



**Respect for the Rule of Law in Haiti:
Literature and Data Review**

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I. Summary of Key Findings

- There is consensus on the need for code reform, measures to guarantee judicial independence, increased material and financial resources within the judicial systems, initial and permanent training, increased collaboration among judicial functionaries, and more alternatives to formal courts.
- There is too much overlap between judicial functionaries, but recommended reforms differ. The National Truth and Justice Commission (CNVJ) focuses on reducing the powers of the prosecutor, whereas the United Nations-Organization of American States International Civilian Mission in Haiti (MICIVIH) and the Ministry of Justice (MOJ) focus on eliminating the investigative responsibilities of the investigating judges.
- Views on preventive detention vary. The CNVJ and MOJ are concerned about prolonged preventive detention and recommend measures to speed investigations and trials. These recommendations do not specifically aim to reduce the use of preventive detention, rather they aim to regulate it better. More concerned about its use, MICIVIH recommends stricter measures and increased use of alternatives.
- All are in favor of prosecuting human rights crimes committed under the military de facto regime, but it varies in importance. Human Rights Watch emphasizes the human rights violations and the lack of action on prosecuting the perpetrators, whereas MICIVIH and the MOJ appear to be more concerned about the continuing problems in the judicial system.

II. Introduction

Haiti's experience with democratically-elected governments is very recent. President Jean-Bertrand Aristide was elected president of Haiti in 1990, but was ousted in a military coup d'état less than a year later. The military ruled Haiti for the next four years, stepping down only after the United States launched a military invasion. A peaceful transfer of power from one elected head of state to another occurred in 1995.

Haiti's experience with legal and judicial systems is even weaker. Though the 1987 constitution provides for separation of power between the executive, the parliament, and the judiciary, Haiti's judiciary is not independent from the executive branch. During the military de facto regime, the judiciary became in some cases a tool of military repression and, in other cases, turned a blind eye to military abuses. Overcoming a long legacy of repression presents one of the greatest challenges facing Haiti.

USAID/Haiti has been active in the democracy sector, particularly the administration of justice. The purpose of this study is to review the numerous documents and data compiled by Haitian organizations, the Ministry of Justice (MOJ), international human rights

organizations, and USAID's implementing partners. The report is organized in two parts: a literature review and a data review. The literature review analyzes recommendations for justice sector reform, and identifies broad areas of consensus as well as areas of divergence. The data review summarizes the data that has been collected by USAID-funded implementing partners, identifying gaps and other issues that the assessment team should examine.

III. Literature review

A. Description of the literature consulted

A variety of documents exist that recommend justice sector reforms Haiti. This section analyzes reports from the National Truth and Justice Commission, the United Nations-Organization of American States International Civilian Mission in Haiti, the Ministry of Justice, and U.S. human rights organizations. Brief descriptions of the reports follow.

Si M Pa Rele. The National Truth and Justice Commission (CNVJ) was convened in 1994 to hear testimony on the human rights violations of the military de facto regime that lasted from September 29, 1991 to October 14, 1994. Most of the report is an annex that enumerates these violations, naming names where victims knew their assailant.¹ The MOJ has not made this portion available to the public. Given the narrow purposes of this literature review, it was necessary to analyze only the section of the report that has conclusions and recommendations.

The CNVJ report is extremely important for two reasons. First, it provides the broadest and most comprehensive examination of respect for human rights and justice sector institutions in Haiti. It addresses varied areas such as reparations for victims of the human rights violations under the military de facto regime, the need to prosecute those crimes, the problem of political rape and sexual violence against women, the functioning of judicial sector institutions, and legal and code reform. Second, it was compiled by a non-governmental Haitian commission, giving it greater legitimacy. Interviews with a range of USAID staff and implementing partners suggests that it has a great deal of credibility in the Haitian human rights and justice community.

MICIVIH. The United Nations-Organization of American States International Civilian Mission in Haiti (MICIVIH) prepared a report on justice sector reform stemming from its mandate to observe respect for human rights in Haiti and contribute to its institutional reinforcement.² The report focuses on the malfunctioning penal system, the problem of detention, and the problems of the functioning of the administration of justice. It concludes

¹*Si M Pa Rele: 29 Septembre 1991-14 Octobre 1994.* Port-au-Prince, Haiti: Commission Nationale de Verité et de Justice, 1995.

²*Le Systeme Judiciaire en Haiti: Analyse des Aspects Penaux et de Procedure Penal.* Port-au-Prince, Haiti: Mission Civile Internationale en Haiti, OEA/ONU, May 1996.

by making recommendations. It overlaps with the CNVJ, but does not cover the full range of issues covered by CNVJ. Some of its recommendations are far more specific than those in the CNVJ report. Though the CNVJ may not specifically mention some of these issues, neither do they contravene the spirit of what the CNVJ recommends. Consequently, the two reports are complementary.

Xaragua retreat and follow-up reports. On April 26-28, 1996, the Ministry of Justice (MOJ) held a retreat at the Xaragua hotel to discuss and make recommendations for justice sector reform.³ The MOJ issued a retreat report, not disseminated to the public at large. This report may be seen as the MOJ justice sector reform plan of action, particularly when examining follow-up documents that specifically list short-, medium-, and long-term priorities. It appears to adopt wholesale some CNVJ recommendations, but in some cases it only mentions the CNVJ recommendation, and does not specifically agree or disagree. It articulates the problem, and lists solutions proposed in *textes préparatoires* (assumed to be MOJ retreat briefing papers), solutions proposed in the retreat, and solutions proposed by the CNVJ. Often times the report makes a blanket statement, "develop a timetable for follow-up on the actions discussed in this report," without specifying which set. At one point, it appears to support all the CNVJ recommendations, even though it only mentions some of them specifically. Finally, it is more detailed than the CNVJ report because it carries many of the ideas a step further.

The Xaragua report discusses at length the problems in the prisons and problems with the police, issues that the CNVJ does not examine as closely. There are two possible explanations for this. First, the National Prison Authority (APENA) was newly constituted at the time the CNVJ was writing its report. Second, the police was also newly constituted and it is possible that some of the problems that the MOJ observed had not yet appeared in a systematic fashion.

U.S. Human Rights Organizations. In 1990, the Lawyer's Committee for Human Rights issued a lengthy review on the problems facing the judicial sector in Haiti.⁴ It addressed failure of the justice system to safeguard human rights, the military perversion of the police's power to arrest, human rights abuses during detention, military domination of investigations, and the consequential breakdown of rule of law. Though the military no longer exists, the report nonetheless provides an excellent insight into how the judicial system is supposed to function in Haiti, and why it does not. Many of its conclusions are still relevant.

³*Éléments d'Orientation pour une Réforme de la Justice en Haïti.* Document de consultation découlant de la "Retraite de travail et de réflexion" tenue à l'Hôtel le Xaragua les 26-28 avril 1996. Port-au-Prince, Haiti: République d'Haïti, Ministère de la Justice et de la Sécurité Publique, 1996.

⁴*Paper Laws, Steel Bayonets: Breakdown of the Rule of Law in Haiti.* New York: Lawyers Committee for Human Rights, November 1990.

Human Rights Watch issued in September 1996 a ten year retrospective on human rights in Haiti.⁵ It examines the problems and progress since the fall from power of Jean-Claude Duvalier. Military governments acted with impunity, and while the Aristide and Preval governments state a desire to reestablish justice, it argues that little concrete progress has been made. Consequently, a historic opportunity is being lost. It further emphasizes accounting for the human rights crimes of the military de facto regime, and U.S. policy concerning the US retention of FRAPH documents and the release and non-deportation of its former leader, Emmanuel Constant.

B. Broad Areas of Consensus

These reports have different purposes, but areas of agreement are visible. The most overlap is between the MOJ reports and the CNVJ. The CNVJ contains some 100 recommendations. The MOJ Xaragua retreat report specifically mentions 38 of these recommendations, and appears to be in agreement with them. The Xaragua report further calls for implementing all of the CNVJ recommendations.

Code reform. There is consensus on the need for code reform. Codes and laws need to be modified to conform to international standards and to the 1987 constitution. Modernizing and updating codes and laws will require a profound transformation in the administration of justice, and the criminal sector is seen as a top priority. Both the CNVJ report and the Xaragua report offer examples, including abolishing imprisonment as a sentence for non-payment of debts, amending the penal code to make it conform to international treaties already ratified by the Government of Haiti (GOH), and adopting other international treaties. The CNVJ argues that code reform should address both substantive and procedure changes: crimes against humanity, criminalization of forced disappearances, presumption of innocence, limited detention powers, more strict requirements for warrants for investigating judges, and legislation on torture and execution.

Judicial independence. There is consensus on the need for measures that will effectively guarantee judicial independence. One problem is that the 1987 constitution does not provide for judicial tenure, making judges susceptible to political and other pressures.⁶ The CNVJ and the MOJ are in agreement that judicial tenure needs to be incorporated into the constitution. The CNVJ calls for a 7 year, non-renewable term for justices of the peace, and longer terms for all other judges. The MOJ Xaragua report adopts these recommendations wholesale, and further suggests amending the constitution to formally

⁵*Thirst for Justice: A Decade of Impunity in Haiti.* Washington, DC: Human Rights Watch/Americas, September 1996.

⁶For more detail, see Levy, Irwin, Madeleine Crohn, and Joan Flocks. *Final Report on the Support for the Justice Sector, Administration of Justice Situational Review.* Submitted to USAID/Haiti. Arlington, VA: Datex, Inc., July 21, 1993.

declare that the President of the Supreme Court heads the judiciary. The MOJ notes that, in the interim, parliament could pass a law with such a provision.

Material and financial resources. All reports agreed that the judicial sector as a whole needs more material and financial resources. Courtrooms and prosecutors' offices have limited chairs and tables, records and archives, equipment, and access to legal documents. Despite improvements made in the past year, prisons also lack material resources. Salaries for judicial personnel remain low, and the potential for corruption is high. To supplement their income, judges frequently teach, the only other source of income the constitution permits them to have.⁷ In 1993, a USAID-funded assessment made the following conclusion:

The justice "system" appears to be characterized by corruption and by incompetence, delays, and in some cases absenteeism. "Courts are now run like small businesses" we were told. In other words, justice is for sale. When parties (or at least one of the parties) have money, their case, whether civil or criminal, takes precedence.⁸

There is also a lack of balance in the salaries of judicial functionaries. For example, police make more than judges, detracting from the notion that judges are at the pinnacle of power in the judicial system. Judges received a salary increase,⁹ but salaries remained below those of the Haitian police and salaries for court clerks did not change. Because clerks legally collect fees for filing documents, obtaining copies of reports, etc., they have greater opportunity to engage in rent-seeking behavior.¹⁰

Training. All reports agreed that more training for judicial sector personnel is needed, particularly for police, judges, and prosecutors. For example, judges receive no training after law school. The CNVJ argued for both initial training to quickly provide judicial personnel with more information, and the development of permanent, mandatory training for personnel. The Xaragua and MICIVIH reports add to this list training for prison personnel and court clerks.

Improved collaboration among judicial functionaries. At the same time that judicial functionaries are separate, they need to work together for the system to function effectively. MICIVIH goes into great detail on this subject, citing the following areas of concern:

⁷Op cit. MICIVIH, *Le Systeme Judiciare en Haiti*.

⁸Op cit. Levy, *Final Report*, p. 11.

⁹Op cit. Human Rights Watch/Americas, *Thirst for Justice*.

¹⁰Op cit. MICIVIH, *Le Systeme Judiciare en Haiti*; and Levy, *Final Report*.

- Prosecutors and justices of the peace. Periodic activity reports are not written, as the August 1995 presidential decree stipulates. In certain cases, more regular supervision from the prosecutor would help to curtail abuses committed by certain justices of the peace. In other cases, increased collaboration would help to overcome the difficulties associated with justices' geographic isolation.
- Judges of the Court of First Instance and the prosecutor's office. Collaboration does not occur despite their physical proximity.
- Judicial authorities and the police. Their lack of collaboration make it unlikely that police will challenge, for example, warrants improperly prepared by judges.
- Judicial authorities and APENA. Article 447 of the Criminal Procedure Code stipulates that prosecutors, justices of the peace, and investigating judges must visit the prison at least once per month. Such visits do not happen and would present an ideal opportunity for collaboration.

In Jacmel, MICIVIH concluded that the lack of collaboration was just as much a barrier to the effective administration of justice as the lack of training and material resources.¹¹ Consequently, it undertook to break down the barriers of communication between prison officials, judges, and the prosecutor and begin to resolve issues of concern. The MOJ concurs that the different judicial functionaries need to work together better, and recommends that it, APENA, the police, and the prosecutors find ways to report to each other on activities and bottlenecks. The CNVJ does not specifically address this issue, but it does not contravene the spirit of the CNVJ's set of recommendations.

Alternatives to courts and imprisonment. The CNVJ, MICIVIH, and the MOJ are in agreement that alternatives to the courts need to be used. The CNVJ suggests, for example, using courts comprised of 1 judge and 2 non-jurists to bring justice closer to the community. MICIVIH suggests working with sociologists and ethnologists to define infractions and determine penalties that conform to social demands and do not require imprisonment. The MOJ notes that existing laws offer few options other than incarceration. It recommends studying the use of customary law to better respond to specific needs of rural and urban communities. None of the reports place a great deal of emphasis on alternatives to the formal court system, compared to the other recommendations, but it did emerge as a commonality.

C. Areas of Divergence

Delineation of roles and responsibilities. The judicial system functions in any country because the relevant actors all have their role to play. They contribute to the meting out of

¹¹Hacopian, Paula. *Institutional Cooperation Project: Description, Progress Report and Recommendations.* Port-au-Prince, Haiti: International Civilian Mission in Haiti, OAS/UN, April 17, 1996.

justice by doing the job given to them under the constitution, the law, or administrative authority. The system works most efficiently when there is a rough balance of power among them, preventing one group from abusing its authority. MICIVIH, the MOJ, the CNVJ, and the Lawyers Committee agree that there is overlap between different organs of the judicial system, but their recommendations tend to differ. The CNVJ emphasizes the multiple roles of the prosecutor, whereas the MOJ and MICIVIH are more concerned with the multiple roles of judges, particularly investigating judges.

The CNVJ makes several very specific recommendations concerning specific entities within the judicial sector. Concerning prosecutors, the report notes that they have multiple responsibilities, beyond prosecuting criminal cases. Prosecutors have the right to convene an assembly of judges to communicate to them their observations on the execution of laws and judgement. The report recommends that their load be lightened and their number be increased. Concerning the police, the report recommends that their role as auxiliaries of justice be reinforced. Further, the deployment of court police should be completed to increase security for judges.

MICIVIH does not make any of these specific recommendations, instead offering suggestions in other areas. First, the process should give a larger role to the defense lawyer in criminal procedure, particularly during the investigation phase. The constitution articulates the defendants right to have an attorney present while being questioned, yet most Haitians cannot afford legal representation. The absence of legal representation has allowed magistrates to act independently, by either denying lawyers access to interrogations or restricting their presence to providing moral support to the defendants. Many investigating judges view negatively attorneys' interventions and objections during interrogation, arguing that their presence prevent them from "arriving at the truth."¹²

MICIVIH, the MOJ, and the Lawyers Committee agree with the need to separate the functions of prosecution and judgement within the magistrature. The executive branch should be solely responsible for prosecution; the judicial branch, solely responsible for judgement. The Napoleonic code which governs Haiti gives investigating judges and prosecutors overlapping authority. Prosecutors are responsible for reviewing evidence and supervising its collection, and prepares a file with all evidence collected. If investigating judges agree with the prosecutors' recommendation, they have the power to indict and schedule a trial. They may also collect new evidence, require the prosecutor to do so, dismiss the case, or order a new investigation of a different suspect. In theory, they are supposed to have independent authority, but in reality "...judicial officials play an elaborate game of 'musical chairs' to avoid responsibility."¹³ MICIVIH echoes a similar sentiment, noting that, in cases of prolonged detention, prosecutors refuse to make a decision, arguing that the file is in the hands of the investigating judge.

¹²Ibid, p. 23.

¹³Op cit. *Paper Laws*. p. 152.

MICIVIH recommends that responsibility for investigating crimes be handled exclusively by the prosecutor's office, with assistance from the police. The extremely small number of investigating judges in the country causes enormous delays in investigating crimes, leading to prolonged preventive detention. Judges from the Court of the First Instance will frequently assist with investigations to speed the process, but MICIVIH notes that this can lead to an individual being both investigated and judged by the same person.¹⁴ The CNVJ is silent on the subject of the investigating judges.

Preventive Detention. Prolonged preventive detention is identified as an issue, but recommendations differ in how to address the problem. The CNVJ recommends establishing a computerized registry to track those in detention, to prevent them from getting lost in the system, and adopting the relevant international treaties concerning the rights of those in prison. The MOJ agrees with these solutions, and further suggests developing circulars over the short-term to better define preventive detention and categorize the detained. These recommendations do not specifically aim to reduce the use of preventive detention, rather to regulate it better. More concerned about the use of preventive detention, MICIVIH recommends that the total time spent in preventive detention be relative to the crime and the punishment. MICIVIH also recommends finding alternatives to preventive detention.

Prosecution of human rights violations. Human Rights Watch emphasizes the human rights violations and the lack of action on prosecuting the perpetrators, whereas MICIVIH and the MOJ appear to be more concerned about the continuing problems in the judicial system. While Human Rights Watch argues the most strenuously for prosecution of any of the groups, it does not address the CNVJ request that the names of the perpetrators not be made public until prosecution is underway. Making the names of both the victims and the perpetrators public before the judicial system is ready to handle the prosecutions leaves room for revenge and vigilante justice.

There is a dilemma in the priority accorded to prosecuting these cases. One argument is that, since the justice system cannot handle investigations and prosecution of crimes that have occurred since 1994, it cannot realistically handle the much larger challenge of the human rights violations and crimes against humanity that occurred before 1994. The acquittal of the accused assassins of former Minister of Justice Guy Malary is a case in point. Human Rights Watch makes the point that not trying these cases prevents Haitians from developing any kind of faith in the system and makes it easier for such abuses to happen again in the future. "There is no justice in Haiti today because there was none yesterday,"¹⁵ is an alternative conclusion that can be drawn.

Political rape and sexual violence against women. During the military de facto regime, the military engaged in the rape of women either believed to be Aristide supporters

¹⁴Op cit. *Le Systeme Judiciare en Haiti*, p. 18.

¹⁵Interview with Françoise Boucard, former head of the CNVJ.

or located in areas with significant support for Aristide. The CNVJ dedicates an entire section to this issue, proposing code reform, administrative changes, and popular education for the future. Both MICIVIH and the MOJ reports place less emphasis on the question of political rape, though the MOJ clearly supports the CNVJ's proposed code reform. The CNVJ and Human Rights Watch are very concerned about these issues, and Human Rights Watch/Americas emphasizes prosecutions of human rights crimes, including political rape. Further, Human Rights Watch agrees that better procedures and code reform are needed concerning rape. Everyone agrees that it is a problem; responses to the problem vary only in terms of emphasis.

