoring the 3,000 victims of the military government (1991-1994) were President Jean-Bertrand Aristide, who had been the coup's principal target, and Calixte Delatour, former legal adviser to Gen. Raoul Cedras and Police Chief Michel Francois, who engineered the military takeover. In a move emblematic of the impunity that has characterized the country since a US-led invasion returned Aristide to office in 1994, the president named Delatour as Haiti's new minister of justice on Sept. 30, the very anniversary of the coup.

Delatour replaces Jean-Baptiste Brown, who resigned in late September after only seven months in office, saying he did not receive support for the reforms he had planned. Brown had been conspicuously silent since the Aug. 3 Gonaives jailbreak of Aristide supporter Amiot Metayer. Although a warrant has been issued for his arrest, Metayer leader of the "Cannibal Army" (see NotiCen, 2002-10-03), a group of armed civilians that liberated 160 prisoners and set fire to a number of public buildings, including the courthouse gives interviews just a stone's throw from the Gonaives police headquarters.

A report by the Organization of American States (OAS) implicated Metayer in mob rampages and a lynching that targeted opposition parties after an attack last December on the National Palace, which the government claimed was a coup attempt. So far, none of those named in the report has been arrested. More recently, police arrested the leader of the National Coordination of Credit Union Victims, a group that has criticized the government's handling of the collapse of a pyramid scheme involving financial institutions.

On Sept. 23, armed civilians and a SWAT team searched the home of Rosemond Jean without the presence of a judge or other witnesses. Claiming they had found a grenade in the children's room, they took Jean away in handcuffs with a plastic sack over his head. He was charged with possession of illegal weapons and association with criminals. Human rights groups have protested the detention, and Jean has been on a hunger strike since Oct. 15. Brown resigned several days after Jean's arrest.

At an Oct. 18 sit-in at the Ministry of Justice, representatives of human rights organizations called for an end to state-sanctioned impunity. Holding posters saying "Enough is enough!" and "We won't accept any more gags!" they demanded Jean's release. Located not far from the National Palace, Martyr's Place is also close to the former army headquarters. As adviser to the military regime, Delatour used to shuttle between the two buildings.

"I call Delatour a "palace musician," since he has been in every government, including the Duvalier dictatorship regimes," said Pierre Esperance, director of the National Coalition for Haitian Rights (NCHR) and a leader of the Platform of Haitian Human Rights Organizations (POHDH) in Port-au-Prince. "The nomination of Delatour encourages impunity. It is a deception for victims of the coup d'etat and anyone working for a state of law in Haiti." Delatour takes office at a moment when the judicial system and National Police have been discredited in the eyes of Haitian and international observers.

Esperance and another POHDH officer, Maxime Rony, flew to Washington on Oct. 16 to meet with the Inter-American Commission on Human Rights (IACHR). "The country is in danger of returning to the dark times of systematic human rights violations if the government does not change its current policy of impunity," they told the commission. "Threats, illegal and arbitrary arrests, arbitrary detentions, summary executions, disappearances and police brutality are everyday events." Freedom of the press is also at risk.

In September, one journalist fled the country and three radio stations closed their newsrooms for a day after repeated threats. Investigations into the murders of two journalists, Jean Dominique on April 3, 2000, and Brignol Lindor on Dec. 3, 2001, are stalled. The NCHR has accused Petite Goave assistant mayor Dumay Bony and other officials of Aristide's Lavalas party for Lindor's death. Human rights defenders call a recent judicial report, which cleared the officials, a whitewash.

Instead of combating threats to freedom of speech, Aristide whom the French-based Reporters without Borders named a "predator of press freedom" earlier this year has fanned the flames. "In 1991, they used big guns for their death campaign, but today they are carrying out a campaign of denigration and disinformation against Haiti. When they plot and lie to make people think there is no freedom of the press, that is a prolongation of the 1991 coup d'etat!" Aristide said of his opponents at a mass meeting of Lavalas party members in late September.

"This government is not interested in justice," said the Rev. Jan Hanssens, director of the Catholic Church's National Justice and Peace Commission. The commission, which is also a member of the POHDH, is working on a judicial-reform project. Its research has found the Haitian judicial system to be arbitrary, exclusive, excessively formal and bureaucratic. "We need to work for a reform from below, a reform where the principal actors are the people," Hanssens said.

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