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Centre Écuménique des Droits Humains

The Fifth Anniversary of Jean Dominique's Death:

WHEN WILL END THE PARALYSIS OF THE HAITIAN SYSTEM OF JUSTICE ?

The 5<sup>th</sup> Anniversary of Jean Dominique's assassination was observed at the same time as the 6<sup>th</sup> Citizen's Forum for the Reform of Haiti's Penal Justice system undertook its work entitled "The Inquest". On the same occasion, a new prosecutor was appointed to re-open the investigation into the murder. This should allow, at last, the case of Jean Dominique-Louissaint to be taken to trial. The national anticipation which has resulted from this tragedy as well as the international attention it has drawn, has made it an unavoidable test for the Haitian State. The outcry, "Justice for Jean-Dominique" remains undiminished with the passing of time. It also represents a declaration for justice to be served for victims like the young journalist killed in Petit-Goave, Brignol Lindor, the three children of Viola Robert, and many others who have been killed or have disappeared. Moreover, it serves to remind us of the hundreds of people who are detained for prolonged periods of time in unacceptable, often, unbearable conditions before getting their day in court. Here is where the test resides. It is the duty of the state to conclude the investigation and submit it to the penal process so that verdicts establishing guilt or innocence may be reached.

Underlying this normal judicial procedure, which is based on facts and on the law, there are fifty years of accumulated failures (deficiencies?) which have strangled Haitian justice and not just this investigation. The failures have become systemic and have paralyzed not only the functioning of the institutions of justice but also the government apparatus itself. After all, how can a government function effectively without enforcing justice? How can it operate without eradicating impunity? How can we live together without disarming the violent groups that control our streets? To do it, the government and the National Police must demonstrate an understanding of justice and a will to enforce it. Justice does not create itself; rather, it must be sought. It must be sought efficiently at the highest levels, across all administrative sectors, and by everyone. This is what leads to a true transition to democracy.

The Ecumenical Center for Human Rights (CEDH) and the Citizens Commission for the Application of Justice (CCAJ) join all other human rights groups in consonance with the expectations of the population, in demanding that the current governmental authorities take all the necessary legal steps, in the timeframe prescribed by law, to conclude the investigation into the killing of Jean-Dominique. Furthermore, that those possessing illegal weapons be firmly prosecuted and that impunity be stymied not simply through speeches. Only by accomplishing these goals now can we expect to have a future as a people, a hope for tomorrow. To reach this future requires the immediate demonstration of a clear political will, otherwise, nine year old children will continue to kill, and hundreds of families will continue to wait for an elusive justice.

**Jean-Claude Bajoux**

Exec. Dir. CEDH, April 3, 2005,

the fifth anniversary of Jean Dominique and Jean-Claude Louissaint assassination.

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