D. Consensus on priorities

There is not a clear consensus on priorities among the various organizations, but this may stem from the fact that they are different organizations with different agendas.

The CNVJ recommends the following priorities:

- establish a process to examine the judicial system in terms of the laws and practices that facilitated repression, the independence and impartiality of judges, accessibility of procedures, performance of judges, police, lawyers, and prosecutors, and a revision of powers, disciplinary rules, and ethics of these groups;
- initial and continuous training of judges and other personnel;
- provision of materials;
- coordination of reforms in progress;
- support for associations' participation;
- public education on respect for human rights;
- legislative reform;
- establish legal assistance system;
- establish a working group to track reform; and
- dissemination of the judicial reform action plan in Creole.

MICIVIH provides several specific suggestions for initial and secondary priorities for penal procedure reform. Initially, the GOH should prepare legal changes concerning priority aspects of penal procedure reform:

- abolish the debtors' prison;
- the total time spent in preventive detention should be relative to the crime and the punishment;
- provide alternatives to provisional release and the use of preventive detention;
- ratify international human rights treaties concerning the administration of justice.

Secondarily, the GOH should undertake more profound penal code and criminal procedure code reform, giving priority to penal procedure:

- simplify and modernize text (formulation, language);
- Reinforce the investigation phase, separate the judges' dual role of directing the prosecution and the investigation, and define more clearly the roles of the different intervening magistrates;
- Ensure that the disadvantaged have opportunities to take legal action and that the penal system does not prejudice them;
- Redefine the use of preventive detention and provisional release, and establish an effective mechanism for controlling delays in judicial procedures;

The MOJ emphasizes issuance of circulars as a short-term priority, and code and legal reform as long-term priorities.¹⁶ The chart that it prepared to monitor progress on short-term reforms provides dates for accomplishment that have already come and gone.¹⁷ Few have been implemented according to USAID staff. The international community has assisted with drafting those circulars that have been prepared, but none of these have been approved and disseminated.¹⁸

E. Observations and Gaps

Study the problem vs. solve the problem. Many recommendations in these reports are phrased in terms of "committees to recommend" or "study the possibility." In some cases, it is fairly clear what reforms are suggested, based on how the problem is described. The Xaragua report contains a significant number of recommendations that do not commit to specific solutions, but instead state that "circulars should be prepared," without detailing their content. Each report gets more detailed, but the impression remains that they are studying reforms more than they are implementing reforms.

Resource constraints. All reports mention that the resources of the Haitian government are limited, and all make recommendations that will require increasing government allocation of resources to the justice sector. The Xaragua reports takes this even further than the CNVJ report, by stating the need for more material resources for APENA and the National Office of Records, in addition to other entities. None of the reports discuss how the GOH is going to pay for implementing these recommendations, implying that donors

¹⁶Secrétaire d'État Chargée à la Justice de la Réforme Judiciaire. *Bilan*. Port-au-Prince, Haiti: Ministère de la Justice et de la Sécurité Publique, June 1996.

¹⁷Ministère de la Justice et de la Sécurité Publique. "Stratégie d'actions concrètes à court terme." June 20, 1996 [photocopy].

¹⁸Interview with Jean-Phillipe Vixamar, USAID.

will foot the bill. The literature does not address the long-term financial sustainability of recommended justice sector reforms.

Implementation of existing rules and laws. There are plenty of rules and laws that no one follows. What is needed to increase respect for these rules? The threat of disciplinary action must be credible for a rule to have any weight, so the ability to enforce a given administrative rule (e.g. not taking police cars or guns home at night) must be uniformly enforced for such a rule to have any impact. This question is not explicitly addressed in the MOJ's listing of circulars to be developed.

Political will at the micro-level. Will more training, more material resources, and better salaries make judges more willing to rule against politically-connected suspects or in favor of political opponents to the government? The Lawyer's Committee's 1990 report talks about a system of 'musical chairs' in which no one takes responsibility. In many cases, files are merely transferred between the prosecutor and the investigating judge without any serious attempt to advance the case. Training, resources, and money do not automatically result in justice. Judges, police, prosecutors, clerks, and prison authorities must be willing to play their role as designed because they serve as an effective check against potential abuses by the others. For example, when an opponent of the ruling party is arrested without a proper warrant, judges must be willing to release the person, even if it is only a technicality. The discussion of political will at the micro-level is a clear gap in the reports analyzed.

IV. Project data review

A. Data collection on detention

With funding from USAID, the United Nations Development Program (UNDP) provides technical assistance to APENA. A computerized registry of detainees has been prepared and verified twice since the project began. As of October 1996, data collection and entry was not institutionalized within APENA. Personnel were to receive training, to improve the data collection, and then update the data.

On October 7, 1996, APENA provided the MOJ with a detailed listing of the 350 worst cases of preventive detention in the National Penitentiary.¹⁹ MOJ staff subsequently pressured prosecutors and judges to act on these cases, and 150 had been released by the end of October.²⁰ Consequently, the political will does exist to address the problem of prolonged preventive detention, despite the fact that it took a donor-funded registry to prompt government action.

¹⁹"Tableaux des critiques de detention preventive au 9 Juillet 1996, par jurisdiction concernée." Penitencier National [photocopy].

²⁰Interview with Pierre Delattre and Jean Paul Lupien, UNDP technical advisors at APENA, October 1996.

B. Grants to NGOs that provide legal assistance to the poor

Since December 1995, Checchi has provided grants to 14 local NGOs, 12 of which offer legal assistance to the poor. Data from Checchi indicates that their monthly caseload rose from 49 in January to 1,030 in August, an exponential increase.²¹ During the eight months under review, nearly a fourth of the cases were handled in August, the last month under review. Once NGOs reach a saturation point where they can't take any more cases without additional funds, these numbers will begin to level off. Staff indicate this is already beginning to happen.²² This caseload indicates that there is tremendous demand for legal assistance. The demand, in turn, verifies the need for the legal assistance program proposed by the CNVJ and the MOJ.

In reviewing the data from four NGOs on how their cases were concluded, 48 percent were closed by the end of the reporting period.²³ Only 6 percent of those in prison were convicted of a crime. Thirty percent of the cases were closed and the client released, while 12 percent were closed because the client obtained legal representation elsewhere. This data suggests two possible conclusions. First, preventive detention is a serious problem. Without the legal assistance program, 1,953 persons might still be in jail awaiting legal action on their cases. Second, it is possible that either proper investigations are not being conducted or police are arresting suspects on questionable charges, but the data alone cannot conclusively explain why preventive detention is so prolonged. Two NGOs have also provided a total of 31 legal education seminars during the period January-June 1996, at which 21 topics were covered. A total of 941 persons participated, 64 percent male, 32 percent female, and four percent minors.

Though Checchi indicates it has not had the staff to undertake surveys, it should strongly consider systematic surveys of clients and training participants to determine if they are happy with the services rendered and the legal education workshops. The data will help establish a baseline for the assessment and measuring future progress, and help USAID identify what people are saying about the program.

C. Training at the Magistrates School

All magistrates have received an introductory two-week training course, as recommended by the CNVJ and MOJ. The U.S. Department of Justice (DOJ), which implements the project for USAID, has surveyed training participants' reactions to each topic and speaker. As of this writing, the DOJ has compiled the data up through July. After 3-4

²¹Checchi and Company Consulting, Inc. "Caseload, Year - 1996" [photocopy].

²²Interview with Kely Tabetau, Checchi, October 29, 1996.

²³Checchi and Company Consulting, Inc. "Legal Assistance and Legal Education Program Cumulative Progress Report, from January 1996 through August 1996" [photocopy].

months of sessions, the DOJ made adjustments to the training by dropping a couple of instructors that had received weak evaluations. They did not drop any subjects, but did increase/decrease emphasis in certain areas. The evaluations are mostly positive. The data is not in a database, and one sheet tallies each course, so it is challenging to get a global picture. DOJ should strongly consider putting this information in a database. Since prosecutors and judges receive no training beyond law school, this is the first time they are hearing this information. Comments indicate the judges wish the subjects could be covered more thoroughly. DOJ has received anecdotal feedback, and would like to do follow-up interviews in the future to see how judges are using the training.

As of October 1996, the school had held six integrated training courses for police, prosecutors, and judges from the same region to discuss issues of mutual concern, how they relate to each other, etc. Magistrates can participate only if they have gone through the two-week training course. This is a positive move because training one group in isolation from the others does not make a great deal of sense, given the tendency to shift responsibility within the judicial system and the lack of cooperation among judicial functionaries.

D. Opinion polls

In November 1995, CID-Gallup conducted a national poll in Haiti.²⁴ The timing was after the legislative elections, but before the presidential elections. The poll sought opinions on a variety of issues: satisfaction with personal life, the media, political parties, society and institutions, the judicial system, the government, past and upcoming elections, the president, the military, and privatization. The poll provides mixed signals on opinions concerning justice. Among the more positive findings:

- Haitians have near 100 percent confidence in the president (then Aristide) and the church. The third highest rated institution is the Haitian National Police, with 77 percent expressing confidence. A lower percentage, 67 percent, expressed confidence in the judicial system.
- Further, 94 percent agreed that the government guarantees basic rights of citizens.

However, a significant number expressed a strong lack of confidence in the judicial system:

- Seventy four percent are concerned about assassination, and 79 percent of these respondents believed these to be political killings. When asked for examples, the names D. Feye, Guy Malary, Antoine Isemerie, and Father J.M. Vincent were mentioned.

²⁴CID. Gallup de Centroamerica. "Public Opinion - USAID: Haiti." November 1995 [photocopy].

- When asked to compare the judicial system and respect for human rights today as opposed to under the military defacto regime, 89 and 93 percent respectively argued that it was the same.

The last response contradicts the first point. How can such a large percentage believe that there have been no improvements in the judicial system or respect for human rights when 67 percent express confidence in the judicial system? The logical conclusion would be that 67 percent were confident in the judicial system under the military defacto regime, yet common sense tells us that is not possible. When asked about specific judicial institutions, 62 percent agreed that justices of the peace are fair and honest, whereas only 30 percent felt the same opinion for judges. This suggests that Haitians may not understand terms like "judicial system" as well as a more specific group, e.g. police and justices of the peace.

A May 1996 USIA opinion poll indicates that confidence in the justice sector is very weak.²⁵ Only 39 percent of those interviewed held favorable views of the justice system, down from 62 percent in an October 1995 USIA poll. Confidence in the police is much higher, with 74 percent holding favorable views, a decline from the 86 percent rating in October 1995. There is a possible explanation for this disparity in ratings. International efforts to support the new police have been high profile activities in Haiti, and the fact that the police replaced the military, a very unpopular institution, could account for its relative popularity.

Comparing the November 1995 CID-Gallup poll and the October 1995 USIA poll provides insights into the validity of the polls. The polls track closely on the popularity of the judicial system: 67 percent and 62 percent, respectively, a difference of five points. They track less closely on the question of the police: 77 and 86 percent, respectively, a difference of nine points. Thus, the popularity of the police and the judicial system are mostly in agreement. The popularity of the police relative to the judicial system does not track, because the disparity between the two is greater in the USIA poll.

Haitians have greater confidence in the police than in the judicial system as a whole, but the confidence in the system has declined more rapidly than confidence in the police. The judicial system is comprised of several functionaries: police, prosecutors, judges, court clerks, and prison authorities. To correctly analyze confidence in the judicial system, future polls may want to ask about all these institutions, not just some. A better micro-level analysis will yield more reliable conclusions at the macro-level.

²⁵U.S. Information Agency, Office of Research and Media Reaction. "Haitians Reevaluate Their Democracy." Washington, DC: USIA, August 2, 1996.

V. List of documents consulted

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Si M Pa Rele: 29 Septembre 1991-14 Octobre 1994. Port-au-Prince, Haiti: Commission Nationale de Verité et de Justice, 1995.

Le Systeme Judiciare en Haïti: Analyse des Aspects Penaux et de Procedure Penal. Port-au-Prince, Haiti: Mission Civile Internationale en Haïti, OEA/ONU, May 1996.

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V. Appendices

- A. Scope of work for this effort
- B. Chart of CNVJ recommendations and comparison to other recommendations.
- C. Data from the U.S. Department of Justice
- D. Data from Checchi and Company Consulting, Inc.
- E. Data from APENA

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APPENDIX A

SCOPE OF WORK

PROJECT: Administration of Justice
DURATION: One person for a period of two weeks

I. Background

Over the past two years several organizations have prepared well documented reports on the condition of the Haitian justice system. Many of these reports also include substantial recommendations for system reform. As the AOJ project enters its third year, it is time to conduct a comprehensive review of all relevant documents, investigate the resources being generated on an ongoing basis, and review and compile information identified in the AOJ Customer Service Plan. Furthermore, this information must be analysed to fill a gap in our democracy program literature, to position the justice team to initiate a justice sector assessment in the coming months, and to be useful for USAID/Haiti's upcoming democracy sector assessment, due to take place in November 1996.

II. Basic Functions and Deliverables

The purpose of a short-term tdy is to (a) compile all relevant documents; (b) review such documents; (c) interview individuals at organizations which conduct ongoing data collection on the justice system; (d) analyze the results of the most up-to-date information; and (e) present a complete report analysing secondary source material on the condition of the justice system. During the two weeks, the following will be completed:

- (1) Review and analyze Truth and Justice Commission recommendations;
- (2) Review and analyze all relevant MICIVIH reports;
- (3) Interview appropriate individuals at MICIVIH to identify any additional data available;
- (4) Review and analyze Ministry of Justice reports (including the Xaragua retreat recommendations.);
- (5) Review and analyze information referenced in the AID Customer Service Plan;
- (6) Meet with USAID personnel as appropriate;
- (7) Analyze USIS survey information;
- (8) Meet with USIS personnel as appropriate;
- (9) Analyze DOJ survey information;

- (10) Meet with DOJ personnel as appropriate;
- (11) Analyze NGO survey information;
- (12) Meet with Checchi personnel as appropriate; and
- (13) Compile information into one report (see section IV, below).

IV. Format of Report

The report will contain the following sections:

- (1) executive summary of recommendations from reports reviewed, as appropriate;
- (2) synthesis of the findings of key existing reports on the condition of the Haitian justice system;
- (3) analysis of data regularly collected by USAID partners (opinion polls, training exit questionnaires, NGO survey, etc.); and
- (4) summary of the points of consensus and disagreement as gathered during the course of the review.

V. Deliverables

An initial briefing from SO1, Justice Results Package Team will take place on day one. The consultant will be supervised by the Justice Results Package Team Leader, and daily guidance will be provided by the entire Justice Team. Expected deliverables are as follows:

- (1) An outline of a draft report will be presented on the tenth day of the TDY;
- (2) A draft report will be presented on the 13th day of the TDY; and
- (3) A debriefing meeting will occur on the 14th day of the TDY.

VI. Qualifications

The following qualifications are requested:

- (1) Working knowledge of both written and spoken French (required);
- (2) Excellent written and oral communications skills in English (required);
- (3) Strong analytical skills evidenced by authorship of similar

types of reports (required);

- (4) Familiarity with Administration of Justice Programs in particular, or USAID Democracy programs in general (desired);
- (5) Work in development arena for at least three years (desired); and
- (6) Advanced degree in relevant area (i.e. law, public policy, political science) (desired).

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Clearances:

AMacht, HRD: AM
JPVixamar, HRD: RX
MSchimpp, HRD: MS
JGoodwin, DDir: JG

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**Appendix B: National Truth and Justice Commission Recommendations
Balance Sheet**

Recommendation	MICIVIH	Xaragua and other MOJ follow-up reports	Human Rights Watch	Lawyers Cte. for Human Rights
I. REPARATIONS				
Create a special commission for the reparations of victims of the 1991-94 military regime.		agree, do timetable	agree	
Provide reparations to victims.			agree	
II. RAPE AND SEXUAL VIOLENCE AGAINST WOMEN				
Modify the clause in the penal code that views rape of non-virgin women as less important because their honor was no longer in question.		agree, do timetable	agree	
Allow health workers to issue certificates of rape in rural areas or areas without a doctor.				
Teach and establish legal medicine as a profession.				
Establish programs to improve the behavior and methods of relevant personnel to encourage women to report rape.			agree	
Train all involved in the administration of justice to better understand the phenomenon of rape. Have one person designated in each police station to handle rape cases.			agree	
Provide special services to raped women, including their children.				

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Establish programs to assist raped women.				
Promote private and public sector programs to raise awareness of problems and solutions.			agree	
Take legal action against the presumed perpetrators of rape, cited in the CNVJ report, and, in the case that their guilt is established judicially, that they be punished accordingly. Otherwise, in all cases where the CNVJ determined there was a rape, and the perpetrator was not identified, an inquiry must take place. If the perpetrator is identified, he must be prosecuted and punished according to the law.		agree	agree	
Victims of political rape must receive compensation.				
GOH should ratify the UN Convention Against Torture, the Interamerican Convention for the Elimination of Violence Against Women, and the UN Convention concerning crimes of war and crimes against humanity.			agree	
III. REFORM OF JUDICIAL INSTITUTIONS				
1. Judges				
Establish a judicial evaluation committee to evaluate the integrity, honest, and impartiality of the current judges, their respect for human rights and the rule of law. committee should be comprised of jurists and non-jurists with an international reputation.				

