

Helping Fund & Run the Illegal Regime's Legal System

By Stuart Neatby

Canada has a dominant role within the UN's prison and judiciary branches. As UN Human Rights Commissioner Thierry Faggart said:

"Canadians in particular are very involved in the prisons area. At the [UN Development Program] UNDP and the MINUSTAH [UN Military force in Haiti], the guys who are in charge are all Canadians."

Much of the funding for UNDP and MINUSTAH correctional and judicial programs comes from the Canadian International Development Agency.

Given its lead role in overseeing the international community's training in prisons, its authority over UNPOL [UN Police] training and vetting of Haitian police, and its lead role in providing so-called "democracy-promotion" assistance to civil society organizations aligned with Haiti's elite, the Canadian government bears much responsibility for the state of impunity that prevails over Haiti's judicial and prison systems. Sadly, such efforts fall within the pattern of Canada's unquestioning support of Haiti's interim government, as well as its military support for the U.S.-orchestrated removal of elected President Aristide in 2004.

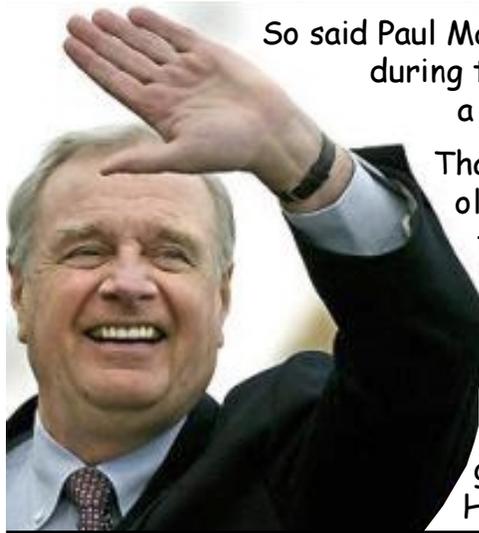
The international community has buttressed Haiti's illegal, post-coup government, regardless of the consequences upon such stated goals as "good governance" and "judicial reform." Since the removal of the elected government in 2004, the international community's partners in "reform" have continuously violated Haiti's constitution. By relying solely on civil society organizations rooted in Haiti's elite, the UN, and particularly Canada, have helped ensure that the justice system operated as a tool to suppress and imprison Haiti's poor majority. Both Canada and the UN seem bent upon aiding efforts such groups to dominate Haiti's judiciary This is sure to undercut Rene Preval's elected government.

Source: "The Politics of Finger Wagging: Canada, the UN and 'Judicial Reform' in Haiti," *ZNet*, April 19, 2006. <www.zmag.org>

After Aristide was kidnapped and a foreign-backed regime was imposed upon Haiti, the Canadian government—particularly the Canadian International Development Agency—gave tremendous financial and administrative support to Haiti's judicial and correctional institutions. Canada's assistance was instrumental in allowing Haiti's coup regime to use its so-called "justice system" to maintain a tight grip on power by arbitrarily arresting, and imprisoning without charge, hundreds of political opponents who supported Haiti's constitution and its duly-elected, but deposed, government.

"There are no political prisoners in Haiti."

So said Paul Martin, in November 2004, during the first visit to Haiti by a Canadian Prime Minister.



That same month, the Catholic Church's Commission for Justice and Peace said Haiti had over 700 political prisoners, including deposed cabinet ministers from Aristide's duly-elected government, and a former Haitian prime minister.

On October 13, 2004, masked and heavily-armed police handcuffed Rev. Gérard Jean-Juste, and dragged him through a window of his church to the police station. They did not show a warrant or bring him before a judge within 48 hours, as the law requires.

Jean-Juste spent a quarter-century preaching non-violence and fighting illegal arrests and other injustice in Haiti and the U.S. During Haiti's nine years of elected government (1994-2004), he worked with victims of previous dictatorships to channel their anger into lawsuits. From the pulpit and his popular radio show, he spoke out eloquently against all kinds of violence.

He continued to stand for justice after the unconstitutional, interim regime replaced Haiti's elected government in February 2004.

The police registered his crime as "disturbing the peace." It carries a maximum four-day prison sentence and a 50-cent fine. He joined a long line of political prisoners arrested since the

coup, including former Prime Minister Yvon Neptune, Senator Yvon Feuillé, former Deputy Rudy Hérivaux, a teacher, two musicians, nine union leaders and a host of former officials.

Since taking power, after the ouster of Haiti's elected government in 2004, the interim government and its paramilitary allies have systematically attacked Haiti's democracy movement, especially Aristide's Lavalas party. Over 700 political prisoners too poor to be noticed by the outside world rot anonymously behind bars, according to the Catholic Church's Justice and Peace Commission. Well over 1,000 peace democracy supporters have been killed.

Source: Brian Concannon, Jr., "Haitian Government Mounts Illegal Arrests of Priest and Dissidents," International Relations Center, Nov. 17, 2004.

Update: Jean-Juste was released after seven weeks, but was imprisoned again between July 2005 and Jan. 2006. This prevented his becoming a presidential candidate for Aristide's Lavalas Party.

