

**National Human Rights Defense Network
(RNDDH)**

**Report of the investigation on the punitive
expedition by the PNH in Martissant on the 31st
of July 2012**

August 2012

Introduction

On the 31st of July 2012, in retaliation to an attack against a police patrol, a repressive squad of the Haitian National Police (PNH) intervened in the *Martissant* area, in particular in *Nan Beny* and at *Ti Bwa*.

Alarmed by the witnesses' testimonies of the intervention, the *National Human Rights Defense Network* (RNDDH), conducted an investigation and would like to share its conclusions with all those interested in the matter.

Background Information

On the 31st of July 2012, at around 8 :00am, a PNH patrol coming from the *Grand Ravine* Police Station was attacked by an armed group of unidentified people while it was making a final security check in the *Nan Beny* area. During the attack, two PNH agents were injured, namely Réginald MACÉNAT and Yves ALTÉMA, who are given the codenames A₁ and A₃ respectively and are assigned to the *Grand Ravine* Police Station.

The attack took the PNH agents completely by surprise, considering that residents were still in the area, going about their own business. However, according to several accounts of the local population heard during the investigation, the police returned fire on the individuals before retreating.

Facts

After the attack, the police requested reinforcements. Agents of the *Departmental Unit for Maintenance of Order* (UDMO), being transported by five PNH vehicles with license plates 1-457; 1-159; 1-257; 1-132 et 1-497, promptly arrived at the scene.

All of the agents had bulletproof vests on over their uniforms, which prevented the residents from registering their numbers. In addition, PNH members claim that the police agents were accompanied by civilians, including one civilian called Vicky, who is a MINUSTAH informant.

All the people that were in the way of the police were blindly hit with batons, people that lived in the area and passers-by alike.

Report of the investigation on the punitive expedition by the PNH in Martissant on the 31st of July 2012

The street merchants' stalls were thrown upside down. Car windscreens of stationary vehicles were smashed. In addition, armed with natural gas cylinders and lighters, PNH agents set several houses ablaze.

The toll of this punitive intervention was heavy:

- *Two* residents were injured by the bullets, namely d'Etienne Manove, who was shot on his right arm, and Ernso who was shot in his hip. The residents, live in ***Nan Beny*** and ***Ti Bois*** respectively.
- *Seven* motorcycles were set ablaze, of which *six* in ***Ti Bwa*** and *one* in ***Nan Beny***;
- *Two* motorcycles were run over in ***Nan Beny***
- The windscreens of *four* stationary vehicles were smashed;
- *Fifteen* houses were set on fire, of which *seven* in ***Nan Beny*** and eight others in ***Ti Bwa***. Those fifteen buildings housed at least twenty different households.
- Some businesses were burned down.

According to the victims, some houses were searched before they were set on fire and some money, constituting the entire savings of some households, was taken by the PNH agents. Victims lost their official papers, as well as all their personal belongings, in the fires.

It is important to note that the victims are owners or tenants of one or two rooms in a house, which are often located in one communal area without walls to separate them. This is the underlying reason that several houses were burned down.

Here is an incomplete list of the victims:

1. Macilon EDOUARD
2. Jean CHÉRY
3. Guerline INASSADE
4. François SYLVAINCE

Report of the investigation on the punitive expedition by the PNH in Martissant on the 31st of July 2012

5. Roddy EDMORIN
6. Gelène JEUDY
7. Marie Alice PAULIEN
8. Luckner THAM
9. Junior VANÈS
10. Rosier SIDOUIN
11. Ronald LESSAGE

After this forceful intervention, the PNH carried out three arrests. The detained consist of:

1. Gersineau CALANGE
2. Michelet ainsi connu
3. Vladimir MIDI aka *Mito*.

The first were released the same day, while the third, Mr. Vladimir MIDI having been arrested on the 11th of August 2012 by the Government Commissioner to the Court of First Instance in *Port-au-Prince*, Joseph Elysée JEAN LOUIS, was then transferred to the Civil prison in *Port-au-Prince*, on the 12th of August 2012 and registered as number PNH-12-08-052. He is accused of '*Conspiracy and armed attack against two police officers*'.

Comments and Recommendations

RNDDH strongly condemns the blind and forceful intervention made by the PNH agents belonging to the Grand Ravine Police Station. In their actions, they demonstrated a severe lack of professionalism in the performance of their duties. Indeed, the PNH shouldn't take a part in carrying out any punitive action. On the contrary, it should carry out a role of approaching the population, gaining their trust, and then arrest those breaking the law, including armed individuals and criminals while respecting rules and police ethic in interventions. By doing this, the PNH will succeed in effectively protecting and serving while ensuring life and safety.

Report of the investigation on the punitive expedition by the PNH in Martissant on the 31st of July 2012

The MINUSTAH forces remained passive and they assisted the expedition. However, during their response mission to help the local population to extinguish the fire, they incriminated the actions of PNH agents, calling them evil. This attitude of false empathy, unworthy of a UN force that has been asked to support a national institution, can only result in the victims resenting the PNH agents even more because it demonstrates to them that the foreign military, in this case the MINUSTAH, are more compassionate with them than the PNH, their own countrymen.

The *Haut Martissant* area is deemed a dangerous area by the Haitian authorities, where armed individuals tend to hide. However, in no way can interventions such as this that involves acts of theft, arson, reprisals or looting be supported by the Haitian society. On the contrary, all measures must be taken by the authorities to regain control of the country's security situation by finding and disarming armed groups and by bringing them to the judiciary authorities so they can be brought to proper justice for their alleged acts.

The Inspector-General of the *Haitian National Police* seems to want this incident to pass in silence. However, the local victims as well as RNDDH claim that the armed individuals should be placed under arrest and tried for the attempted murder of police agents Réginald MACÉNAT and Yves ALTÉMA. Similarly, an investigation should be carried out concerning the thoughtless and punitive intervention carried out on the 31st of July 2012, in order to hold all of those responsible for physical aggression, pillaging and arson against the local population in *Nan Beny* and *Ti Bwa* to justice – be they PNH agents or armed civilians.

In sight of everything mentioned above, RNDDH offers the following recommendations to all police and judicial authorities:

- Regain control of all the areas in the country that have been deemed dangerous;
- Carry out an arrest of all armed individuals that currently control the Martissant area;
- Carry out an investigation on the thoughtless and forceful intervention carried out on the 31st of July 2012;
- Hold all implicated PNH agents responsible for partaking in the intervention mentioned above.

Report of the investigation on the punitive expedition by the PNH in Martissant on the 31st of July 2012

Report of the investigation on the punitive expedition by the PNH in Martissant on the 31st of July 2012