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Amend the presidential decree of 8/22/95 to add moral questions (honesty, integrity, and impartiality) to judges' development and training.	mentions independence, objectivity, impartiality as criteria	agree		
Take measure to encourage judges to relocate away from the capital.				
Amend the constitution to make permanent the nomination of judges to the Supreme Court, Appeals Court, and First Instance Court, with conditions pertaining to good behavior and retirement age. Amend the presidential decree of 8/8/95 to bring it in line with this constitutional amendment.	seems to support	agree		appoint judges in such a way that their independence & impartiality is ensured.
Amend the constitution to make the tenure for justices of the peace 7 years, not renewable. In addition to adding moral criteria for their selection, the amendment should establish criteria for competence in terms of aptitude, on the job application of knowledge, ability to reconcile parties, and training.	seems to support tenure, no comment on 17 yr term.	agree		
Each magistrate, new or old, must follow a training of at least 3 months at the magistrate's school. the judge should want and be able to training. his/her image and reputation should already be irreparably tarnished by immoral actions during 1991-94.				
MOJ should open career possibilities to justices of the peace, while preparing permanent training options, performance evaluations, and nomination to higher posts.		agree		

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Create other peace tribunals to facilitate citizen access to justice, given extensive range of issues that are under the jurisdiction of justices of the peace.		mentions only		
Provide basic equipment (archives, records, typewriters, computers, etc.) judges with as little delay as possible.				
Directors of the magistrate schools should establish a program for training justices of the peace, and that a 3 month training session is obligatory for all. Scholarships to take course should also be considered for those with families.				GOH must develop compulsory training for judges. Invest. judges should receive training in investigative techniques.
On a trial basis, the evaluation of judges' performance should be undertaken as an experimental project, and only for volunteers that indicate (confidentially) the areas for which they feel gaps that the evaluation might help fill.	Consider the rec. and nominate judges acc. to Const.	develop timetable to implement, further supp for quarterly eval system		

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<p>MOJ should put in place a 3 year plan for accelerated recruitment and training of magistrates. Proactive recruitment methods should be used, keeping in mind the needs of the system (competence, credibility, and geographic representation) . The plan should use TA from Haitian jurists, as well as non-Haitians from countries with a similar tradition. The restriction on dual nationality should be lifted to allow Haitians in the diaspora to serve in their country of birth.</p>		<p>develop timetable to implement</p>		
<p>2. Commissaire du Gouvernement (CG)</p>				
<p><i>Modify clauses in the criminal procedure code concerning the CG's power to investigate, keeping in mind the powers granted to the police by the law creating the Haitian National Police. (p. 303)</i></p>		<p>agree</p>		
<p><i>Given the CG's overlapping responsibilities with the police, judges, ministerial officer, a profound should be held, under MOJ auspices, to decide how to lighten the load of the CG.</i></p>		<p>agree</p>		
<p><i>Increase the number of CG, and add a specialization for egregious human rights violations. A CG should also specialize as procurator of human rights. In large cities, there could be a specialization and deconcentration of responsibilities</i></p>			<p>agree</p>	
<p>Create a unit charged with investigating and prosecuting the human rights violations of the military de facto regime.</p>				
<p>Need to consider whether its necessary to dedicate a certain numbers of investigating judges to this role.</p>				

3. Citizen Protector				
Expand the role of the citizen protector, established on 9/12/95 by presidential decree, to explicitly give them the power in cases concerning administration of prison and detention.		mentions to CP, but not this issue	Give the position the material resources to assist citizens.	
The citizen protector should quickly organize a human rights education campaign for the masses, recognizing the imperative to create a new culture of respect for human rights.		argues for the MOJ to conduct a civic ed campaign		
4. Police				
<i>Reinforce role of the police as an auxiliary of justice and guardian of public peace.</i>		agree		
Judicial system reform and the process of establishing and structuring the national police should be conducted simultaneously in order to integrate the police into the work of the renewed judicial system.		agree		
Whenever a member of the military is called to be part of the police, he/she must participate in a human rights training internship.				
Encourage the GOH to continue the discussions on abolishing the military as a distinct public forces and so amend the constitution. The GOH should take all necessary actions to prevent the police from developing a military culture.		agree		Separate police and military.

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<p>The Police Director-General should adopt a directive that conforms to the American Convention of Laws Concerning the Powers to Arrest (Article 7.5), particularly when prescribing that the police must, when arresting without a warrant, inform the appropriate magistrate. The ability to arrest in flagrante delicto should be defined restrictively and a directive must further establish its limits.</p>	<p>agree with defining restrictively the ability to arrest in flagrante delicto. Further, bring cases to court asap.</p>	<p>agree</p>		<p>procedures for arrest & detention must be strictly followed.</p>
<p>Compile a computerized registry of prisoners in preventive detention and custody to prevent disappearances, torture, extortion, and forgotten prisoners. The registry will equally help keep track of the perpetrators of human rights violations and criminals sought for crimes in other jurisdictions.</p>	<p>agree, motivation is to prevent prisoners from being lost in the system</p>	<p>agree</p>		
<p>Directives concerning those of firearms should conform to basic principle on the use of force and firearms. The law adopted by the 8th Congress of the UN Convention on the Prevention of Crimes and the Treatment of Delinquents should be adopted and rigorously applied.</p>		<p>agree</p>		
<p>Principles will be part of the police curriculum at all levels, as well as other teachings on human rights, and will be posted at all police stations.</p>				

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<p>A special police unit, sufficiently equipped and well trained, must dedicate itself to disarming the population and controlling authorized firearms.</p>		<p>agree</p>		
<p>The relevant clause of the American Human Rights Convention and the totality of principles protecting all persons in detention or prison, adopted by the UN (Resolution 41/173 on 12/9/88) will be taught and posted in French and in Creole in all police stations, and rigorously respected, with penalty of job loss.</p>		<p>agree</p>		
<p>Those detained will have access to their family, a lawyer, and the right to a medical visit if needed.</p>				
<p>Special attention will be paid the development and training of police in non-violent crowd control methods.</p>		<p>agree</p>		
<p>The police must be trained to prevent vigilante justice, which has sometimes been used against those accused of theft, and ensure respect for the right to due process regardless of the charges levied.</p>		<p>agree</p>	<p>agree</p>	
<p>Amend the penal code to declare that acts of sexual and domestic violence are forms of physical, moral, and sexual aggression that are penal infractions subject to greater punishment than under the current code.</p>			<p>agree</p>	
<p>Ministry of Women and the Ministry of Justice should form an inter-ministerial working group to accelerate adoption of legal and administrative measures, and the necessary budgets to protect the right to physical integrity, equality and non-discrimination, and to assure the implementation of adopted measures.</p>				

Measures to repress sexual aggression are accompanied by programs to improve access to employment and working conditions for women, or measures to aid the development of small enterprise.				
<i>Finish the deployment of court detectives.</i> Their technical development should be accelerated to assure impart justice and protection of all parties, including witnesses. (313)		agree		
Amend the constitution and the police law to define prison personnel and prison conditions in agreement with international conventions, pacts, and international treaties.		agree		
Prison personnel must be a specialized body with appropriate training and development.		agree		
See to the respect of rules concerning detainees and delinquents.				
Create a central registry of those in detention and custody to reduce abusive detention, disappearances	agree			
Separate convicted from detained, adults from minors, men from women.				
Concerning juvenile delinquency, juvenile reeducation centers should be emphasized over prison.				
Only female prison personnel should conduct body searches of women, and they should always be present in the prisons at night.		agree		

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Establish a special unit in the police to receive extensive training on disciplinary rules. This unit should be charged with establishing a better selection process that screens candidates for integrity and past activities.		agree		
Establish criminal files permitting research on police candidates' past.		agree		
Initial training should followed by regular training. All sectors of civil society should be part of training, and it should integrate modules concerning human rights and rights guaranteed by the American Convention on Arrest and Detention Laws.		agree		
Police training should cover the use of firearms and improved techniques to teach mob prevention and control. Provide them with appropriate equipment.		agree		
MOJ should be encouraged to organize information sessions on the role of the police and forms of collaboration between the police and the community.		agree		
5. Legal Reform				
The GOH should do the critical short-term legislative reform, and then forge a new consensus on the process to follow for long-term legislative reform, bringing Haiti in line with contemporary realities and international norms.			modernize code, but no mentions of priorities	
Revise the mandate of the Code Reform Commission, established in 1959 but no longer functioning, to be a public organ responsible for developing a legal system adapted to haitian reality.		agree, timetable to implement		

Mandate should be expanded to give the right to initiate, research, and consult on the finer points of legislative progress.		agree, timetable to implement		
GOH should amend the penal code to make it conform to international treaties already ratified by the GOH, and to incorporate crimes against humanity, criminalized forced disappearances, presumption of innocence, limited power to detain, requirements for warrants for investigating judges, legislation on torture and execution.	address preventive detention and custody laws; give the defense lawyer larger role-criminal procedure	agree, timetable to implement		modernize the code, clearly assign responsibility to investigate abuses, crimes, and estab. penalties for delays.
The Ministry of Justice and the Ministry of Information should disseminate information on current laws in use in creole and in a simplified format.		agree, timetable to implement	agree	
People should be interrogated in the language of their choice.		agree, timetable to implement	agree	
The Code Reform Commission should establish a process to engage the population in research and reflection on the ways and means to install different models of tribunals to development impartial and independent justice. For example, a tribunal might be composed of one judge and 2 non-jurists to involve the community more.		mentions only		

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The Code Reform Commission should establish a project to define user-friendly settlement services for litigants.		mentions only		
6. Penal Code and Criminal Procedure Code Reform				
Complete modernization of codes (e.g. debtors prison) that will also bring them in line with the 1987 constitution (e.g. death penalty, right to disobey an illegal order). Over the short-term, revise trial procedures, particularly those concerning the interrupted nature of the process in court such that it is frequently hurried. Should also take into consideration the vestimentary hold of judges, the protocol that dictates judgement clauses, and all measures that will assure the credibility of trial courts. (???? p. 327)	seems to agree, somewhat more specific	even more specific	agree	
Abrogate all clauses in the code that don't conform to the 1987 constitution, in particular the right to defy an illegal order (in the constitution but not the criminal procedure code.)				
The right to defense is sacred, the accused's rights to legal counsel must be guaranteed at all stages, and they must be able to appeal decisions.			agree	
The police's inquiry function should be reinforced and it should receive the necessary support -- training, services and technical equipment. Eliminate duplication between the justices of the peace and the police.				
Formally introduce habeas corpus into Haitian law.	agree			

Add to the penal code a clear definition of rape and alternatives for punishment (dissuasion, reparation, and rehabilitation).		agree, do timetable to implement	agree	
7. Magistrate Superior Council Reform				
Revise the law concerning the Council in light of the adoption of a magistrate statue that conforms to international standards for judges and magistrates.		mentions only		
Adopt and strictly apply an ethics code.		mentions only		
Adopt a rule that corruption, egregious human rights violations, politically motivated action, and actions favoring an illegal group will result in dismissal.		mentions only		
Council is consulted on training programs for magistrates, prosecutors, national bar and all other professionals.		mentions only		
Prepare and distribute brochures in Creole that present the Council's role, explain mechanism for making complaints, and support available to assist them in making complaints.				
8. Ministry of Justice				
Establish a working group within the MOJ to coordinate and monitor the development of judicial reform projects. The working group should examine the priorities proposed by the CNVJ and establish an action plan within 90 days.		creates a Secretary of State within the MOJ.		

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<p>The following priorities are recommended: (a) establish a process to examine the judicial system: laws and practices that facilitated repression - independence and impartiality of judges, accessibility of procedures, performance of judges, police, lawyers, and CG, revision of powers, disciplinary rules, and ethics of these groups; (b) initial and continuous training of judges and other personnel; (c) provision of materials; (d) coordination of reforms in progress; (e) support for associations participation; (f) public education on respect for human rights; (g) legislative reform; (h) establish legal assistance system; (i) establish a working group to track reform; (j) dissemination in Creole of the judicial reform action plan.</p>		<p>check on the MOJ prioritization - quite different</p>		
<p>MOJ working group should offer orientation session to those responsible for implementing reform on a systemic approach to institutional reform and give them the tools to implement it.</p>				
<p>Hold an international conference to bring together jurists and researchers around the themes identified by the working groups with the objective of compiling the first relevant documentation and soliciting long-term collaboration</p>				
<p>The MOJ working group should continue to cooperate with governmental and non-governmental organizations in order to maintain international support for the judicial process.</p>				
<p>Encourage the creation of national NGOs that, in the human rights field, could diversify and specialize in different sub-sectors of human rights.</p>				

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Bar Councils should pursue demarches to create a national bar, harmonizing their function.				
National Bar Council should include magistrates as well as non-jurists representing their socio-economic sector				
Bar members should diffuse and conform to principles established by the 8th UN Congress on the prevention of Crime and the Treatment of Delinquents.				
Establish and operational unit for continuing training for lawyers, interns, and bar members				
Revise the bar's ethics code to include violations for corruption, conflict of interest, attorney-client privilege and negligence.				
Reinforce the legal assistance program for victims of egregious human rights violations and crimes against humanity and progressively extend it to those with little money.				
Regional bars develop voluntary assistance methods in cooperation with international organizations.				
GOH evaluation judicial clinics as administrative and community support to provide legal assistance services.				
The Bar should establish legal resources centers, using computerized information, that are open to interns, students, civil society organizations.				
V. FOLLOW-UP AND SANCTIONS				

15

Names and alleged perpetrators contained in the annex to the CNVJ report should not be made public until legal action has begun.			silent on the notion should wait until legal action has begun	
GOH should refer to the authorities all cases mentioned in the report where a human rights violation was confirmed and for persons identified, they should prosecuted and sanctioned.		do timetable to implement	agree	
The GOH should take all action within 30 days of publishing this report, against the alleged perpetrators identified by the CNVJ and organize special court sessions to try those accused of serious human rights violations.		do timetable to implement	encourages holding special court sessions to try them	
All persons named in the annex should be suspended from public functions while waiting for the inquiry to be completed, be prevented from returning to public service until the results are in, and be turned over to the authorities.		do timetable to implement		
Undertake a more detailed inquiries to determine the degree of complicity within the higher ranks of the police and army, i.e. those that ordered but did not commit violations.		do timetable to implement		
The GOH should accord special attention to instruction, prosecution, and punishment of crimes against humanity in this report.		do timetable to implement		
Appeal to international organization and states for assistance				

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States with jurisdictions should investigate alleged perpetrators or political rape and pursue and punish them as crimes against humanity.				
Determine if certain executions or massacres constitute crimes against humanity.				
Take all steps possible within the law to guarantee the victims's rights to reparation, while waiting for legal instructions to be issued.		agree		
In all cases were grave damages where inflicted collectively, the GOH authorize victims' collective recourse against the perpetrators to permit them to obtain a just indemnity.		do timetable to implement		
VI. OTHER RECOMMENDATIONS				
Sign and ratify the following instruments of international human rights law: Convention Against Torture and Other Cruel and Inhuman Treatments (UN General Assembly resolution 34/46 of 12/10/84), the International Pact Covenant on Economic, Social, and Cultural Rights and its facultative protocol.		timetable to implement retreat recs	agree	
Memorial for the coup victims.				
Take all necessary action to repatriate FRAPH documents in the USG possession.			agree	
Put in place a committee to ensure that the report's recommendations are followed up on and published.			agree and provide it will necessary resources	

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GOH should guarantee a code a conduct to prevent manipulation of state media for propaganda.				

prepared by Kim Mahling-Clark, PPC/CDIE/DI/R&RS (G/DG)
December 4, 1996
bilan1.sho

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APPENDIX C

Number of participants trained at the Ecole de la Magistrature July 3 1995 - October 11, 1996

Basic legal education course (seventeen (17) sessions - two weeks each)

<u>Category</u>	<u>Number</u>
Justices of the Peace	293
Prosecutors	65
Investigating Magistrates	33
Trial Judges	48
Total	<u>439</u>

Specialized course to enhance police/justice coordination
(Seven (7) sessions - one week each)

Police Officers:	104
Prosecutors:	19
Justices of the Peace:	62
Investigating Magistrates:	14
Total	* <u>199</u>

Total number of sessions held at the school from July 3, 1995 to October 11, 1996: 24

* Note: All of the participants of the specialized training courses were required, at a minimum, to attend one of the two-week basic legal education courses.

EVALUATION

Votre évaluation de ce cours aidera le Ministère de la Justice dans la planification et la préparation des cours futurs. Veuillez compléter cette forme et la retourner au Service Administratif à la fin de chaque cours.

Chaque note devrait se baser sur l'échelle de 1 à 5

- 5. Excellent
- 4. Très bien
- 3. Bien
- 2. Satisfaisant
- 1. Médiocre

Exposé:

Instructeur:

Contenu : 1 2 3 4 5

Commentaires: _____

Présentation : 1 2 3 4 5

Commentaires: _____

* * *

1. Comment l'instructeur a traité le contenu du sujet?

1 2 3 4 5

2. Est-ce que le développement du sujet était bien détaillé?

1 2 3 4 5

3. L'usage du contenu du sujet dans votre travail:

Approprié _____ peu approprié _____ insignifiant _____

4. En général comment évaluez-vous ce cours?

1 2 3 4 5

1

Exposé: Thème sur la procédure civile
Instructeur: Me. Alexandre Boniface
Participants: 17

Commentaires et suggestions

Sur le cours

Le temps n'était pas suffisant, la présentation était correcte et appréciée par les participants. Ce cours est à recommander dans un programme de ce genre. Dans le futur, il faudrait organiser d'autres séances de formation.

Sur l'instructeur

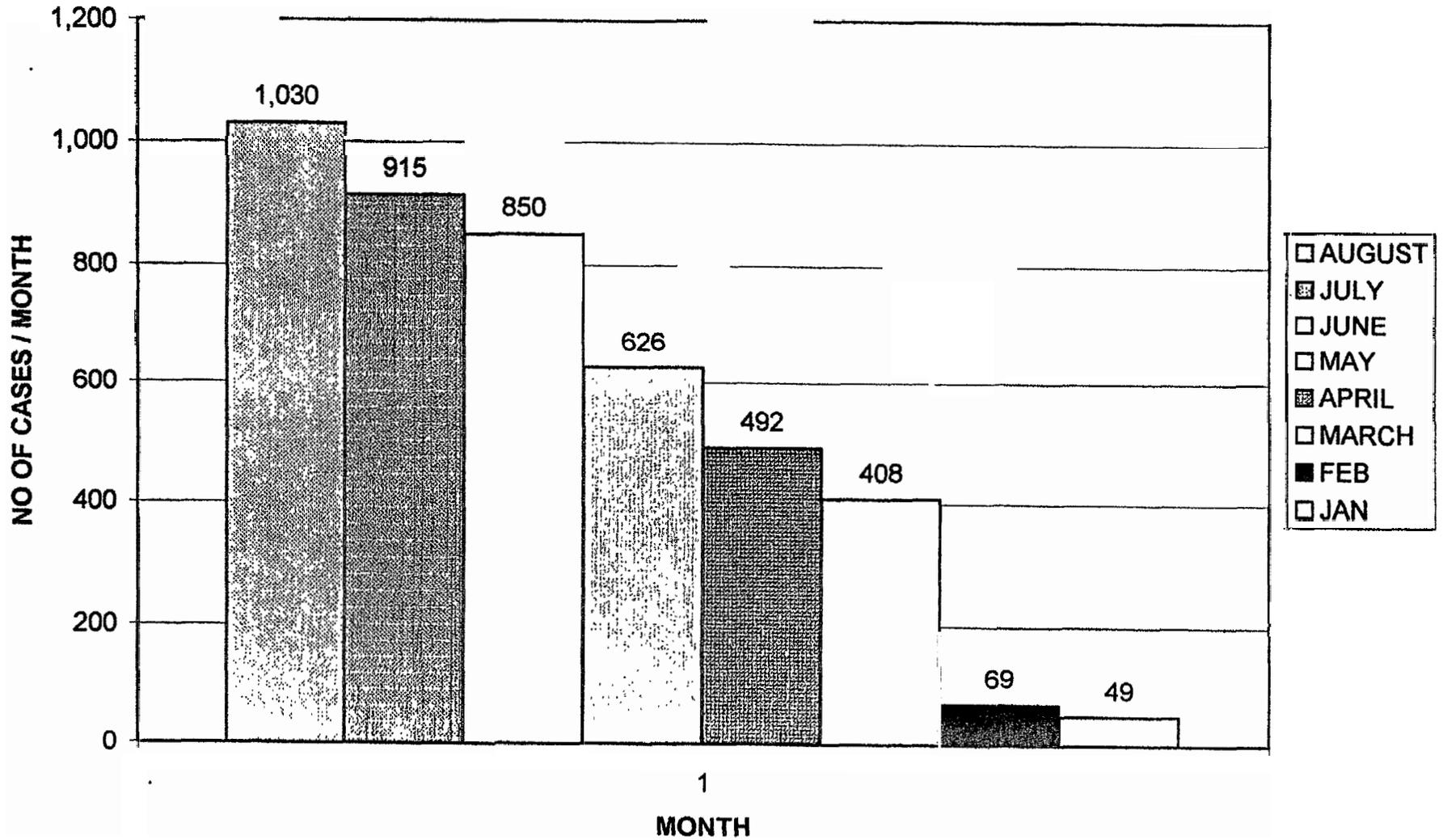
L'instructeur a traité son cours avec compétence. La session s'est révélée positive.