CIDA-Appointed and -Paid, Deputy Justice Minister

Haiti's Deputy Minister of Justice—under Haiti's illegal, coup government (2004-2006) was—Philippe Vixamar. He was appointed to this post by Canada's International Development Agency (CIDA). CIDA also paid his salary. In November 2004, Vixamar was interviewed when the University of Miami's School of Law conducted a human rights investigation in Haiti. Here is a summary of their report:

U.S./Canada Connections

Vixamar revealed that the U.S. and Canadian governments play key roles in the justice system in Haiti, including paying high-level government officials. He denied that there are human rights and constitutional abuses within the criminal justice system. This is a summary of the interview.

Vixamar said he is a political appointee of the Latortue administration, but that CIDA assigned him to this position and is his direct employer. Now in his fourth consecutive year of employment for CIDA, Vixamar had previously worked for USAID for 10 years and was with the U.S. Department of Justice for three years.

Vixamar confirmed that Gousse had been employed by the International Federation of Election Systems (see page 37) from 2002 until his appointment in March 2004, after the ouster of Aristide. Gousse had replaced Vixamar at USAID in the 1990s.

Vixamar explained that the Ministry of Justice is currently being advised by the U.S.-based National Democratic Institute whose objective is “to work with local groups throughout Haiti and create liaisons with the Political Section at the U.S. Embassy.”

Arrests, Detention and Due Process

As to the current rash of warrantless arrests and reports that hundreds of prisoners have not appeared before a judge, Vixamar said “prosecutors and magistrates are frequently too afraid to come to work,” and that “all prisoners in Haiti are seeing magistrates.”

Vixamar denied that there were any political prisoners in Haiti. He said that the Ministry of Justice is fully con-

fidant in its exclusive reliance on the National Coalition for Haitian Rights (NCHR) to alert it when the police or the courts commit human rights abuses. [Editor's Note: The NCHR fabricated stories of abuse by Aristide's government and completely ignored the flagrant human rights abuses by the coup regime against Aristide supporters. It received at least \$100,000 from CIDA.]

Investigators asked about three Lavalas party parliamentarians who had recently been arrested without warrants while speaking at a radio station, two of whom were then in jail. Vixamar claimed that because they were *en flagrante delicto* [caught in the act of committing an offence], warrants weren't required. Asked what crime they were committing, Vixamar stated, “weapons were found in their car.” (However, on December 23, these three MPs were released for lack of evidence and no weapons charges were pursued. Witnesses at the radio station said that the guns that were found by the police had arrived in a government car, after the police had surrounded the station.)

Asked why the police do not arrest former soldiers, who openly carry large firearms at their Pétionville base [in the wealthiest part of town] and while driving through the city to “operations,” Vixamar responded: “It is MINUSTAH's problem that these gun owners are not arrested.”

Investigators asked about Father Gérard Jean-Juste who, at the time of the interview, remained in jail after a

warrantless arrest and had just been named a “prisoner of conscience” by Amnesty International. Vixamar's only comment was that Jean-Juste “was providing asylum to ‘chimères.’” [*Chimère* is a derisive, derogatory term used by wealthy elites and the media to refer to Haiti's poor and unemployed. It has now become synonymous with both “gangster” and “Aristide-supporter.”]

Media

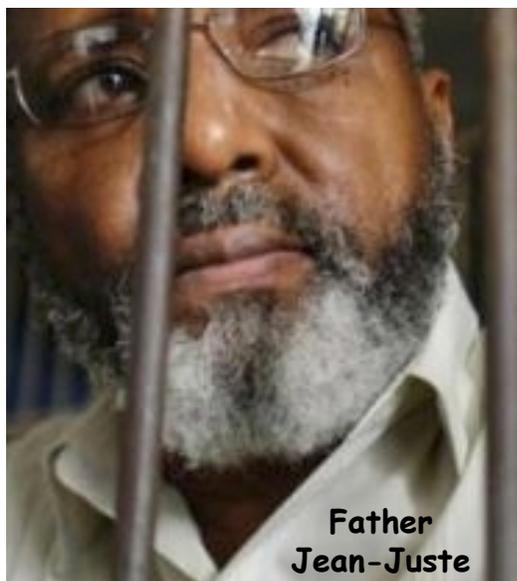
Vixamar said that he gets his news exclusively from radio station VISION 2000, which is widely known as anti-Aristide and is part of the Group of 184. Vixamar did not deny VISION 2000 is a pro-government station, and said “I have no time to listen to other stations.” [VISION 2000 is owned by Haiti's Boulos family. See pages 47-49.]

Source: Thomas M. Griffin, Haiti Human Rights Investigation, November 11-21, 2004, Center for the Study of Human Rights, University of Miami School of Law <www.ijdh.org>

Vixamar's Replacement

Haiti's Deputy Justice Minister Vixamar remained on CIDA's payroll throughout the summer of 2005. He was then replaced by long-time CIDA employee Dilia Lemaire.

Source: Stuart Neatby, “The Politics of Finger Wagging,” *ZNet*, April 19, 2006.



Father Jean-Juste

When nonviolent activist, Father Jean-Juste, was arrested without warrant, Amnesty named him a “prisoner of conscience.” However, Philippe Vixamar, the CIDA-appointed and CIDA-paid Deputy Minister of Justice in Haiti's coup regime, justified the arrest saying Jean-Juste was harbouring ‘chimères’ (the elite's slang term for gangsters and Aristide supporters).