

Port-au-Prince, February 7, 2020

Mr Jean Michel Lapin
President of the Superior Council
Of the National Police (CSPN)
In his offices. –

Open Letter

Mr President of the CSPN,

The National Network for the Defense of Human Rights (RNDDH), particularly concerned about the various security problems experienced in the country in recent months, Is eager to address this communication to you in order to invite you to take all necessary steps to improve the situation.

1. On the upsurge in kidnapping cases followed by sequestration for ransom

Since the end of 2019, the Haitian population is witnessing the resurgence of kidnapping cases followed by sequestration for ransom. Women and businessmen, schoolchildren, professionals, pastors and priests, as well as other members of society, are kidnapped every day. While some were released after their loved ones paid out, large amounts of money required, others were still murdered.

In addition to the kidnappings themselves, what worries the population is the ease with which armed bandits operate, without even worrying about hiding their firearms, proving that the control of the territory has completely escaped the state authorities.

Mr President of the CSPN,

It is surely your many occupations that make you deaf to the cries of alarm caused by the population and relayed by several media of the capital which have, with great detail, reported some cases of kidnapping, in their news broadcasts.

The Central Directorate of the Judicial Police (DCPJ) met on the issue, was not able to share with the RNDDH the number of victims of kidnapping registered since January 2020 but, she admitted that this has increased exponentially and that many victims have been sequestered in God's Village and Grand-ravine.

The latest media interventions of the PNH on February 6, 2020, refuting the figures that had been communicated by the police institution itself, relating to abduction cases and minimizing complaints from victims, arguing that these are false abductions - for which people are demanding certificates of complaints for nefarious purposes - are not likely to reassure the public. On the contrary, these interventions demonstrate the level of irresponsibility of the police institution, which seems to be more

interested in informing on cases that are not proven rather than looking for the culprits of the many cases perpetrated and dismantling armed gangs.

There is no need to tell you that the Haitian population believes that the National Police of Haiti (PNH) is overwhelmed by the events. This is one of the reasons why many parents and family members of victims have chosen to negotiate directly with their loved ones rather than relying on the police institution.

2. On generalized insecurity

Throughout 2019, the security situation in the country was of great concern. At least four hundred and seventy-eight (478) cases of violent deaths were recorded. Forty-five (45) PNH officers, have been murdered, a number never reached since the creation of the police force.

The month of January 2020 has already announced the colours. Thirty-two (32) cases of violent deaths have been recorded. Four (4) PNH officers and several children were among the victims. This information was collected by the National Episcopal Commission for Justice and Peace (CE-JILAP) and the RNDDH.

People are being killed in broad daylight across the country. Vehicles are being hijacked. Women are being gang raped. Those who object to the attacks are simply executed.

The majority of these cases are perpetrated by armed individuals on motorcycles or cars with tinted windows, without license plates for which no harmonization or control effort has ever been made by the police authorities.

And, every time insecurity reaches a high peak, promises to equip the police institution with operating equipment are made, to remain only dead letters.

Mr President of the CSPN,

The gangsterization of the country and the state has never been so blatant. Armed gangs have never been more powerful in their arrogance, because of their ability to mourn the defenceless. The many bloody events recorded in 2019 in deprived neighborhoods of the capital and some provincial cities, have indelibly marked memories.

However, when the RNDDH had drawn the attention of the authorities to the regular feeding of armed gangs with weapons and ammunition, to the weakening of the police institution, under-equipped and poorly managed as well as to the boulevard represented by the border points, the country's ports and airports, no serious investigation has been opened.

3. On the management of prisons across the country

There are all kinds of difficulties in prisons across the country. The officers assigned to it, as well as the incarcerated persons, themselves subjected to acts of torture and cruel, inhuman and degrading treatment, are not safe. The RNDDH wants for proof the various mutinies recorded during the last months where several officers were taken hostage and/or assaulted by inmates who were trying to escape and the collective rape of women incarcerated in the Civil Prison of Gonaïves, perpetrated by detainees on the night of 7 to 8 of November 2019.

However, at the civil prison of Port-au-Prince, the situation worsens every day.

As you may have heard, on January 28, 2020, an attempted escape was recorded in this prison, a few days after the circulation on social networks, of persistent rumors of attacks against the prison center by armed bandits.

According to information collected by the RNDDH, that day, around twelve (12) hours, Emmanuel Lavoile and Kenny Georges two (2) detainees, had already left the detention space and are progressing towards the exit barrier when one of the officers of the Directorate of the Penitentiary Administration (DAP) inquired with them about their destination. In response, Emmanuel Lavoile held up his firearm and fired at the officer. If the blows did not go away, that did not stop him from holding the officers in compliance, under the threat of his gun.