APPENDIX D

CASELOAD YEAR - 1996

MONTH	TOTAL
AUGUST	1,030
JULY	915
JUNE	850
MAY	626
APRIL	492
MARCH	408
FEB	69
JAN	49
TOTAL	4,439

ADMINISTRATION OF JUSTICE PROJECT CASELOAD 1996



4/3

**NATIONAL PENITENTIARY
FREQUENCY OF CRIMES OF INCARCERATION
MAY-SEPTEMBER 1996
NGO: AFPEC**

<i>TYPES OF CRIMES BY INCARCERATION</i>	<i>NUMBER OF CASES</i>	<i>PERCENT</i>
THEFT	571	40%
*OTHER	339	24%
MURDER	254	18%
BATTERY	178	13%
RAPE	70	5%
TOTALS	1,412	100.00%

* OTHER (EACH LESS THAN 5 %):

USURY

LARCENY

ILL.ARRESTS

ESCRQUERY

ABUSE CONFIANCE

VAGABONDISM

USAGE FAUX

ASSOCIATION MALFACTEUR

DET.ILL ARMS (CAN BE AROUND 5 %)

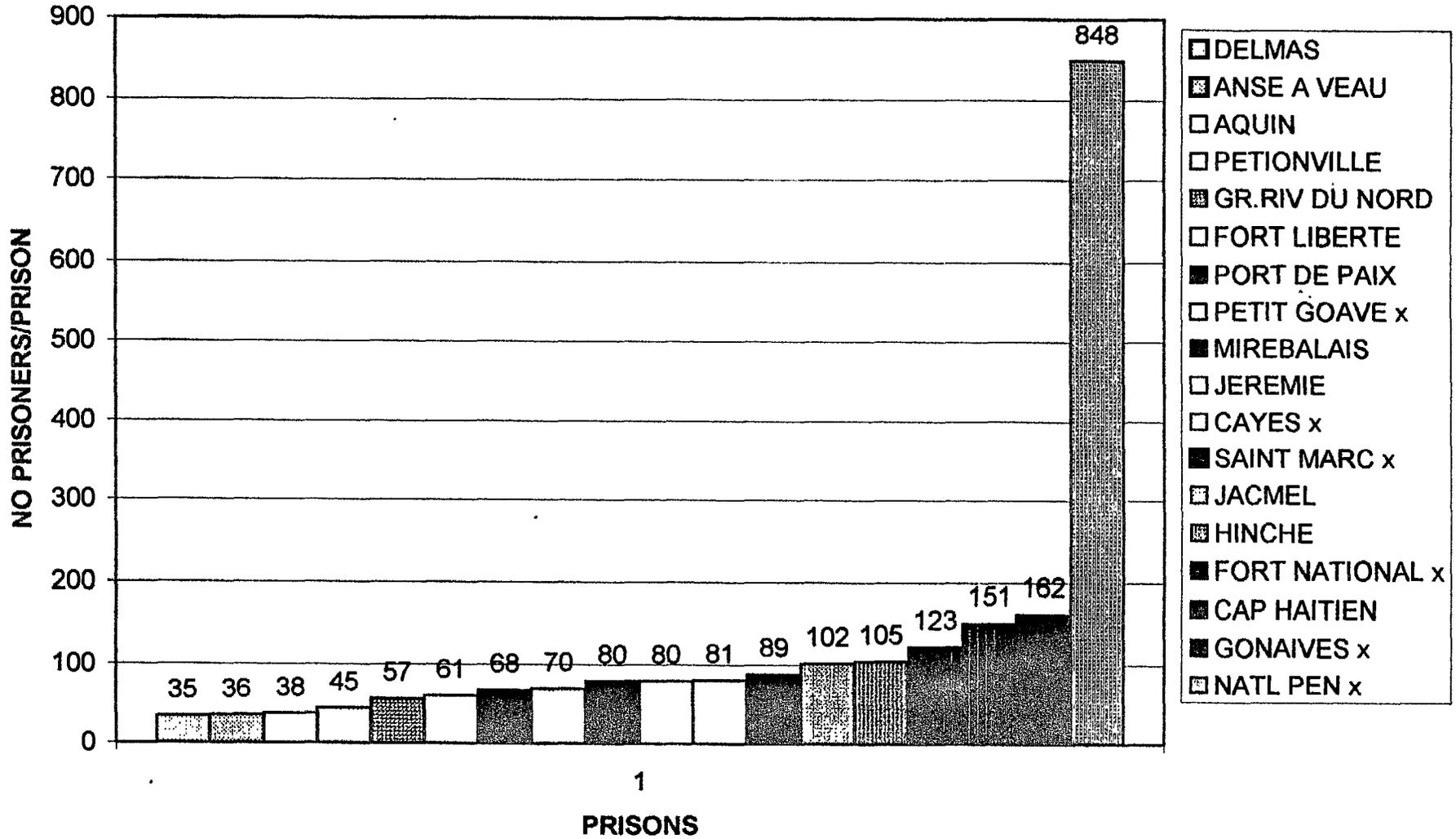
PRISON POPULATIONS, MAY 1996

PRISON	NUMBER	PERCENT
DELMAS	35	1.6%
ANSE A VEAU	36	1.6%
AQUIN	38	1.7%
PETIONVILLE	45	2.0%
GR.RIV DU NORD	57	2.6%
FORT LIBERTE	61	2.7%
PORT DE PAIX	68	3.0%
PETIT GOAVE x	70	3.1%
MIREBALAIS	80	3.6%
JEREMIE	80	3.6%
CAYES x	81	3.6%
SAINT MARC x	89	4.0%
JACMEL	102	4.6%
HINCHE	105	4.7%
FORT NATIONAL x	123	5.5%
CAP HAITIEN	151	6.8%
GONAIVES x	162	7.3%
NATL PEN x	848	38.0%
TOTAL	2,231	100.0%

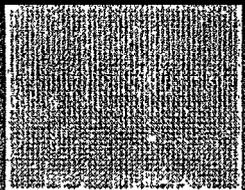
X = PRISONS WHICH RECEIVE AOJ FUNDED
LEGAL ASSISTANCE

PRISONCHART

PRISON POPULATION

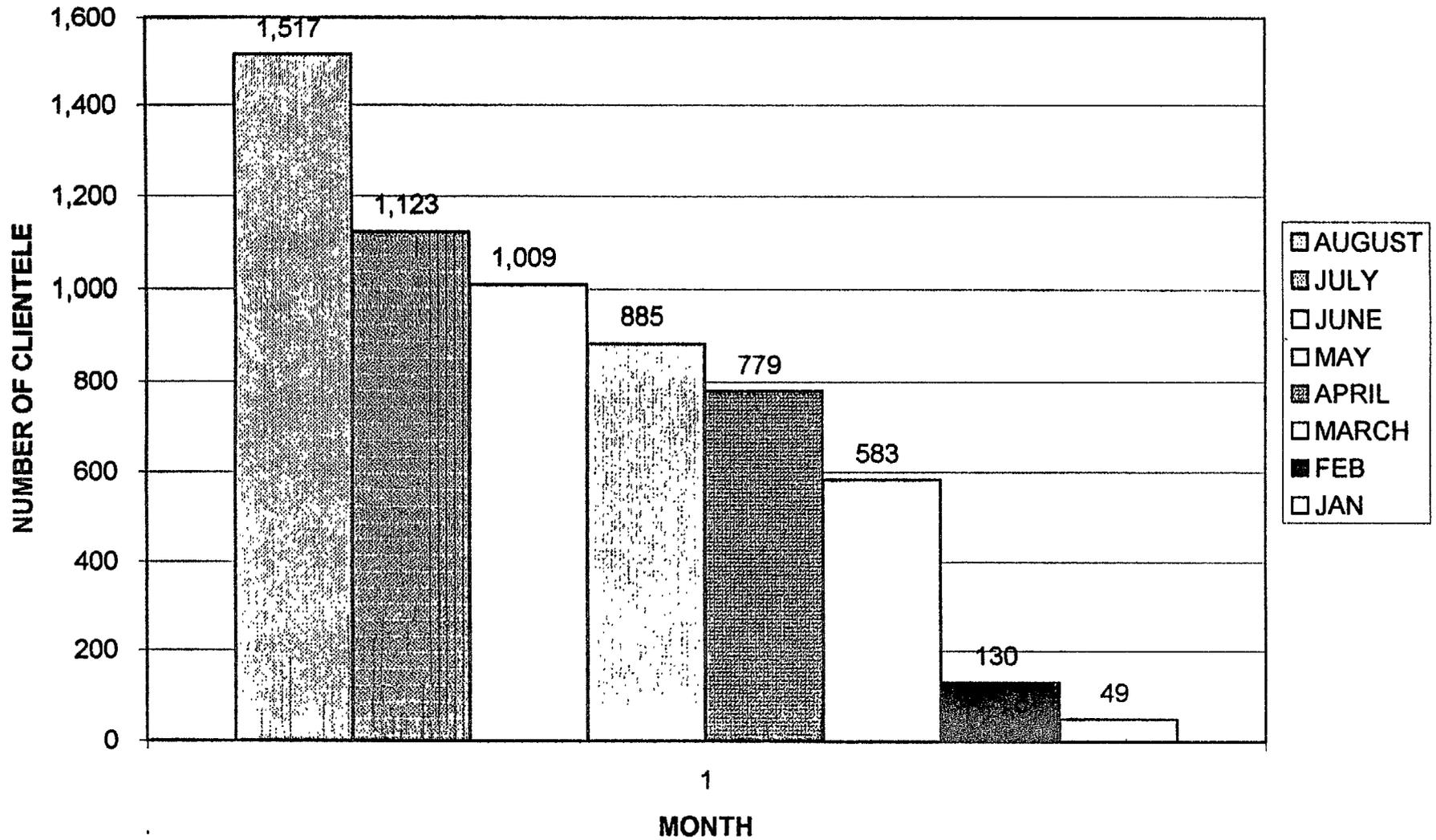


CHECCHI AND COMPANY CONSULTING, INC
LEGAL ASSISTANCE AND LEGAL EDUCATION PROGRAM
TOTAL NUMBER OF CUSTOMERS

	column a (=column b+e) TOTAL CUSTOMERS	column b (= column c+d) TOTAL CASELOAD	column c TOTAL PRISON CASES	column d LEGAL ASSIST OUTREACH TOTAL CASES	column e LEGAL ED OUTREACH PARTICIPANTS
MONTH					
<i>AUGUST</i>	1,517	1,030	916	114	487
<i>JULY</i>	1,123	915	841	74	208
<i>JUNE</i>	1,009	850	813	37	159
<i>MAY</i>	885	626	595	31	259
<i>APRIL</i>	779	492	464	28	287
<i>MARCH</i>	583	408	388	20	175
<i>FEB</i>	130	69	45	24	61
<i>JAN</i>	49	49	49	0	0
TOTALS	6,075	4,439	4,111	328	1,636
PERCENT	100%	73%	68%	5%	27%

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ADMINISTRATION OF JUSTICE PROJECT TOTAL CLIENTELE



**ADMINISTRATION OF JUSTICE PROJECT (AOJ)
LEGAL ASSISTANCE AND LEGAL EDUCATION PROGRAM
CHECCHI AND COMPANY CONSULTING, INC
CUMULATIVE PROGRESS REPORT
FROM JANUARY, 1996, THROUGH JUNE, 1996
OBJECTIVE ONE: STRENGTHEN THE JUDICIAL SYSTEM**

NUMBER OF GRANTS SIGNED				
NAME OF GRANTEE	DATE OF SIGNATURE	LOCATION TARGET AREA	CLIENTEL (EST. # CASES/YR)	ANNUAL BUDGET IN USD
1. COFAL	12/22/95	FT. NATIONAL WOMEN, GIRLS	360	\$24,360
2. FUDHA	1/31/96	GONAIVES PARC SAINT VINCENT	1,300	\$20,530
3. AFPEC	2/22/96	NATIONAL PEN.	1,000	\$93,800
4. MEEEG	3/25/96	GONAIVES-PRISON	500	\$18,100
5. BAJ	4/9/96	FT. NATL-GARCONS	360	\$28,260
6. ODELCA	4/10/96	RABOTEAU-GONAIVES	1,200	\$23,810
7. ECOLE-GONAIVES	4/17/96	ADMIN ZONE-GONAIVES	N/A	\$12,520
8. IRD	4/24/96	PRISON-LES CAYES	250	\$26,200
9. AMICALES JURISTES	5/24/96	NATIONAL PEN.	2,000	\$94,800
10. AMICALES REUNIS	5/29/96	PRISON-ST.MARC	360	\$20,600
11. ECOLE-CAYES	7/11/96	ADMIN ZONE-CAYES	N/A	\$18,580
12. BAR - CAYES	7/11/96	TOWN OF CAYES	360	\$21,740
13. CEDD	7/23/96	TOWN/PRISON-PTT GVE	250	\$18,750
14. ST.MARC BAR	7/24/96	ADMIN ZONE-ST.MARC	360	\$28,045
TOTALS			8,300	\$450,095

*ALL GRANTEES RECEIVED TRAINING IN USAID PROJECT PLANNING

NUMBER OF EMPLOYED LEGAL PERSONNEL RECEIVING ON THE JOB TRAINING				
NAME OF GRANTEE	PARA-LEGALS (STUDENTS)	LAWYER TRAINEES	LAWYERS	TOTAL
1. COFAL	0	3	3	6
2. AFPEC	10	6	2	18
3. FUDHA	3	2	2	7
4. BAJ	0	2	2	4
5. MEEEG	3	0	2	5
6. ODELCA	3	2	2	7
7. ECOLE-GONAIVES	12	0	2	14
8. IRD	3	2	2	7
9. AMICALES JURISTES	6	4	4	14
10. AMICALES REUNIS	5	1	2	8
TOTALS	45	22	23	90

NUMBER OF LAW SCHOOLS PARTICIPATING AS GRANTEES	
1.	Ecole de Droit et des Sciences Economiques-Gonaives
2.	Ecole de Droit Des Cayes

NUMBER OF BAR ASSOCIATIONS ORGANIZED OR REORGANIZED

1. St. Marc - Reorganized

NUMBER OF MONITORING VISITS

NAME OF GRANTEE	NUMBER OF MONITORING VISITS CHECCHI	NUMBER OF MONITORING VISITS ECOLE GONAIVES	NUMBER OF MONITORING VISITS ECOLE CAYES	NUMBER OF MONITORING VISITS TOTALS
1. COFAL	6	N/A		6
2. FUDHA	9	7		16
3. AFPEC	5	N/A		5
4. MEEEG	6	7		13
5. ODELCA	6	6		12
6. BAJ	3	N/A		3
7. ECOLE GONAIVES	2	N/A		2
8. IRD	1	N/A		1
9. AMICALES JURISTES	2	N/A		2
10. AMICALES ST.MARC	2	N/A		2
TOTALS	42	20	0	62

NUMBER OF LEGAL PERSONNEL PARTICIPATING IN FORMAL TRAINING

NAME OF GRANTEE	NUMBER OF TRAINING PROGRAMS TOTAL	NUMBER OF PERSONNEL PARTICIPATING AS PARA-LEGALS	NUMBER OF PERSONNEL PARTICIPATING AS TRAINEES	NUMBER OF PERSONNEL PARTICIPATING AS LAWYERS
1. FUDHA	4	3	2	2
2. MEEEG	4	3	0	2
3. ODELCA	4	3	2	2
4. BAJ	1	0	2	2
5. IRD	2	3	2	2
6. AMICALES JURISTES	1	2	2	0
7. AMICALES RENUIS	2	5	1	2
TOTALS	18	19	11	12

NUMBER OF GRANTEE ADMINISTRATIVE PERSONNEL TRAINED

NAME OF GRANTEE	NUMBER OF PERSONNEL TRAINED TOTAL	NUMBER OF PERSONNEL TRAINED ACCOUNTING	NUMBER OF PERSONNEL TRAINED ADMINISTRATION	NUMBER OF PERSONNEL TRAINED MANAGEMENT
1. COFAL	1	1		
2. FUDHA	1	1		
3. AFPEC	1	1		
4. MEEEG	1	1		
5. ODELCA	1	1		
6. BAJ	1	1		
7. ECOLE GONAIVES	1	1		
8. IRD	1	1		
9. AMICALES JURISTES	1	1		
10. AMICALES REUNIS	1	1		
TOTALS	10	10	0	0

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ADMINISTRATION OF JUSTICE PROJECT (AOJ)

