

Liberty Equality Fraternity

Republic of Haiti

Minute-book of the hearing related to a criminal matter. Thursday, November 16, 2000

On behalf of the Republic

The First instance Court of the Gonaïves, regularly gathered at the law court of the city, gave publicly, as far as it is competent for criminal matters, the following sentence:

Between

The State prosecutor, represented by the State prosecutor, Counselor Frénot CAJUSTE, along with his aides: Counselor Rocky PIERRE and Counselor Louiselmé Joseph, and suing, on behalf of the public, the following people who were at large (tried in absentia):

[name list]

Given the *ordonnance de renvoi* (the decision by which the judge in charge of the investigation sends the person accused of an offense before the court which will try him) filed on August 30, 1990

Given the *ordonnance de notification* to the accused (action in order to make the people know that they are being sued) filed on October 4, 2000

Given the official reports aimed at making sure that the Ordonnance de domicile (statement that one live at a given place) was placated to the different civil courts especially at Gonaïves, ...

Yes: the oral indictment of the public ministry (prosecutors), the final statements of the plaintiffs

Given that, by a ordinance filed on August 30, 1999, aimed at arresting the accused,

Given that this ordinance has not been implemented, because the search conducted by the police was unsuccessful,

Given that the Court, along with the jury, granted, on October 4th, 2000, a 10 days term to the accused to come to the Court,

Given that everything has been done under due process of law,

Given that a person accused of whatever felony and who is at large cannot delay the sentencing,

Given that the 37 accused [name list] are at large,

Given that Raoul CEDRAS, former general, and his fellows, are facing the charges of murder and of being the accomplices of murder,

Given that murder is punished by article 241 and 247 of the Code pénal,

Given that article 241 of the Code pénal mentions that “any first degree killing is considered as a murder”

Given that any people having taken part to this felony, on an intellectual or material point of view, has to be convicted to the same sentence,

Given that those people tried in absentia are facing the charge of murder and being the accomplices of murder,

Given that any people convicted of killing his parents or his children will be sentenced to penitentiary for life, article 247 ...

Given that those people tried in absentia have hurted the victims of the Raboteau Slaughter on a moral point of view,

Given that the article 1168 and 1169 of the Haitian civil code mention that: “any fact by which someone hurts anyone has to be repaired by the one who caused it”

Given that the victims of the Raboteau Slaughter suffered moral damages and that the victims must thus have the benefit of an according compensation

On those grounds

The Court, sharing the point of view of the State prosecutor,

- 1) sentences [name list] to forced work for the remaining of their life
- 2) sentences them jointly to N Billions of stick kicks on the behalf of the victims of the Raboteau Slaughter
- 3) sentences them to fines
- 4) says that the belongings of the people convicted in absentia will be confiscated and will belong to the State and to the victims
- 5) says that the sentence will be implemented by the State prosecutor

So is the sentence given by us, [name list] , without jury, and with the State prosecutors.

It is ordered to every usher to send this judgment for implementation to all civil officers of the Courts and every police officer is requested to help if requested to do so.

This minute-book is the proof and is therefore signed by the judges.