At least four (4) detainees are involved in the organization of this escape attempt. They are:

1. Kenny Georges, imprisoned on November 10, 2011 at the Port-au-Prince Civil Prison. On September 13, 2013, he was auditioned for armed robbery and illegal possession of a firearm. Since then, he has been returned to prison;
2. Richard Joseph, imprisoned on January 10, 2017 for murder, attempted murder, conspiracy to commit crimes. He was heard by the public prosecutor at the Court of First Instance of Port-au-Prince on March 6, 2017. Since then, he has been returned to prison;
3. Emmanuel Lavoile, arrested on November 20, 2017 for murder, attempted murder and death threat. He was extracted on 5 March 5, 2018 by investigating judge Paul Pierre. On June 22, 2018, a removal order was issued against him;
4. Garry Antoine, arrested on May 17, 2019 for murder, attempted armed robbery, fire and illegal possession of a firearm.

Emmanuel Lavoile was injured on the finger during this escape attempt. He was pointing his gun at the officer who was stationed at the lookout when he was shot.

Three (3) 3-80, 9-millimeter and 38 respectively firearms were subsequently seized by the DAP. Stabbings as well as several mobile phones, including smartphones, were found in the possession of detainees.

At approximately fourteen (14) hours, the officers regained control of the prison and managed to the best of their ability to prevent the inmates from escaping. However, if Emmanuel Lavoile and Kenny Georges had received support during the commission of their plan, the situation would have worsened, because the officers are under-equipped and in insufficient numbers.

The RNDDH does not give you details of the actual number of officers assigned to the Civil Prison of Port-au-Prince, but nevertheless draws your attention to the fact that they should have been three hundred and fifty nine (359), that is to say one (1) officer for ten (10) inmates.

Mr President of the CSPN,

The Minister of Justice and Public Safety, also a member of the Council that you chair, has already shown that the government's policy on justice constitutes in the weakening of the judiciary and in the acceleration of the dysfunction of the judiciary: interference in the ongoing files intervention to release

foreigners found on Haitian soil with weapons of war in their possession, pressure for the renewal of the mandates of magistrates, increase to 75% of the number of detainees awaiting trial, amorphous and totally obliterated ministry in the face of a president of the Republic who considers himself very powerful ... No affront has been spared to the Haitian judicial system since Jovenel Moïse came to power.

If he, as Minister of Justice and Public Safety, does not feel concerned by the issue, the RNDDH believes, however, that the multiplicity of cases of mutiny and attempted escape should alarm you. On the one hand, the access of prisoners to prohibited tools in the detention space is facilitated by DAP officers. On the other hand, problems of overcrowded cells, galley, scratches, all other contagious diseases raging in prison and the tragedy of illegal and arbitrary preventive detention – another issue that does not concern the Minister of Justice and Public Safety - In addition, the State is unable to provide prisoners with food.

In fact, since 2019, the detainees are systematically starving by the administration of Jovenel Moïse. The daily food ration is drastically reduced, food stocks are replenished at the whim of the authorities concerned and condiment costs are not distributed to prison officials.

In the civil prison of Port-au-Prince, it is day by day that the cargo of food is delivered. The uncertainty surrounding this probable daily distribution creates palpable tension both among the officials in charge of this prison and among the officers assigned to it. For example, on February 4, 2020, in the presence of a delegation from the RNDDH, the food of the day arrived at 11:30 in the morning, for the preparation of a single meal.

This new form of bad management of prisons also affects those located in provincial cities, whose leaders are burdened with debts contracted to feed their prison population, having themselves refused to starve prisoners-until death ensues.

Mr President of the CSPN,

The fact that you are the head of a resignation government does not in any way absolve you of your duties to secure the national territory and to manage the country's detention centers, in compliance with the Internal Regulations of Penitentiary Institutions.

In this regard, the RNDDH recommends that you strengthen the DCPJ's Anti-Removal Cell and demand immediate and probative results from recorded cases, require your administration to provide the PNH's agents with the proper means of operation, to demand effective bodies for this purpose, the effective protection and control of ports, airports and borders in order to curb the smuggling and entry of weapons and ammunition into the national territory and to provide sufficient means to the DAP in with a view to regularly feeding inmates.

Hoping that this communication will take you into account the extent of the catastrophic situation facing the country's citizens, the RNDDH congratulates you, **Mr. President of the CSPN**, on his patriotic greetings.

Pierre ESPERANCE
Executive Director