**LEGAL ASSISTANCE AND LEGAL EDUCATION PROGRAM
CUMULATIVE PROGRESS REPORT**

FROM JANUARY, 1998, THROUGH JUNE, 1998

**OBJECTIVE TWO: IMPROVE ACCESS OF THE POPULATION
TO THE JUSTICE SYSTEM**

Total clients - legal assistance and legal education programs: 3,435

***Total cases accepted - outreach and prison legal assistance: 2,494**

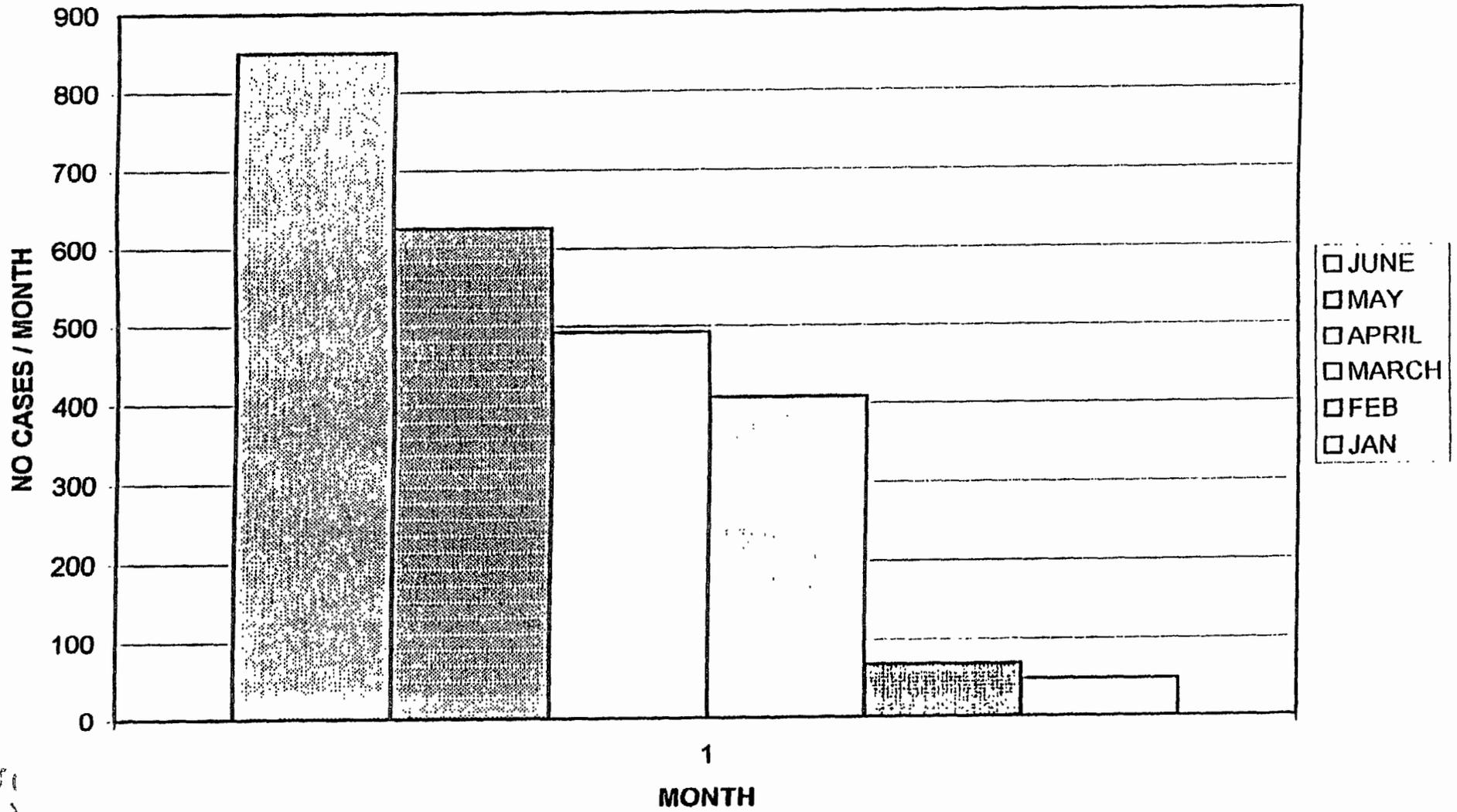
ACTIVITY : LEGAL ASSISTANCE TO PRISONERS			
TOTAL GRANTEES REPORTING: 4:			
GRANTEES:	PRISON:		
1. COFAL	FT. NATIONAL WOMEN, GIRLS		
2. BAJ	FT. NATIONAL BOYS		
3. MEEEG	GONAIVES		
4. AFPEC	NATIONAL PENITENTIARY		
5. AMICALES DES JURISTES	NATIONAL PENITENTIARY		
6. AMICALES DES ST. MARCOIS REUNIS	ST. MARC		
7. IRD	LES CAYES		
summary	percent	number	
*Total cases	100%	2,354	
Total cases open	52%	1,213	
Total cases closed	48%	1,141	
Breakdown of cases closed			
Total cases closed for solvency	14%	339	
Total cases closed-client released	30%	697	
Total cases closed-client guilty	4%	105	

ACTIVITY : LEGAL EDUCATION - OUTREACH			
TOTAL GRANTEES REPORTING: 2:			
GRANTEES:	AREA :		
1. FUDHA	PARC ST. VINCENT, GONAIVES		
2. ODELCA	RABOTEAU, GONAIVES		
summary	percent	number	
Total participants	100%	941	
Total men	64%	603	
Total women	32%	298	
Total minors	4%	40	
Total other participants (judges, police etc.)		54	
Total sessions		31	
Total topics covered		20	

ACTIVITY : LEGAL ASSISTANCE - OUTREACH			
TOTAL GRANTEES REPORTING: 2:			
GRANTEES:	AREA:		
1. FUDHA	PARC ST. VINCENT, GONAIVES		
2. ODELCA	RABOTEAU, GONAIVES		
summary	percent	number	
Total cases	100%	140	
Total cases open	58%	81	
Total cases closed	42%	59	

* AFPEC jointly funded-USAID and EU

ADMINISTRATION OF JUSTICE PROJECT



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APPENDIX F

PENITENCIER NATIONAL

**TABLEAUX DES CAS CRITIQUES DE DETENTION PREVENTIVE AU 9 JUILLET 1996
PAR JURIDICTION CONCERNÉE**

DAGEP/LEGAL/11-10-96

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**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRES AU PENITENCIER NATIONAL
LE 9 JUILLET 1996, SOUS RESERVE DES MODIFICATIONS INTERVENUES DEPUIS CETTE DATE
QUANT AU STATUT JURIDIQUE DES PREVENUS**

No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	ALCY TIBLANC	1153	12/04/95	VOIES DE FAIT	COMMISSAIRE DU GOUVERNEMENT : Me J. AUGUSTE BRUTUS	24/04/95	1 AN 3 MOIS	SEULE PIÈCE AU DOSSIER : AUTORISATIONS DE SIGNIFICATION D'ACTES PAR HUISSIER DES 15 NOVEMBRE 1995 ET 22 AVRIL 1996.
02	CHARLES CHARLY	1358	27/04/95	VOL A MAIN ARMÉE	PARQUET	27/04/95	1 AN 3 MOIS	FIGURE AU DOSSIER, UN ORDRE D'EXTRACTION DU DOYEN DU TRIBUNAL CIVIL EN DATE DU 21 DECEMBRE 1995.
03	ELIENNE AMBROLE	1357	27/04/95	POSSESSION D'ARME ILLÉGALE	PARQUET	29/05/95	1 AN 3 MOIS	AUCUNE PIÈCE AU DOSSIER
04	JEAN ACEMON	1010	05/04/95	VOIES DE FAIT	COMMISSAIRE DU GOUVERNEMENT : Me PARICE BAPTISTE	05/04/95	1 AN 3 MOIS	N'A PAS COMPARU DEPUIS LE 5 AVRIL 1995 OU IL A ÉTÉ PLACÉ SOUS MANDAT DE DÉPÔT PAR LE CDG.
05	JOSEPH YVES	1000	05/04/95	VOL	PARQUET	05/04/95	1 AN 3 MOIS	N'A PAS COMPARU DEPUIS LE 5 AVRIL 1995.
06	OSSE AZOR	1345	25/04/95	VOIES DE FAIT	PARQUET	25/04/95	1 AN 3 MOIS	N'A PAS COMPARU DEPUIS SON PLACEMENT SOUS MANDAT DE DÉPÔT.
07	BAPTISTE FRITZ	1925	30/05/95	VOL A MAIN ARMÉE	PARQUET	30/05/95	1 AN 2 MOIS	ATTEND DE COMPARAÎTRE DEVANT LE CABINET D'INSTRUCTION.
08	CHARLES ERNST	1939	30/05/95	ASSOCIATION DE MALFAITEURS, VOL A MAIN ARMÉE, MEURTRE	SUBSTITUT DU COMMISSAIRE DU GOUVERNEMENT : Me FLORENCE MATHIEU	30/05/95	1 AN 2 MOIS	MANDAT DE DÉPÔT LIBELLÉ AUX ORDRES DU CABINET D'INSTRUCTION, MAIS LE PRÉVENU N'A PAS COMPARU DEVANT CETTE INSTANCE JUDICIAIRE.
09	DELVA JACK	1759	22/05/95	ASSOCIATION DE MALFAITEURS	PARQUET	22/05/95	1 AN 2 MOIS	N'A PAS REVU LE JUGE DEPUIS SA PREMIÈRE COMPARUTION.
10	FENELON LENER	1923	30/05/95	ASSOCIATION DE MALFAITEURS	PARQUET	30/05/95	1 AN 2 MOIS	DOSSIER INDIVIDUEL TOTALEMENT VIDE. N'A PAS REVU LE JUGE DEPUIS SA PREMIÈRE COMPARUTION.

* IL S'AGIT DU DOSSIER INDIVIDUEL DU DETENU AU GREFFE DU PENITENCIER NATIONAL.

** LORSQUE LE NOM DU SUBSTITUT DU COMMISSAIRE DU GOUVERNEMENT (CDG) N'EST PAS CONNU, IL EST INDIQUE : "PARQUET".

DAGEP/PARQUET/07-10-96

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No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
11	JEAN GARRY	1936	30/05/95	ASSOCIATION DE MALFAITEURS	PARQUET	30/05/95	1 AN 2 MOIS	N'A COMPARU DEVANT LE JUGE QU'UNE FOIS.
12	CHARLES PIYOUTE	A 397	05/07/95	VOL A MAIN ARMÉE, ASSOCIATION DE MALFAITEURS	SUBSTITUT DU CDG : Me VALMONT SAINT-VAL	05/07/95	1 AN 1 MOIS	LE PRÉVENU SE TROUVE TOUJOURS AUX ORDRES DU PARQUET.
13	COMBERLAND EDDY	A 398	06/07/95	VOL A MAIN ARMÉE	SUBSTITUT DU CDG : Me VALMONT SAINT-VAL	06/07/95	1 AN 1 MOIS	LE DOSSIER EST ENCORE AU PARQUET APRES 13 MOIS.
14	FELIX GILBERT	A 435	10/07/95	VOL	SUBSTITUT DU CDG : Me VALMONT SAINT-VAL	10/07/95	1 AN 1 MOIS	LE PRÉVENU SE TROUVE TOUJOURS AUX ORDRES DU PARQUET
15	GEDEON JAMES	A 60	16/06/95	USURPATION DE TITRE, VOL, ESCROQUERIE	COMMISSAIRE DU GOUVERNEMENT : Me JEAN AUGUSTE BRUTUS	16/06/95	1 AN 1 MOIS	LE PRÉVENU N'A COMPARU QU'UNE FOIS DEVANT LE CDG.
16	JACQUES FILLAS	2075	05/06/95	ASSOCIATION DE MALFAITEURS, BANDITISME ET ZINGLINDO	SUBSTITUT DU CDG : Me DANY VERCINE.	05/06/95	1 AN 1 MOIS	L'AFFAIRE SE TROUVE TOUJOURS ENTRE LES MAINS DU PARQUET.
17	JEAN GARRY	2124	07/06/95	ASSOCIATION DE MALFAITEURS ET BANDITISME	SUBSTITUT DU CDG : Me PARICE BAPTISTE	07/06/95	1 AN 1 MOIS	LE PRÉVENU SE TROUVE ENCORE AUX ORDRES DU PARQUET
18	ARNOLD SAINCIUS	A 708	28/07/95	VOIES DE FAIT SUIVIES DE BLESSURES	SUBSTITUT DU CDG : Me PARICE BAPTISTE	28/07/95	1 AN	LE PRÉVENU SE TROUVE ENCORE AUX ORDRES DU PARQUET.
19	BELIZAIRE RONALD	A 684	27/07/95	VOL A MAIN ARMÉE AVEC ESCALADE	SUBSTITUT DU CDG : Me FLORENCE MATHIEU	09/04/96	1 AN	NE FIGURE AU DOSSIER QUE LE MANDAT DE DÉPÔT DU PARQUET.
20	BENOIT MANO	A 646	24/07/95	CAMBRIOLAGE	SUBSTITUT DU CDG : Me PARICE BAPTISTE	24/07/95	1 AN	LE DOSSIER N'A PAS ÉVOLUÉ DEPUIS LA PREMIÈRE COMPARUTION DU PRÉVENU.

No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
21	CLEGISSE VILFRANCE	A 482	13/07/95	VOL	SUBSTITUT DU CDG : Me EDDY DARANG	13/07/95	1 AN	LE DÉTENU SE TROUVE TOUJOURS AUX ORDRES DU PARQUET.
22	CLERMOND GASPARD	A 434	10/07/95	USAGE ILLICITE DE STUPÉFIANTS	SUBSTITUT DU CDG : Me DANY VERCINE	30/08/95	1 AN	L'AFFAIRE APRÈS AVOIR ÉTÉ CONFÉE AU JUGE D'INSTRUCTION, EST REVENUE AU PARQUET.
23	DELICAR JEAN	B 21	16/08/95	CAMBRIOLAGE	PARQUET	22/08/95	1 AN	LE PRÉVENU N'A COMPARU QU'UNE FOIS DEVANT LE CDG.
24	DORLUS EPHESIEN	A 687	27/07/95	VOL A MAIN ARMÉE AVEC ESCALADE	SUBSTITUT DU CDG : Me FLORENCE MATHIEU	15/04/96	1 AN	LA DERNIÈRE COMPARUTION DU PRÉVENU DATE DE QUATRE MOIS.
25	JEAN-FRANÇOIS WILFRID	A 809	05/08/95	VOL A MAIN ARMÉE ET ASSOCIATION DE MALFAITEURS	SUBSTITUT DU CDG : Me JEAN-PAUL AUDAIN	20/09/95	1 AN	LE PRÉVENU SE TROUVE TOUJOURS AUX ORDRES DU PARQUET, UN AN APRÈS SA PREMIÈRE COMPARUTION.
26	IZAVIER TIBLANC	B 149	24/08/95	COMPLICITÉ DE MEURTRE	SUBSTITUT DU CDG : Me VALMONT SAINT-VAL	09/07/96	11 MOIS	L'AFFAIRE EST TOUJOURS ENTRE LES MAINS DU PARQUET.
27	FLEURIDOR PHAQUISSE	B 149	29/08/95	STUPÉFIANT DROGUE	PARQUET	29/08/95	11 MOIS	N'A PAS COMPARU DEPUIS LE 29 AOÛT 1995 OÙ IL A ÉTÉ PLACÉ SOUS MANDAT DE DÉPÔT PAR LE CDG.
28	FORTUNE ROGER	A 913	09/08/95	MEURTRE	PARQUET	20/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIÈRE COMPARUTION EN SEPTEMBRE 1995.
29	JÉAN LOUIS JOSEPH	B 97	22/08/95	VOL	PARQUET	22/08/95	11 MOIS	DOSSIER VIDE DE TOUT DOCUMENT.
30	JOSEPH MAXO	A 938	11/08/95	VOL	PARQUET	07/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIÈRE COMPARUTION EN SEPTEMBRE 1995.

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
31	GUERRIER BIENAISSANT	B 429	12/09/95	VOL ET PREJUDICES GRAVES AU SIEUR SALOMON MITVAL	SUBSTITUT DU COMMISSAIRE DU GOUVERNEMENT : Me DANY VERCINE	04/07/96	10 MOIS	SE TROUVE TOUJOURS AUX ORDRES DU PARQUET.
32	FRANÇOIS RENEL	B 427	12/09/95	VOL DE BOEUF ET BOURRIQUE	SUBSTITUT DU COMMISSAIRE DU GOUVERNEMENT : Me EDDY DARANG	12/09/95	10 MOIS	N'A PAS REVU LE JUGE DEPUIS SA PREMIÈRE COMPARUTION.
33	MESYUS WILNER	0143	19/12/94	VOL	PARQUET	13/12/95	1 AN 9 MOIS	PAS DE DOSSIER INDIVIDUEL.
34	PIERRE STEPHANE	0135	30/12/94	VOIES DE FAIT SUIVIES DE BLESSURES	PARQUET	INCONNUE	1 AN 9 MOIS	PAS DE DOSSIER INDIVIDUEL.
35	ROSEMBERT JEAN MARC	0345	02/01/95	ESCROQUERIE	PARQUET	INCONNUE	1 AN 8 MOIS	APRÈS LE CABINET D'INSTRUCTION, L'AFFAIRE EST REVENUE AU PARQUET.
36	MILORY MEILO	D 965	07/03/95	VOL	PARQUET	INCONNUE	1 AN 6 MOIS	SANS DOSSIER INDIVIDUEL.
37	ULISSE WILDER	0910	27/03/95	TENTATIVE D'ASSASSINAT	PARQUET	05/06/95	1 AN 6 MOIS	DOSSIER INDIVIDUEL VIDE.
38	JEAN LOUIS DENNIS	1336	25/04/96	VOL DE PIGEONS	PARQUET	25/04/95	1 AN 5 MOIS	DOSSIER INDIVIDUEL VIDE.
39	LIVONE FREDO	1234	20/04/95	COMPLICITÉ DE VOL	PARQUET	26/05/95	1 AN 5 MOIS	N'A PAS COMPARU DEPUIS LE 26 MAI 1995.
40	PIERRE MERVEILLEUX	1383	27/04/95	CAMBRIOLAGE	PARQUET	08/05/95	1 AN 5 MOIS	DOSSIER INDIVIDUEL VIDE.

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
41	BAPTISTE JEAN FRANÇOIS	1934	30/05/95	ASSOCIATION DE MALFAITEURS	PARQUET	31/05/95	1 AN 4 MOIS	SANS DOSSIER INDIVIDUEL.
42	PHILIPPE REYNOLD	1930	30/05/95	ASSOCIATION DE MALFAITEURS	PARQUET	30/05/95	1 AN 4 MOIS	DOSSIER INDIVIDUEL VIDE.
43	PIERRE JOSEPH	1758	22/05/95	ASSOCIATION DE MALFAITEURS	PARQUET	22/05/95	1 AN 4 MOIS	STATUT JURIDIQUE IGNORÉ , LE DÉTENU ÉTANT DEPOURVU DE DOSSIER INDIVIDUEL.
44	SAMEDI WILLIAM	1822	23/05/95	VOL	SUBSTITUT DU C.D.G : Me PARICE BAPTISTE	29/05/95	1 AN 4 MOIS	L'AFFAIRE SE TROUVE TOUJOURS AU PARQUET.
45	ST. JACQUES LAMOTHE	1450	02/05/95	VOL	PARQUET	02/05/95	1 AN 4 MOIS	DOSSIER INDIVIDUEL VIDE.
46	PIERRE LOUIS JEAN- ROBERT	2073	03/06/95	VOL	PARQUET	03/06/95	1 AN 3 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
47	ST. FÉLIX JEAN-CLAUDE	A 037	13/06/95	ASSASSINAT	PARQUET	09/07/96	1 AN 3 MOIS	N'A VU LE JUGE QU'UNE SEULE FOIS EN UN AN.
48	ST. FIRMÉ JEAN	2052	02/06/95	VOL	PARQUET	02/06/95	1 AN 3 MOIS	L'INSTRUCTION EST BLOQUÉE.
49	JEANVIL BENERA	A 707	28/07/95	VOIES DE FAIT	PARQUET	28/07/95	1 AN 2 MOIS	DOSSIER INDIVIDUEL VIDE DE TOUT DOCUMENT.
50	SAINTEIL LECÈNE	A 655	24/07/95	VOIES DE FAIT	PARQUET	25/03/96	1 AN 2 MOIS	L'AFFAIRE SE TROUVE TOUJOURS AU PARQUET.

