



For Immediate Release

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## U.S. COURT FINDS FORMER HAITIAN MAYOR RESPONSIBLE FOR ATTACKS ON MEDIA AND HUMAN RIGHTS DEFENDERS

**Boston, Massachusetts, March 21, 2023**—Today, a Boston jury found former Haitian mayor Jean Morose Viliena responsible for the killing of Eclesiaste Boniface, and torture and attempted killing of Juders Ysemé and Nissage Martyr. The jury awarded \$15.5 million in damages, including \$11 million in punitive damages, to the plaintiffs—David Boniface, Juders Ysemé, and Nissandère Martyr—who are represented by the Center for Justice and Accountability (CJA), Morrison & Foerster LLP, and Dentons US LLP, in collaboration with the Bureau des Avocats Internationaux.

“I have dedicated over fifteen years to holding Mayor Viliena accountable for ordering the murder of my brother,” said David Boniface, a plaintiff and Eclesiaste Boniface’s brother. “Today’s verdict brings justice to me, my family, and the other families of those who have been victims of Viliena’s campaign of terror. I believe justice uplifts a nation, and that’s why I have continued to pursue this case for all this time.”

Over the course of the six-day trial, the jury heard evidence about how Viliena targeted those who opposed his strong-arm rule in Les Irois. They heard how Viliena oversaw and ordered the brutal killing of Eclesiaste Boniface in retaliation for David Boniface’s standing up to Viliena. The jury also heard how in 2008 Viliena and his armed supporters ransacked the community radio station. “During the attack, KOREGA members beat me and Nissage Martyr. When we tried to flee, Viliena ordered his associate to shoot,” said plaintiff Juders Ysemé. Both Ysemé and Nissage Martyr— plaintiff Nissandère Martyr’s father—were shot. “I was blinded in one eye and Nissage’s leg was later amputated,” said Ysemé. “Today a U.S. jury made the decision to hold Viliena accountable. I hope this case will show the people of Les Irois and even in all of Haiti that even when people have power they can be brought be justice.”

“My father, Nissage Martyr, suffered greatly after he and his friend Juders Ysemé were shot during the radio station attack,” said plaintiff Nissandère Martyr. “Though I lost my father in 2017, I know if he were still living, he would be proud that I stepped into his shoes and continued the case with the other victims. We have pursued Viliena despite many obstacles. And despite his continued denials, today we received a positive verdict.” The jury also heard how Viliena’s brutal tactics culminated in a rampage of arson in 2009, during which 36 homes, including the plaintiffs’, were burned.

Victims, family members, eyewitnesses, and experts testified to the violence and intimidation that the plaintiffs and other witnesses endured in the years following these events, and the failure of the Haitian legal system to hold Viliena accountable. “Viliena has committed gross human rights violations,” said Daniel McLaughlin, Senior Staff Attorney at CJA. “Despite a clear record



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of criminal acts, the government of Haiti allowed him to remain in power. Viliena should be prohibited from holding public office in the future.”

Bonnie Lau, partner at Morrison & Foerster LLP said: “Perpetrators of human rights violations should be held to account, no matter where they are located. Plaintiffs were forced to file their case in the United States because this is where Viliena fled. This verdict once again shows that the United States is not a safe haven for human rights violators like Viliena.”

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### **About the Center for Justice and Accountability**

The [Center for Justice and Accountability](#) (CJA) is a San Francisco-based international human rights organization dedicated to working with communities impacted by torture, war crimes, crimes against humanity, and other serious human rights abuses to seek truth, justice, and redress using innovative litigation and transitional justice strategies. CJA has successfully brought cases against defendants such as the commander in charge of the Lutheran Church Massacre in Liberia, the military officer responsible for the assassination of Chilean activist and singer Victor Jara, and Syria's Assad regime for its targeted killing of war correspondent Marie Colvin.

### **About Morrison Foerster**

[Morrison Foerster](#) is a leading global law firm that transforms complexity into advantage for its clients. Our clients include some of the largest financial institutions, banks, consulting and accounting firms, and Fortune 100, technology, and life sciences companies. Highlighting the firm’s commitment to client service, leadership in market-changing deals and impact litigation, and values-based culture, Morrison Foerster was recognized as one of the top 10 firms on *The American Lawyer*’s 2021 and 2022 A-List. The firm also has a long history of commitment to the community and society through providing pro bono legal services, including litigating for civil rights and civil liberties, improving public education and fostering the wellbeing of children, advocating for veterans, promoting international human rights, enforcing the right to asylum, and safeguarding the environment.

### **About Dentons US LLP**

[Dentons](#) is designed to be different. As the world's largest law firm with 20,000 professionals in over 200 locations in more than 80 countries, the firm helps clients grow, protect, operate and finance their business. Our polycentric and purpose-driven approach, together with our commitment to inclusion, diversity, equity and ESG, ensures we challenge the status quo to stay focused on what matters most to our clients.

### **About BAI**

The [Bureau des Avocats Internationaux \(BAI\)](#) and the [Institute for Justice & Democracy in Haiti \(IJDH\)](#) are a partnership of Haitian and US human rights advocates. We support the Haitian people in their struggle to achieve universal human rights, access to a just legal system, social



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justice, a society without violence, and the right to participate fully in choosing their government. Using models like the US civil rights movement, we are active in the courts, both in Haiti and internationally, in the streets and in poor neighborhoods. We work in partnership with grassroots movements, to transform the structural injustices that stand in the way of stability and prosperity for the majority of Haitians.