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
51	DASSY ATELUS	A 794	04/08/95	MEURTRE	COMMISSAIRE DU GOUVERNEMENT : Me JEAN AUGUSTE BRUTUS	04/08/95	1 AN 1 MOIS	LE DÉTENU SE TROUVE TOUJOURS AUX ORDRES DU COMMISSAIRE DU GOUVERNEMENT.
52	BRUMA PETION	B 215	30/08/95	VOL A MAIN ARMÉE	PARQUET	30/08/95	1 AN 1 MOIS	DOSSIER COMPLÈTEMENT VIDE.
53	DORMEUS FRANÇOIS	A 888	07/08/95	VIOL	PARQUET	07/08/95	1 AN 1 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
54	JEAN ASNAU	A 939	11/08/95	VOL D'UNE VOITURE	PARQUET	11/08/95	1 AN 1 MOIS	L'AFFAIRE SE TROUVE ENCORE AU PARQUET.
55	PIERRE ESTEPHÈNE	B 019	16/08/95	CAMBRIOLAGE	PARQUET	22/08/95	1 AN 1 MOIS	L'AFFAIRE SE TROUVE ENCORE AU PARQUET.
56	PIERRE PACHOUCO	A 910	09/08/95	VOL ET ASSOCIATION DE MALFAITEURS	SUBSTITUT CDG : Me PARICE BAPTISTE	05/06/96	1 AN 1 MOIS	L'INSTRUCTION EST BLOQUÉE.
57	SAUVEUR WILLIAM	A 767	02/08/95	POSSESSION ILLÉGALE D'UNE SUBSTANCE RESSEMBLANT À LA MARIJUANA ET VOL	PARQUET	02/08/95	1 AN 1 MOIS	N'A PAS VU DE JUGE DEPUIS SON PLACEMENT SOUS MANDAT DE DÉPÔT.
58	VENTE JEAN MONNERAIT	A 752	01/08/95	VOL	PARQUET	01/08/95	1 AN 1 MOIS	LE DÉTENU SE TROUVE TOUJOURS AUX ORDRES DU PARQUET.
59	PIERRE ELIDONNE	B 461	13/09/95	VOL	COMMISSAIRE DU GOUVERNEMENT : Me JEAN AUGUSTE BRUTUS	26/03/96	1 AN	LE DÉTENU EST TOUJOURS AUX ORDRES DU PARQUET.
60	CHARLES NIXON	B 922	12/10/95	VOL	PARQUET	12/10/95	11 MOIS	DOSSIER INDIVIDUEL VIDE.

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
61	EXUME JEAN MENARD	C 046	18/10/95	VIOL	PARQUET	18/10/95	11 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
62	JOSEPH MARTIAL	C 751	30/10/95 (DELMAS) 29/11/95 (PENIT NAT)	ORGANISATEUR DE VOYAGES CLANDESTIN ET DETTE	SUBSTITUT DU C. D. G. : Me PARICE BAPTISTE	29/11/95	11 MOIS	LE DÉTENU SE TROUVE TOUJOURS AUX ORDRES DU PARQUET.
63	JULMISSE LENE CHARLES	C 264	30/10/95	VIOL	PARQUET	30/10/95	11 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
64	METELUS EMMANUEL	C 221	27/10/95	VOL	SUBSTITUT DU CDG : DANNY VERCINÉ	27/10/95	11 MOIS	SEULE PIÈCE AU DOSSIER : MANDAT DE DÉPÔT DU PARQUET (27/10/95).
65	MILFORT DOMINIQUE	C 293	31/10/95	VOL DE RADIO	PARQUET	21/05/96	11 MOIS	SANS DOSSIER INDIVIDUEL.
66	PHITO LOUIS	B 920	12/10/95	VOL D'UNE MOTOCYCLETTE	SUBSTITUT DU CDG : Me FLORENCE MATHIEU	12/10/95	11 MOIS	LE DÉTENU SE TROUVE TOUJOURS AUX ORDRES DU PARQUET.
67	THOMAS ANTOINE	B 886	10/10/95	DÉTENTION D'ARME ILLÉGALE	PARQUET	10/10/95	11 MOIS	DOSSIER INDIVIDUEL VIDE.
68	UTILE LUCIEN	C 300	31/10/95	VIOL	PARQUET	15/03/96	11 MOIS	L'INSTRUCTION EST BLOQUÉE.
69	VEILLARD KELLY	B 937	13/10/95	TENTATIVE D'ASSASSINAT	PARQUET	13/10/95	11 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
70	VERDIEU SELFIN	B 887	10/10/95	DÉTENTION D'ARME ILLÉGALE	PARQUET	10/10/95	11 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.

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No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
71	VITAL ALPHONSE	C 075	19/10/95	USAGE D'UN FAUX CHÈQUE	PARQUET	19/10/95	11 MOIS	SANS DOSSIER INDIVIDUEL.
72	WILFRID GEROME	B 820	06/10/95	VOL D'UNE VOITURE	PARQUET	06/10/95	11 MOIS	LE DÉTENU SE TROUVE TOUJOURS AUX ORDRES DU PARQUET.
73	FRANÇOIS JACQUES	C 725	09/11/95	VOIES DE FAIT/VOL	PARQUET	01/12/95	10 MOIS	SANS DOSSIER INDIVIDUEL.
74	JEAN DUNEL	C 501	14/11/95	FAUX ET USAGE DE FAUX	PARQUET	14/11/95	10 MOIS	L'AFFAIRE SE TROUVE TOUJOURS AU PARQUET.
75	MICHEL MICHAËL	C 777	30/11/95	VOL	PARQUET	13/12/95	10 MOIS	LE DÉTENU SE TROUVE TOUJOURS AUX ORDRES DU PARQUET.
76	PIERRE DIEUSEUL	C 544	16/11/95	ASSOCIATION DE MALFAITEURS	PARQUET	16/11/95	10 MOIS	LE DÉTENU SE TROUVE TOUJOURS AUX ORDRES DU PARQUET.
77	ST-FORT LEVI	C 778	30/11/95	VOL	PARQUET	30/11/95	10 MOIS	DOSSIER INDIVIDUEL VIDE.
78	THELUS NEVOYEL	C 548	16/11/95	MEURTRE	PARQUET	16/11/95	10 MOIS	L'INSTRUCTION EST BLOQUÉE.

**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRÉS AU PENITENCIER NATIONAL
LE 9 JUILLET 1996, SOUS RÉSERVE DES MODIFICATIONS INTERVENUES DEPUIS CETTE DATE
QUANT AU STATUT JURIDIQUE DES PREVENUS**

No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	LAMOUR AUBLAIN	A 392	17/03/94	ASSASSINAT D'ANTOINE IZMERY	Me BERNOVIL AUDATE JUGE D'INSTRUCTION	MARS 95	2 ANS 3 MOIS	SEULE PIÈCE AU DOSSIER : MANDAT DE DÉPÔT DU 17 MARS 1995.
02	NORELUS JACCIN	0085	17/01/95	MEURTRE	CABINET D'INSTRUCTION** DU CAP HAÏTIEN	17/01/96	1 AN 6 MOIS	AUCUNE PIÈCE AU DOSSIER.
03	DOMOND RICLAIR	0287	17/02/95	INCONNUE DU GREFFE	CABINET D'INSTRUCTION	21/09/95	1 AN 5 MOIS	SEULE PIÈCE AU DOSSIER : ORDRE D'EXTRACTION DU 20 SEPTEMBRE 1995 ET AUTORISATION DE SIGNIFICATION D'ACTE PAR HUISSIER DU 30 OCTOBRE 1995.
04	ABRAHAM JEAN WILSON	0756	17/03/95	VOL	CABINET D'INSTRUCTION	17/03/95	1 AN 4 MOIS	AUCUNE PIÈCE AU DOSSIER.
05	AUGUSTAVE THONY	1063	06/04/95	COMPLICITÉ D'ASSASSINAT	CABINET D'INSTRUCTION	24/04/95	1 AN 4 MOIS	SEULE PIÈCE AU DOSSIER : MANDAT DE DÉPÔT DE Me J.P. DANIEL AUDAIN, CDG.
06	BAUZILE JEAN MARC	1115	10/04/95	VAGABONDAGE	CABINET D'INSTRUCTION	20/09/95	1 AN 4 MOIS	SEULE PIÈCE AU DOSSIER : ORDRE D'EXTRACTION DU 19 AOÛT 95.
07	DAMUS WESNER	1095	30/03/95	COMPLICITÉ DE VOL	CABINET D'INSTRUCTION	07/04/95	1 AN 4 MOIS	SEULE PIÈCE AU DOSSIER : MANDAT DE DÉPÔT DE Me VALMONT SAINT-VAL, CDG.
08	CHARLES JEAN LOUIS	1002	05/04/95	VOL A MAIN ARMÉE	CABINET D'INSTRUCTION	09/05/95	1 AN 3 MOIS	AUCUNE PIÈCE AU DOSSIER.
09	DESIR JUNIOR	1594	09/05/95	VOL A MAIN ARMÉE	CABINET D'INSTRUCTION	09/05/95	1 AN 3 MOIS	AUCUNE PIÈCE AU DOSSIER
10	PIERRE DUVAL	0692	17/04/95 (GONAÏVES) 07/05/96 (PENIT.NAT)	MEURTRE	CABINET D'INSTRUCTION DES GONAÏVES	INCONNUE	1 AN 3 MOIS	DEPUIS SON TRANSFERT DES GONAÏVES, LE 7 MAI 1996, IL N'A PAS VU DE JUGE.

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IL S'AGIT DU DOSSIER INDIVIDUEL DU DÉTENU AU GREFFE DU PÉNITENCIER NATIONAL.
** LORSQU'É LE NOM DU JUGE D'INSTRUCTION N'EST PAS CONNU, IL EST INDIQUÉ : "CABINET D'INSTRUCTION".

DAG/PC CABINET/07-10-96

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
11	ALEXIS YRAMSON	2023	01/06/95	VOL A MAIN ARMÉE	CABINET D'INSTRUCTION	15/01/96	1 AN 2 MOIS	L'INSTRUCTION EST BLOQUÉE DEPUIS 6 MOIS.
12	CHERY FENET	2053	02/06/95	VOL	CABINET D'INSTRUCTION	05/06/95	1 AN 2 MOIS	UN SEUL ORDRE D'EXTRACTION DU CABINET D'INSTRUCTION EN DATE DU 14 NOVEMBRE 1995.
13	DOUTE JEAN DANTESTE	2021	01/06/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	15/01/96	1 AN 2 MOIS	L'INSTRUCTION EST BLOQUÉE DEPUIS 6 MOIS.
14	DUVÉUS SAUNEL	1698	17/05/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	06/06/95	1 AN 2 MOIS	L'INSTRUCTION EST BLOQUÉE DEPUIS PLUS D'UN AN.
15	JOSEPH FRITZNER	1435	01/05/95	VOL	CABINET D'INSTRUCTION	09/05/95	1 AN 2 MOIS	NE FIGURE AU DOSSIER QU'UN ORDRE D'EXTRACTION DU JUGE D'INSTRUCTION EN DATE DU 11 OCTOBRE 1995.
16	JOSEPH JEAN CLAUDE	1607	09/05/95	VOL	CABINET D'INSTRUCTION	23/04/96	1 AN 2 MOIS	LA DERNIÈRE COMPARUTION DATE DE 3 MOIS.
17	DESCARTES DENIS	A 191	23/06/95	VOL D'UNE VALEUR DE 50 000 DOLLARS	CABINET D'INSTRUCTION	23/06/95	1 AN 1 MOIS	L'INSTRUCTION N'ÉVOLUE PAS.
18	GUILLEAUME JEAN PIERRE	2060	02/06/95	VOL	CABINET D'INSTRUCTION	07/06/95	1 AN 1 MOIS	L'AFFAIRE N'A PAS ÉVOLUÉ DEPUIS SON EXAMEN PAR LE JUGE DE PAIX - SECTION NORD.
19	JEAN-BAPTISTE JEAN MILIS	A 113	19/06/95	TRAFIC ILLICITE DE STUPÉFIANTS	CABINET D'INSTRUCTION	17/01/96	1 AN 1 MOIS	L'AFFAIRE SE TROUVE ENCORE A L'INSTRUCTION.
20	JEAN-BAPTISTE JEAN TONY	A 190	23/06/95	VOL, CAMBRIOLAGE ET ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	23/06/95	1 AN 1 MOIS	L'INSTRUCTION EST BLOQUÉE.

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No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
21	JEAN-BAPTISTE PELISSIER	2102	06/06/95	PRÉVENU D'AVOIR MALTRAITÉ ET TENTÉ D'ASSASSINER LE SIEUR WALNER SAINT-CYR	CABINET D'INSTRUCTION Me BERNOVIL AUDATE	06/06/95	1 AN 1 MOIS	L'INSTRUCTION EST BLOQUÉE.
22	LOUIS SMITH	A 348	03/07/95	VAGABONDAGE	CABINET D'INSTRUCTION	13/07/95	1 AN 1 MOIS	L'INSTRUCTION EST BLOQUÉE.
23	CHARLES SONSON JEAN	A 705	28/07/95	VOL	CABINET D'INSTRUCTION	11/04/96	1 AN	DOSSIER INDIVIDUEL VIDE DE TOUT DOCUMENT.
24	CHERISIER WILLY	A 686	27/07/95	VOL A MAIN ARMÉE AVEC ESCALADE.	CABINET D'INSTRUCTION	09/04/96	1 AN	LA DERNIÈRE COMPARUTION DU PRÉVENU DATE DE QUATRE MOIS.
25	DELVA DOMINIQUE	A 703	28/07/95	VOL A MAIN ARMÉE AVEC ESCALADE	CABINET D'INSTRUCTION	28/07/95	1 AN	L'INSTRUCTION N'A PAS ÉVOLUÉ DEPUIS UN AN.
26	LOUIS-JEAN ENOLD	A 937	11/08/95	ABUS DE CONFIANCE ET VOL	CABINET D'INSTRUCTION	19/04/96	1 AN	LE PRÉVENU N'A COMPARU QU'UNE FOIS DEVANT LE JUGE D'INSTRUCTION.
27	JEAN JEAN CLAUDE	A 640	24/07/95	CAMBRIOLAGE DE "TRACKMASTER"	CABINET D'INSTRUCTION	24/07/95	1 AN	LE PRÉVENU N'A PAS ÉTÉ ENTENDU DEPUIS SA PREMIÈRE COMPARUTION LE 2 AOÛT 1995.
28	JEAN-CHARLES TOTO	A 704	28/07/95	VOL A MAIN ARMÉE AVEC ESCALADE	CABINET D'INSTRUCTION	28/07/95	1 AN	L'INSTRUCTION N'ÉVOLUE PAS DEPUIS UN AN.
29	CHERY ROBERT	A 930	11/08/96	VOL A MAIN ARMÉE	CABINET D'INSTRUCTION	11/08/96	11 MOIS	LE PRÉVENU N'A COMPARU QU'UNE SEULE FOIS DEPUIS SON ARRESTATION.
30	DEJAFATE SEMEMAT	E 697	28/08/95	MEURTRE	CABINET D'INSTRUCTION DES GONAÏVES	29/08/95	11 MOIS	DEPUIS SON TRANSFERT DES GONAÏVES, LE DÉTENU N'A PAS VU DE JUGE.

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
31	FRANCOIS OBIESE	A 810	05/08/95	VOL	CABINET D'INSTRUCTION	20/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIÈRE COMPARUTION EN SEPTEMBRE 1995.
32	JOSEPH EDDYSON	A 811	05/08/95	VOL A MAIN ARMÉE. ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	20/09/95	11 MOIS	L'INSTRUCTION EST BLOQUÉE.
33	JOSEPH REMY	A 843	07/08/95	VIOL	CABINET D'INSTRUCTION	14/03/96	11 MOIS	L'INSTRUCTION EST A NOUVEAU BLOQUÉE.
34	JEAN CHARLES BAZILE	A 935	11/08/95	MEURTRE	CABINET D'INSTRUCTION	11/08/95	11 MOIS	L'INSTRUCTION EST BLOQUÉE DEPUIS UN AN.
35	JEAN CHARLES EDDY	A 934	11/08/95	MEURTRE	CABINET D'INSTRUCTION	11/08/95	11 MOIS	N'A PAS COMPARU DEPUIS SON PLACEMENT SOUS MANDAT DE DÉPÔT.
36	ALERTE BISNEL	B 609	22/09/95	VOL AVEC ESCALADE	CABINET D'INSTRUCTION	22/09/95	10 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIÈRE COMPARUTION EN SEPTEMBRE 1995.
37	DERILUS DEJALA	E 698	11/09/95 (GONAÏVES) 07/05/96 (PENIT NAT)	MEURTRE	CABINET D'INSTRUCTION DES GONAÏVES	DECEMBRE 95 AUX GONAÏVES	10 MOIS	AUCUNE PIÈCE LÉGALE, NI DANS LE DOSSIER DES GONAÏVES NI DANS CELUI DU PÉNITENCIER NATIONAL. DEPUIS SON TRANSFERT DES GONAÏVES, LE 7 MAI 1996, IL N'A PAS VU DE JUGE A PORT-AU-PRINCE.
38	GEFFRARD PIERRE	B 290	01/08/95 (ST MARC) 04/09/95 (PENIT NAT)	MEURTRE	CABINET D'INSTRUCTION	14/09/95	10 MOIS	NE FIGURE AU DOSSIER QUE L'ORDRE DE TRANSFERT DU JUGE D'INSTRUCTION DE SAINT MARC, Me FRITZ GABRIEL, DU 4 SEPTEMBRE 1995.
39	JEAN PIERRE INNOCENT	F 422	19/09/95 (CAP HAÏTIEN) 06/07/96 (PENIT. NAT)	ASSASSINAT ET POSSESSION D'ARME A FEU	CABINET D'INSTRUCTION DU CAP HAÏTIEN	FÉVRIER 1996 AU CAP HAÏTIEN	9 MOIS	DEPUIS SON TRANSFERT DU CAP HAÏTIEN LE 6 JUILLET 1996, IL N'A PAS VU DE JUGE A PORT-AU-PRINCE.
40	ALEXANDRE JOHNY	B 760	03/10/95	USAGE D'UN FAUX REVOLVER, VOL A MAIN ARMÉE	CABINET D'INSTRUCTION	16/01/96	9 MOIS	L'INSTRUCTION EST BLOQUÉE A NOUVEAU.

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
41	BAZILE AROLD	A 175	05/01/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	25/01/95	1 AN 8 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
42	JEAN LOUIS MOLEAU LEVERT	0456	25/01/95	VOIES DE FAIT	CABINET D'INSTRUCTION	25/01/95	1 AN 8 MOIS	SANS DOSSIER INDIVIDUEL.
43	SÉNATUS JEAN JEAN	0327	27/01/95	VOL	CABINET D'INSTRUCTION	24/04/95	1 AN 8 MOIS	SEULE PIÈCE AU DOSSIER INDIVIDUEL : ORDRE D'EXTRACTION DU CDG DU 10 AOÛT 1995.
44	FRAZIL PRICIEN	0776	18/03/95	TRAFIC DE DROGUE	CABINET D'INSTRUCTION	28/08/95	1 AN 6 MOIS	SANS DOSSIER INDIVIDUEL.
45	MISCADIN GÉRARD	0914	28/03/95	VOL	CABINET D'INSTRUCTION	28/03/95	1 AN 6 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
46	PIERRE DANIEL	0926	28/03/95	VOL	CABINET D'INSTRUCTION	01/04/96	1 AN 6 MOIS	L'INSTRUCTION SUIT SON COURS.
47	PIERRE GERALD	0812	21/03/95	VOL	CABINET D'INSTRUCTION	21/03/95	1 AN 6 MOIS	N'A PAS REVU LE JUGE DEPUIS SA PREMIÈRE COMPARUTION.
48	PIERRE WINDY	0939	30/03/95	POSSESSION D'ARME A FEU	CABINET D'INSTRUCTION	30/03/95	1 AN 6 MOIS	SANS DOSSIER INDIVIDUEL.
49	POMPÉ WILSON	0681	14/03/95	VOL	CABINET D'INSTRUCTION	03/06/96	1 AN 6 MOIS	L'INSTRUCTION SUIT SON COURS.
50	THOMAS JEAN RONEL	0923	28/03/95	VOL DE VOITURE	CABINET D'INSTRUCTION	09/05/95	1 AN 6 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.

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No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITÉ/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
51	BERNARD GASTOR	1366	27/04/95	VOL A MAIN ARMÉE	CABINET D'INSTRUCTION	27/04/95	1 AN 5 MOIS	DOSSIER INDIVIDUEL VIDE.
52	GEORGES HONORÉ	1020	05/04/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	05/04/95	1 AN 5 MOIS	DOSSIER INDIVIDUEL VIDE.
53	JANVIER LAMOUR	1114	10/04/95	DETTE	CABINET D'INSTRUCTION	10/04/95	1 AN 5 MOIS	N'A PAS REVU LE JUGE DEPUIS SA PREMIÈRE COMPARUTION.
54	JEAN FLEURIMÉ (BRUNEL)	1059	06/04/95	DROGUE	CABINET D'INSTRUCTION	INCONNUE	1 AN 5 MOIS	DOSSIER INDIVIDUEL VIDE.
55	NELSON ELIPHÈTE	1363	27/04/95	VOL	CABINET D'INSTRUCTION	27/04/95	1 AN 5 MOIS	L'INSTRUCTION EST BLOQUÉE.
56	THELUSMA FANEL	1369	27/04/95	VOL A MAIN ARMÉE ET MEURTRE	CABINET D'INSTRUCTION	27/04/95	1 AN 5 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
57	ANTOINE MARIO	1845	26/05/95	VOL	CABINET D'INSTRUCTION	INCONNUE	1 AN 4 MOIS	SANS DOSSIER INDIVIDUEL.
58	DOMINGO ERNST	1593	09/05/95	INCONNUE	CABINET D'INSTRUCTION	09/05/95	1 AN 4 MOIS	SANS DOSSIER INDIVIDUEL.
59	JEAN MIBÉL (MICHEL)	1931	30/05/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	30/05/95	1 AN 4 MOIS	L'INSTRUCTION EST BLOQUÉE.
60	JOSEPH JEAN	1920	30/05/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	FÉVRIER 1996	1 AN 4 MOIS	L'INSTRUCTION EST BLOQUÉE.

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITÉ/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
61	PIERRE ERICK	1789	23/05/95	VOIES DE FAIT	CABINET D'INSTRUCTION	OCTOBRE 95	1 AN 4 MOIS	SEULE PIÈCE AU DOSSIER INDIVIDUEL : ORDRE D'EXTRACTION DU JUGE D'INSTRUCTION DU 11 OCTOBRE 1995.
62	PIERRE JEAN EMMANUEL	1792	23/05/95	VOIES DE FAIT	CABINET D'INSTRUCTION	11/10/95	1 AN 4 MOIS	L'INSTRUCTION EST BLOQUÉE.
63	PIERRE OSWALD	1922	30/05/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	30/05/95	1 AN 4 MOIS	SIGNIFICATION D'ACTES DU C.D.G (18/12/95), MAIS N'A TOUJOURS PAS ÉTÉ JUGÉ.
64	VIRGILE MACKENDY	1942	30/05/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	07/95	1 AN 4 MOIS	L'INSTRUCTION EST BLOQUÉE.
65	ALEXIS JEAN MICHELET	2017	01/06/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	INCONNUE	1 AN 3 MOIS	DOSSIER INDIVIDUEL VIDE.
66	PIERRE DIEULIFÈTE	2025	01/06/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	15/01/96	1 AN 3 MOIS	L'INSTRUCTION EST BLOQUÉE.
67	SYLVAIN WILLY	2071	05/06/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	11/07/96	1 AN 3 MOIS	L'INSTRUCTION EST BLOQUÉE.
68	YVON DELICE	2055	02/06/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	JUILLET 1995	1 AN 3 MOIS	L'INSTRUCTION EST BLOQUÉE.
69	AUGUSTIN RONALD	A 393	05/07/95	DROGUE	CABINET D'INSTRUCTION	13/02/96	1 AN 2 MOIS	L'INSTRUCTION EST BLOQUÉE.
70	BERTRAND DELVA	A 520	17/07/95	POSSESSION ILLÉGALE D'ARME	CABINET D'INSTRUCTION	07/05/96	1 AN 2 MOIS	L'INSTRUCTION EST BLOQUÉE.

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No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
71	DUQUERESTE MATHURIN	A 412	07/07/95	VOL DE VÉHICULE ET VOL À MAIN ARMÉE	CABINET D'INSTRUCTION	OCTOBRE 1995	1 AN 2 MOIS	N'A PAS REVU LE JUGE DEPUIS OCTOBRE 1995.
72	GERMAIN POLIUS	A 491	13/07/95	MEURTRE	CABINET D'INSTRUCTION	27/07/95	1 AN 2 MOIS	N'A PAS REVU LE JUGE DEPUIS JUILLET 1995.
73	JEAN DORPHENLEY	A 681	26/07/95	VOL A MAIN ARMÉE	CABINET D'INSTRUCTION	24/01/96	1 AN 2 MOIS	N'A VU LE JUGE D'INSTRUCTION QU'UNE SEULE FOIS.
74	PIERRE RIGEUR	A 685	27/07/95	VOL A MAIN ARMÉE AVEC ESCALADE	CABINET D'INSTRUCTION	11/04/96	1 AN 2 MOIS	L'INSTRUCTION EST BLOQUÉE.
75	ROZIER MURAT	A 585	20/07/95	DROGUE	CABINET D'INSTRUCTION	20/07/95	1 AN 2 MOIS	SANS DOSSIER INDIVIDUEL.
76	SALOMON EMMANUEL	A 608	21/07/95	VOL	CABINET D'INSTRUCTION	15/11/95	1 AN 2 MOIS	L'INSTRUCTION EST BLOQUÉE.
77	JOSEPH RODRIGUE	A 796	04/08/95	VOIES DE FAIT	CABINET D'INSTRUCTION	04/08/95	1 AN 1 MOIS	L'INSTRUCTION EST BLOQUÉE.
78	NESTOR DAMEUS	A 933	11/08/95	MEURTRE	CABINET D'INSTRUCTION	11/08/95	1 AN 1 MOIS	DOSSIER COMPLÈTEMENT VIDE.
79	BEAUCÉJOUR FRANTZ (TI DOMINICAIN)	0013	16/08/95	VOL A MAIN ARMÉE	CABINET D'INSTRUCTION	INCONNUE	1 AN 1 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
80	FEDNEL REMY	A 932	11/08/95	MEURTRE	CABINET D'INSTRUCTION	11/08/95	1 AN 1 MOIS	L'INSTRUCTION EST BLOQUÉE.

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
81	JOSEPH RODRIGUE	A 796	04/08/95	VOL	CABINET D'INSTRUCTION	04/08/95	1 AN 1 MOIS	L'INSTRUCTION EST BLOQUÉE.
82	LOUIS LUCKNEUR	F 438	15/08/95 (CAP HAÏTIEN) 08/07/96 (PENIT NAT)	VOL MOTOCYCLETTE	JUGE D'INSTRUCTION GRANDE RIVIÈRE DU NORD : Me HAROLD CHÉRY	17/10/95	1 AN 1 MOIS	DEPUIS SON TRANSFERT DU CAP HAÏTIEN LE 6 JUILLET 1996, LE DÉTENU N'A PAS VU DE JUGE À PORT-AU-PRINCE.
83	MESSEJOUR CLAUDE	A 997	16/08/95	ASSOCIATION DE MALFAITEURS/ COMPLICITÉ DE VOL.	CABINET D'INSTRUCTION	16/08/95	1 AN 1 MOIS	L'INSTRUCTION EST BLOQUÉE.
84	MOROSE RENÉ	A 795	04/08/95	PRÉVENU DE TENTATIVE D'ASSASSINAT SUR LA PERSONNE DU SIEUR WILSMITH LÉGER	CABINET D'INSTRUCTION	06/05/95	1 AN 1 MOIS	L'INSTRUCTION EST BLOQUÉE.
85	PAPOUCHE MICHEL	B 035	17/08/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	17/08/95	1 AN 1 MOIS	N'A PAS REVU LE JUGE DEPUIS AOÛT 1995.
86	ALISSAINT BENITO	B 426	12/09/95	VOIES DE FAIT SUIVIES DE BLESSURES	CABINET D'INSTRUCTION	12/09/95	1 AN	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
87	PIERRE FARIHD	B 689	28/09/95	MEURTRE	JUGE D'INSTRUCTION Me EMMANUEL JEAN PHILIPPE	18/10/95	1 AN	L'INSTRUCTION EST BLOQUÉE.
88	BELANGE YVES	B 855	09/10/95	DÉTENTION D'ARME ILLÉGALE	CABINET D'INSTRUCTION	09/10/95	11 MOIS	L'INSTRUCTION EST BLOQUÉE.
89	CAZEAU FRANTZ	C 139	23/10/95	INCENDIE	CABINET D'INSTRUCTION	23/10/95	11 MOIS	L'INSTRUCTION EST BLOQUÉE.
90	CHÉRY EMMANUEL	B 821	06/10/95	VOL D'UNE VOITURE	JUGE D'INSTRUCTION : Me MARGARETH GARNIER	06/05/96	11 MOIS	L'INSTRUCTION EST BLOQUÉE.

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No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
91	DUPONT JOSEPH LINO	B 918	11/10/95	ASSASSINAT	CABINET D'INSTRUCTION	19/12/95	11 MOIS	L'INSTRUCTION EST BLOQUÉE.
92	JEAN RELIE JEAN	B 822	06/10/95	ASSASSINAT	CABINET D'INSTRUCTION	07/06/96	11 MOIS	SANS DOSSIER INDIVIDUEL.
93	JEAN CLAUDE SEMEXAN	B 888	10/10/95	DETENTION D'ARME ILLEGALE	CABINET D'INSTRUCTION	10/10/95	11 MOIS	L'INSTRUCTION EST BLOQUÉE.
94	JOSEPH MARIO	B 759	03/10/95	USAGE D'UN FAUX RÉVOLVER. VOL A MAIN ARMÉE	CABINET D'INSTRUCTION	16/01/96	11 MOIS	L'INSTRUCTION EST BLOQUÉE.
95	MASSILLON DELVA	C 292	31/10/95	VOL	CABINET D'INSTRUCTION	21/05/96	11 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
96	ANTOINE FRANTZY	C 727	28/11/95	VOL	CABINET D'INSTRUCTION	28/03/96	10 MOIS	L'INSTRUCTION EST BLOQUÉE.
97	BARTHELEMY JEAN MILO	C 449	09/11/95	CAMBRIOLAGE DU MAGASIN "HAITIANO COMMERCE # 1	CABINET D'INSTRUCTION	INCONNUE	10 MOIS	L'INSTRUCTION EST BLOQUÉE.
98	BEAUBRUN JEAN MARC	C 656	23/11/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	15/01/96	10 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
99	CÉLIDOR CIFRA (ADOU AUGUSTIN)	C 504	14/11/95	VOL DE \$25,000 US	CABINET D'INSTRUCTION	29/01/96	10 MOIS	L'INSTRUCTION EST BLOQUÉE.
100	COMULUS ABNER	C 726	28/11/95	VOL	CABINET D'INSTRUCTION	16/01/96	10 MOIS	L'INSTRUCTION EST BLOQUÉE.

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
101	DUPALIS RÉMY	C 510	14/11/95	TENTATIVE D'ASSASSINAT	JUGE D'INSTRUCTION : M ^e GERARD GILLES	07/08/96	10 MOIS	L'INSTRUCTION SUIV SON COURS.
102	GEORGES YVES	C 447	09/11/95	CAMBRIOLAGE DU MAGASIN "HAÏTIANO COMMERCE # 1"	JUGE D'INSTRUCTION : M ^e GERARD GILLES	07/08/96	10 MOIS	L'INSTRUCTION SUIV SON COURS.
103	JEAN BAPTISTE EVENS	F 421	12/11/95 (CAP HAÏTIEN) 08/07/96 (PENIT NAT)	VOIES DE FAIT SUIVIES DE COUPS ET BLESSURES	JUGE D'INSTRUCTION CAP HAÏTIEN : M ^e ALIX FUCIEN	INCONNUE	10 MOIS	DEPUIS SONT TRANSFERT DU CAP HAÏTIEN, LE DÉTENU N'A PAS VU DE JUGE À PORT-AU-PRINCE.
104	JEAN LOUIS JOSAPHAT	C 547	16/11/95	MEURTRE	CABINET D'INSTRUCTION	14/12/95	10 MOIS	L'INSTRUCTION EST BLOQUÉE.
105	JUNIOR ALIX	C 505	14/11/95	VOL	CABINET D'INSTRUCTION	29/01/96	10 MOIS	DOSSIER INDIVIDUEL VIDE.
106	LEBON WILTON (WILSON)	C 670	24/11/95	VOL À MAIN ARMÉE ET VOIES DE FAIT SUIVIES DE GRAVES BLESSURES	CABINET D'INSTRUCTION	24/11/95	10 MOIS	L'INSTRUCTION EST BLOQUÉE.
107	PAUL FELIX	C 745	28/11/95	VOL	CABINET D'INSTRUCTION	28/11/95	10 MOIS	L'INSTRUCTION EST BLOQUÉE.
108	PIERRE MANOI	C 546	16/11/95	ASSOCIATION DE MALFAITEURS	CABINET D'INSTRUCTION	16/11/95	10 MOIS	L'INSTRUCTION EST BLOQUÉE.
109	PIERRE YVON	C 487	13/11/95	COMPLICITÉ DANS LA MORT DU DÉPUTÉ HUBERT FEUILLÉ	CABINET D'INSTRUCTION	09/07/96	10 MOIS	L'INSTRUCTION EST BLOQUÉE.
110	SAINT CYR LUC	C 317	03/11/95	VOL AVEC ESCALADE	CABINET D'INSTRUCTION	03/11/95	10 MOIS	DOSSIER INDIVIDUEL VIDE.
111	SÉMERITE NEREZ	C 549	16/11/95	MEURTRE	CABINET D'INSTRUCTION	14/12/95	10 MOIS	L'INSTRUCTION EST BLOQUÉE.
112	TIMOUCHE BRINOT	A 411	07/11/95	MEURTRE	CABINET D'INSTRUCTION	01/03/96	10 MOIS	L'INSTRUCTION EST BLOQUÉE.

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**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRES AU PENITENCIER NATIONAL
LE 9 JUILLET 1996, SOUS RESERVE DES MODIFICATIONS INTERVENUES DEPUIS CETTE DATE
QUANT AU STATUT JURIDIQUE DES PREVENUS**

No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	LOUIS JEAN CLAUDE	2045	01/06/95	VOIES DE FAIT	JUGE DE PAIX-SECTION NORD-Me ETZER ARISTIDE	04/07/96	1 AN 2 MOIS	SE TROUVE TOUJOURS AUX ORDRES DU JUGE DE PAIX.
02	GALAND ROSEMOND	A 819	05/08/95	VOL A MAIN ARMÉE, ASSOCIATION DE MALFAITEURS	JUGE DE PAIX SUPPLEANT	20/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIERE COMPARUTION EN SEPTEMBRE 1995.
03	JEAN MACKENZIE	A 815	05/08/95	ASSOCIATION DE MALFAITEURS	JUGE DE PAIX SUPPLEANT	20/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIERE COMPARUTION EN SEPTEMBRE 1995.
04	JEAN BAPTISTE MARC AUREL	A 865	07/08/95	VOL	JUGE DE PAIX SECTION NORD : Me ETZER ARISTIDE	07/08/95	11 MOIS	L'AFFAIRE SE TROUVE TOUJOURS ENTRE LES MAINS DU JUGE DE PAIX DE LA SECTION NORD.
05	PIERRE RICHARD	C 783	30/04/95	VOIES DE FAIT SUIVIES DE BLESSURES	JUGE DE PAIX SECTION NORD: Me PASCAL TONY SANON	30/10/95	1 AN 5 MOIS	SE TROUVE TOUJOURS AUX ORDRES DU JUGE DE PAIX.
06	MOLEON MAMANE	A 176	22/06/95	"INCONNUE"	JUGE DE PAIX SECTION NORD	22/06/95	1 AN 3 MOIS	L'AFFAIRE SE TROUVE DEPUIS PLUS D'UN AN ENTRE LES MAINS DU JUGE DE PAIX.
07	CESAIRE LOUIS	B 349	07/09/95	VOL	JUGE DE PAIX SECTION NORD	07/09/95	1 AN	DOSSIER INDIVIDUEL VIDE.
08	DIEUJUSTE FRANTZ	B 790	04/10/95	MEURTRE	JUGE DE PAIX SECTION NORD	04/10/95	11 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
09	LAURENT SAMUEL	C 156	23/10/95	VOL	JUGE DE PAIX SECTION NORD : Me ETZER ARISTIDE	04/12/95	11 MOIS	L'AFFAIRE SE TROUVE TOUJOURS ENTRE LES MAINS DU JUGE DE PAIX.

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No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	CHARLES LESLY	0441	16/11/94	VOL	JUGE DE PAIX SECTION SUD	04/12/95	1 AN 8 MOIS	SEULE PIÈCE AU DOSSIER : ORDRE D'EXTRACTION DU 4 DECEMBRE 1995.
02	GALAND ROSEMOND	A 819	05/08/95	VOL A MAIN ARMÉE, ASSOCIATION DE MALFAITEURS	JUGE DE PAIX SUPPLÉANT	20/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIERE COMPARUTION EN SEPTEMBRE 1995.
03	JEAN MACKENZIE	A 815	05/08/95	ASSOCIATION DE MALFAITEURS	JUGE DE PAIX SUPPLÉANT	20/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIERE COMPARUTION EN SEPTEMBRE 1995.
04	ORPHELIN LAMY	A 907	09/08/95	VOL	JUGE DE PAIX SECTION SUD : Me ROSE MAY MILORD	29/08/95	1 AN 1 MOIS	L'AFFAIRE EST TOUJOURS ENTRE LES MAINS DU JUGE DE PAIX.
05	ETIENNE VILES	B 924	12/10/95	VIOL	JUGE DE PAIX SECTION SUD	12/10/95	11 MOIS	DOSSIER INDIVIDUEL VIDE.
		C 687	25/11/95	USAGE DE FAUX DOCUMENTS	JUGE DE PAIX SECTION SUD	07/12/95	10 MOIS	LE DÉTENU SE TROUVE TOUJOURS AUX ORDRES DU JUGE DE PAIX.
	JEAN JORDANY (GEORDANY)	C 490	13/11/95	ASSOCIATION DE MALFAITEURS	JUGE DE PAIX SECTION SUD	13/11/95	10 MOIS	LE DÉTENU SE TROUVE TOUJOURS AUX ORDRES DU JUGE DE PAIX.

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No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	GALAND ROSEMOND	A 819	05/08/95	VOL A MAIN ARMÉE, ASSOCIATION DE MALFAITEURS	JUGE DE PAIX SUPPLÉANT	20/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIERE COMPARUTION EN SEPTEMBRE 1995.
02	JEAN MACKENZIE	A 815	05/08/95	ASSOCIATION DE MALFAITEURS	JUGE DE PAIX SUPPLÉANT	20/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIERE COMPARUTION EN SEPTEMBRE 1995.
03	MONTOUR PATRICK	0014	21/08/95	VOL A MAIN ARMÉE	JUGE DE PAIX SECTION OUEST	INCONNUE	1 AN 1 MOIS	SANS DOSSIER INDIVIDUEL.

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**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRES AU PENITENCIER NATIONAL
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No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DE LA DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	ADMÉ JEAN ESSIO	0680	14/03/95	VOL	DELMAS	03/04/95	1 AN 6 MOIS	DOSSIER INDIVIDUEL VIDE.
02	EMMANUEL GESNER	0970	03/04/95	VOL	DELMAS	03/04/95	1 AN 5 MOIS	SANS DOSSIER INDIVIDUEL.
03	GALAND ROSEMOND	A 819	05/08/95	VOL A MAIN ARMÉE, ASSOCIATION DE MALFAITEURS	JUGE DE PAIX SUPPLÉANT	20/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIÈRE COMPARUTION EN SEPTEMBRE 1995.
04	JEAN MACKENZIE	A 815	05/08/95	ASSOCIATION DE MALFAITEURS	JUGE DE PAIX SUPPLÉANT	20/09/95	11 MOIS	N'A PAS REVU LE JUGE DEPUIS SA DERNIÈRE COMPARUTION EN SEPTEMBRE 1995.

**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRES AU PENITENCIER NATIONAL
LE 9 JUILLET 1996, SOUS RESERVE DES MODIFICATIONS INTERVENUES DEPUIS CETTE DATE
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	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DE LA DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	DORCÉ REYNALD	A 400	06/07/95	TENTATIVE D'ASSASSINAT	TRIBUNAL CORRECTIONNEL	08/07/96	1 AN 1 MOIS	EN ATTENTE DE JUGEMENT.
02	LOUIS JOSEPH EMMANUEL	B 645	26/09/95	TRAFIC ILLICITE DE STUPEFIANTS	TRIBUNAL CORRECTIONNEL	20/06/96	10 MOIS	EN ATTENTE DE JUGEMENT
03	LOUIS OSLIN	B 643	26/09/95	TRAFIC ILLICITE DE STUPEFIANTS	TRIBUNAL CORRECTIONNEL	05/07/96	10 MOIS	EN ATTENTE DE JUGEMENT
04	GERALD BRUNET	B 651	26/09/95	TRAFIC ILLICITE DE STUPEFIANTS	TRIBUNAL CORRECTIONNEL	05/07/96	10 MOIS	EN ATTENTE DE JUGEMENT
05	HONORÉ DELILE	B 652	26/09/95	TRAFIC ILLICITE DE STUPEFIANTS	TRIBUNAL CORRECTIONNEL	05/07/96	10 MOIS	EN ATTENTE DE JUGEMENT.
06	HONORÉ MARCEL	B 644	26/09/95	DROGUE	TRIBUNAL CORRECTIONNEL	05/07/96	10 MOIS	EN ATTENTE DE JUGEMENT.
07	JEAN ELIE	1932	30/05/95	ASSOCIATION DE MALFAITEURS	TRIBUNAL CORRECTIONNEL	AOÛT 1996	1 AN 4 MOIS	SANS DOSSIER INDIVIDUEL
08	MODELET ST. HILAIRE	1946	30/05/95	ASSOCIATION DE MALFAITEURS	TRIBUNAL CORRECTIONNEL	31/01/96	1 AN 4 MOIS	SIGNIFICATION D'ACTES DU CDG DU 14/05/96, MAIS N'A TOUJOURS PAS ÉTÉ JUGÉ.
09	PIERRE ENOCK	1929	30/05/95	ASSOCIATION DE MALFAITEURS	TRIBUNAL CORRECTIONNEL	30/05/95	1 AN 4 MOIS	SIGNIFICATION D'ACTES DU CDG MAIS N'A TOUJOURS PAS ÉTÉ JUGÉ.
10	SAINT SURIN VITEL	1514	04/05/95	VOL	TRIBUNAL CORRECTIONNEL	11/07/95	1 AN 4 MOIS	LE DÉTENU N'EST TOUJOURS PAS JUGÉ.
11	RAPHAEL FABLEMON	A 558	18/07/95	ABUS DE CONFLANCE ET ESCROQUERIE	TRIBUNAL CORRECTIONNEL	02/10/95	1 AN 2 MOIS	N'A TOUJOURS PAS ÉTÉ JUGÉ.
12	JEAN BENITO	C 200	26/10/95	VOL A MAIN ARMÉE	TRIBUNAL CORRECTIONNEL	06/07/96	11 MOIS	DOSSIER INDIVIDUEL VIDE.

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**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRES AU PENITENCIER NATIONAL
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QUANT AU STATUT JURIDIQUE DES PREVENUS**

No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
01	AMAYA JOSE MANUEL	D 568	30/10/95 (JACMEL) 29/01/96 (PENIT NAT)	TRAFIC DE STUPÉFIANTS	COUR D'APPEL	21/03/96	11 MOIS	L'AFFAIRE SE TROUVE DEVANT LA COUR D'APPEL DEPUIS LE MOIS DE MARS 1996.
02	DIAZ MARCO	D 566	31/10/95 (JACMEL) 29/01/96 (PENIT NAT)	TRAFIC DE STUPÉFIANTS	COUR D'APPEL	21/03/96	11 MOIS	L'AFFAIRE SE TROUVE DEVANT LA COUR D'APPEL DEPUIS LE MOIS DE MARS 1996.
03	HERNANDEZ ANTONIO	D 562	31/10/95 (JACMEL) 29/01/96 (PENIT NAT)	TRAFIC DE STUPÉFIANTS	COUR D'APPEL	21/03/96	11 MOIS	L'AFFAIRE SE TROUVE DEVANT LA COUR D'APPEL DEPUIS LE MOIS DE MARS 1996.
04	HERNANDEZ JULIO	D 567	30/10/95 (JACMEL) 29/01/96 (PENIT NAT)	TRAFIC DE STUPÉFIANTS	COUR D'APPEL	21/03/96	11 MOIS	L'AFFAIRE SE TROUVE DEVANT LA COUR D'APPEL DEPUIS LE MOIS DE MARS 1996.
05	LAFALAISE ABEL (DESIR JEAN LOUIS)	D 561	30/10/95 (JACMEL) 29/01/96 (PENIT NAT)	TRAFIC DE STUPÉFIANTS	COUR D'APPEL	23/03/96	11 MOIS	L'AFFAIRE SE TROUVE DEVANT LA COUR D'APPEL DEPUIS LE MOIS DE MARS 1996.
06	RAMIREZ CARLOS	D 563	30/10/95 (JACMEL) 29/01/96 (PENIT NAT)	TRAFIC DE STUPÉFIANTS	COUR D'APPEL	21/03/96	11 MOIS	L'AFFAIRE SE TROUVE DEVANT LA COUR D'APPEL DEPUIS LE MOIS DE MARS 1996.
07	VELAZQUEZ RAMON	D 565	30/10/95 (JACMEL) 29/01/96 (PENIT NAT)	TRAFIC DE STUPÉFIANTS	COUR D'APPEL	21/03/96	11 MOIS	L'AFFAIRE SE TROUVE DEVANT LA COUR D'APPEL DEPUIS LE MOIS DE MARS 1996.
08	CONSTANTINO PINOVA	D 564	07/11/95 (JACMEL) 29/01/96 (PENIT NAT)	TRAFIC DE STUPÉFIANTS	COUR D'APPEL	21/03/96	10 MOIS	L'AFFAIRE SE TROUVE DEVANT LA COUR D'APPEL DEPUIS LE MOIS DE MARS 1996.
09	HOLLY FRANTZ	C 312	03/11/95	TENTATIVE D'ASSASSINAT	COUR D'APPEL	09/07/96	10 MOIS	L'AFFAIRE SE TROUVE TOUJOURS À LA COUR D'APPEL.

DAGEP/APPEL/09-10-96

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**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRES AU PENITENCIER NATIONAL
LE 9 JUILLET 1996, SOUS RESERVE DES MODIFICATIONS INTERVENUES DEPUIS CETTE DATE
QUANT AU STATUT JURIDIQUE DES PREVENUS**

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No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DE LA DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	CALIXTE BAGUIDY	C 346	28/10/94	COMPLICITÉ DE MEURTRE	COUR DE CASSATION	12/12/95	1 AN 9 MOIS	POURVOI EN CASSATION CONTRE L'ORDONNANCE DE RENVOI DEVANT LE TRIBUNAL CRIMINEL.

**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRÉS AU PENITENCIER NATIONAL
LE 9 JUILLET 1996, SOUS RÉSERVE DES MODIFICATIONS INTERVENUES DEPUIS CETTE DATE
QUANT AU STATUT JURIDIQUE DES PREVENUS**

No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	PIERRE DUVAL	0692	17/04/95 (GONAÏVES) 07/05/96 (PENIT.NAT)	MEURTRE	CABINET D'INSTRUCTION DES GONAÏVES	INCONNUE	1 AN 3 MOIS	DEPUIS SON TRANSFERT DES GONAÏVES, LE 7 MAI 1996, IL N'A PAS VU DE JUGE.
02	DEJAFATE SEMEMAT	E 697	28/08/95	MEURTRE	CABINET D'INSTRUCTION DES GONAÏVES	29/08/95	11 MOIS	DEPUIS SON TRANSFERT DES GONAÏVES, LE DÉTENU N'A PAS VU DE JUGE.
03	DERILUS DEJALA	E 698	11/09/95 (GONAÏVES) 07/05/96 (PENIT NAT)	MEURTRE	CABINET D'INSTRUCTION DES GONAÏVES	DECEMBRE 95 AUX GONAÏVES	10 MOIS	AUCUNE PIÈCE LÉGALE, NI DANS LE DOSSIER DES GONAÏVES NI DANS CELUI DU PÉNITENCIER NATIONAL. DEPUIS SON TRANSFERT DES GONAÏVES, LE 7 MAI 1996, IL N'A PAS VU DE JUGE A PORT-AU-PRINCE.

IL S'AGIT DU DOSSIER INDIVIDUEL DU DÉTENU AU GREFFE DU PÉNITENCIER NATIONAL.
** LORSQU'IL Y A DES MODIFICATIONS, LE NOM DU JUGE D'INSTRUCTION N'EST PAS CONNU, IL EST INDIQUÉ : "CABINET D'INSTRUCTION".

DAGEP/GON-INST/11-10-96

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**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRES AU PENITENCIER NATIONAL
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No	NOM/PRÉNOM	No ÉCROU	DATE D'ÉCROU	INFRACTION	AUTORITE/JURIDICTION CONCERNÉE	DATE DE LA DERNIÈRE COMPARUTION	DURÉE DE LA DÉTENTION PRÉVENTIVE	OBSERVATIONS
01	NELSON RENEL	E 683	08/08/94 (GONAÏVES) 07/05/96 (PENIT NAT)	MEURTRE	GONAÏVES	INCONNUE	2 ANS 1 MOIS	DOSSIER INDIVIDUEL VIDE.
02	PIERRE SOIRIUS	E 693	12/07/95 (GONAÏVES) 07/03/96 (PENIT NAT)	MEURTRE	GONAÏVES	INCONNUE	1 AN 2 MOIS	N'A PAS VU LE JUGE DEPUIS SON TRANSFERT DES GONAÏVES.
03	VOLMA DEMERANTE	E 696	24/08/95 (GONAÏVES) 07/05/96 (PENIT NAT)	MEURTRE	GONAÏVES	INCONNUE	1 AN 1 MOIS	DEPUIS SON TRANSFERT A PORT-AU-PRINCE, LE DÉTENU N'A PAS VU DE JUGE.
04	VOLMA LUC	E 695	24/08/95 (GONAÏVES) 07/05/96 (PENIT NAT)	MEURTRE	GONAÏVES	INCONNUE	1 AN 1 MOIS	DEPUIS SON TRANSFERT À PORT-AU-PRINCE, LE DÉTENU N'A PAS VU DE JUGE.
05	DORVILIEN GARÇON	E 699	17/09/95 (GONAÏVES) 06/05/96 (PENIT NAT)	MEURTRE	GONAÏVES	INCONNUE	1 AN	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL.
06	PHILISTIN GARYON (GAGNANT)	E 700	27/09/95 (GONAÏVES) 07/05/96 (PENIT NAT)	MEURTRE	GONAÏVES	INCONNUE	1 AN	DEPUIS SON TRANSFERT DES GONAÏVES LE 7 MAI 1996, LE DÉTENU N'A PAS VU DE JUGE A PORT-AU-PRINCE.
07	FRANCKET NOGUET	D 827	20/10/95 (GONAÏVES) 26/02/96 (PENIT NAT)	ASSOCIATION DE MALFAITEURS	GONAÏVES	INCONNUE	11 MOIS	DOSSIER INDIVIDUEL VIDE.
08	PIERRE JEAN CLAUDE	D 830	20/11/95 (GONAÏVES) 06/02/96 (PENIT NAT)	VOL	GONAÏVES	INCONNUE	10 MOIS	SEULE PIÈCE AU DOSSIER INDIVIDUEL : MANDAT DE DÉPÔT DU JUGE DE PAIX DES GONAÏVES (03/11/95).

DAGEP/GONAÏVES_JURIDICTION INCONNUE/11-10-96

**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRÉS AU PENITENCIER NATIONAL
LE 9 JUILLET 1996, SOUS RÉSERVE DES MODIFICATIONS INTERVENUES DEPUIS CETTE DATE
QUANT AU STATUT JURIDIQUE DES PREVENUS**

No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DE LA DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	NORELUS JACCIN	0085	17/01/95	MEURTRE	CABINET D'INSTRUCTION** DU CAP HAÏTIEN	17/01/96	1 AN 6 MOIS	AUCUNE PIÈCE AU DOSSIER.
02	JEAN PIERRE INNOCENT	F 422	19/09/95 (CAP HAÏTIEN) 06/07/96 (PENIT. NAT)	ASSASSINAT ET POSSESSION D'ARME A FEU	CABINET D'INSTRUCTION DU CAP HAÏTIEN	FÉVRIER 1996 AU CAP HAÏTIEN	9 MOIS	DEPUIS SON TRANSFERT DU CAP HAÏTIEN LE 6 JUILLET 1996, IL N'A PAS VU DE JUGE A PORT-AU-PRINCE.
03	JEAN BAPTISTE EVENS	F 421	12/11/95 (CAP HAÏTIEN) 08/07/96 (PENIT NAT)	VOIES DE FAIT SUIVIES DE COUPS ET BLESSURES	JUGE D'INSTRUCTION CAP HAÏTIEN : M ^c ALEX FUCIEN	INCONNUE	10 MOIS	DEPUIS SON TRANSFERT DU CAP HAÏTIEN, LE DÉTENU N'A PAS VU DE JUGE À PORT-AU-PRINCE.

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IL S'AGIT DU DOSSIER INDIVIDUEL DU DÉTENU AU GREFFE DU PENITENCIER NATIONAL.
** LORSQUE LE NOM DU JUGE D'INSTRUCTION N'EST PAS CONNU, IL EST INDIQUÉ : "CABINET D'INSTRUCTION".

DAGEP/CAP-INST/011-10-96

**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRÉS AU PENITENCIER NATIONAL
LE 9 JUILLET 1996, SOUS RÉSERVE DES MODIFICATIONS INTERVENUES DEPUIS CETTE DATE
QUANT AU STATUT JURIDIQUE DES PREVENUS**

No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE D'ULTIME COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	LOUIS LUCKNEUR	F 438	15/08/95 (CAP HAÏTIEN) 08/07/96 (PENIT NAT)	VOL MOTOCYCLETTE	JUGE D'INSTRUCTION GRANDE RIVIERE DU NORD : M ^e HAROLD CHÉRY	17/10/95	1 AN 1 MOIS	DEPUIS SON TRANSFERT DU CAP HAÏTIEN LE 8 JUILLET 1996, LE DÉTENU N'A PAS VU DE JUGE À PORT-AU-PRINCE.

- IL S'AGIT DU DOSSIER INDIVIDUEL DU DÉTENU AU GREFFE DU PÉNITENCIER NATIONAL.
- ** LORSQUE LE NOM DU JUGE D'INSTRUCTION N'EST PAS CONNU, IL EST INDIQUÉ : "CABINET D'INSTRUCTION".

DAGEP/GRN.INST/11-18-96

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**CAS CRITIQUES DE DETENTION PREVENTIVE ENREGISTRES AU PENITENCIER NATIONAL
LE 9 JUILLET 1996, SOUS RESERVE DES MODIFICATIONS INTERVENUES DEPUIS CETTE DATE
QUANT AU STATUT JURIDIQUE DES PREVENUS**

No	NOM/PRENOM	No ECROU	DATE D'ECROU	INFRACTION	AUTORITE/JURIDICTION CONCERNEE	DATE DERNIERE COMPARUTION	DUREE DE LA DETENTION PREVENTIVE	OBSERVATIONS
01	ALETZU OBADIS LAMBERT	1421	29/04/95	DÉFAUT DE PIÈCES D'IDENTITÉ.	FORCES AMÉRICAINES	INCONNUE	1 AN 3 MOIS	AUCUNE PIÈCE AU DOSSIER. LE DÉTENU EST ÉTRANGER.
02	PIERRE PHITO	0139	04/07/95	VOL	INCONNUE	INCONNUE	1 AN 2 MOIS	NUMÉRO D'ÉCROU INCERTAIN. SANS DOSSIER INDIVIDUEL.
03	SOUFFRANT JEAN-COITEAU (GUITO)	0030	INCONNUE	VOIES DE FAIT SUIVIES DE BLESSURES	INCONNUE	INCONNUE	1 AN 1 MOIS	AUCUNE PIÈCE AU DOSSIER INDIVIDUEL LE DÉTENU SEMBLE SOUFFRIR DE TROUBLES MENTAUX.
04	LOUIS JEAN FRANTZO	B 813	06/10/95	ASSOCIATION DE MALFAITEURS/VOL À MAIN ARMÉE	INCONNUE	INCONNUE	11 MOIS	SANS DOSSIER INDIVIDUEL.

HD

DAGEP/JURIDICTION INCONNUE/11-10-96

