

Gonaïves, October 29, 1996

Mrs Kenaz J.B. Saint-Pierre
State Attorney
With the Court of first authority of the Gonaïves

Object: complaint of Marie Jeanne Jean, whom husband has been killed on April 22, 1994, in Raboteau

Your Honor,

I, Marie Jeanne Jean, a married woman and a mother of two children born from Michel Pierre, aka Jamèdodo, real estate owner, living in Raboteau, township of the Gonaïves, Street Jean Jacques Dessalines N°223 and identified at this number

I want justice to be brought to the people who did the slaughter at Raboteau on April 22, 1994 (referred to, below, as "the Slaughter"), as well as to their accomplices, and am going to explain you the following facts:

I. General section

A. Origins of the Slaughter

The origins of the Slaughter go back to the bloody *coup* of September 30th, 1991, and especially to the systematic repression led by the military against the inhabitants of the Gonaïves, in the barracks Toussaint Louverture in the Gonaïves. The repression has been described in the final report of the Liberty and Justice Board (CNVJ), in the files of the International Civil mission in Haiti OEA/UNO (MICIVIH), and from many NGOs that support the human rights in Haiti and throughout the world.

The Raboteau Slaughter and the context of the repression have been the subject of a special inquiry of the CNVJ¹. This repression, that started on October 2, 1991, was about suppressing the staunch, brave, however non-violent resistance of the people from the Gonaïves against the anti-democrat putschists. Everywhere in Haiti, the Gonaïvians where the bravest and were demonstrating in the street in order to defend the democratic principles. In the Gonaïves, the Raboteau township was the cradle of this resistance. The reward of those defenders of freedom, and the price they paid for defending their ideals, was an horrible repression, led on a systematic and daily basis, especially in Raboteau.

The targets of the repression, at the national as well as at the local level, were the defenders of the democratic principles. The victims, especially in Raboteau, were the elderly, the children, the youth, the women, the men, the fishermen, the coal sellers, the lawyers, the shopkeepers, the students, the teachers, the unemployed. They have not been chosen because they were representing a danger for the putschist new order, but because they were a possible cause of subversion of the dictatorship, because of their faith in democracy.

The main responsibility of the repression goes to the military authority, because the operation [in the Gonaïves] was part of a nationwide system of repression, described by the CNVJ. At the local level, the repression has been led by Lieutenant-Colonel Belony GROSHOMMES, commanding the military district of the Artibonite; by Captain Castera CENAFILS, commanding the military district of the [name missing]; by Anatin VOLTAIRE, commanding the military sub-district of the Gonaïves, and by Sergeant Sauveur CHERENFANT, chief of the police of the [name missing]. Those men have been helped by several soldiers, by civilians, by members of the FRAPH or by people working with them.

¹ The plaintiffs request that the Court in the Gonaïves get the final report of the CNVF, in order to analyze this report, including the appendixes from the coroners/forensics team.

B. Preparing the Slaughter

The repression against the inhabitants of Raboteau began the very day of the *coup*, and reached its acme on April 22, 1994. A few days prior April 22, on April 18 in the morning, alleging the pretext of a few tires burning at dawn at some crossroads near Raboteau (tires that, according to some people, had been set into flames by people close to the military), the soldiers, alongside with armed civilians, rushed in Raboteau and spread terror there. They ransacked homes, stole and destroyed goods, looted, beat citizens (all of whom were unarmed), arrested several people, without any mandate, and tortured some of them, particularly Mr Valcius VALCIN, a blind elderly, who died of the injuries sustained that day.

During the witch hunt, the invaders noticed the behaviour of the inhabitants. They noticed that the inhabitants were fleeing toward the sea, either by swimming, or in small fishing boats, in order to find some refuge.

Between April 18 and the night of April 22, military reinforcements arrived at the Toussaint Louverture barracks.

C. The Slaughter

The Slaughter that occurred on April 22 was a planned and coordinated operation. On April 22, before dawn, several soldiers, wearing uniforms as well as civilian clothes, and civilians working with them or members of the FRAPH², gathered at the barracks. From there, they set a plan that, once carried out, led to the death of more than 20 people (some of them were reported missing), several dozens people injured, about 100 houses ransacked, and the fleeing of a whole neighbourhood/township.

The operation started with the township being cordoned off, then with the ransacking of the houses in Paul Prompt Street, Quai Street, Anténor Firmin Street, Abattoir Street [Slaughterhouse Street, sic. Note from the translator] and Vernet Street. The invaders fired rounds in the air, awakening the inhabitants, and then led a house-to-house search, breaking doors, destroying the furniture and the belongings, and stealing money and belongings. They have maltreated and beaten the people who were inside those houses, including children and elderly people. They menaced them and forced people to get on the ground.

The inhabitants in Raboteau do very well know the soldiers from the Toussaint Louverture Barracks and the other people carrying out the repression, because those people were attacking them on a daily basis. According to several witnesses, this part of the operation has been led by Captain Castera CENAFILS, who has been seen and heard while giving orders in the street. Those witnesses are able to identify many people who took part to the slaughter.

While people were trying to escape to the ransacking, beatings and mishandlings, by running through the streets, the soldiers opened fire. Several people have been killed or injured by gunfire. Some others managed to get to the seashore, thinking they could, as usually, escape through the sea.

But on April 22, the sea, at Raboteau, was not a refuge anymore, but a killing ground. While a part of the repression forces was getting the people out of their homes, another part was setting the trap. They had seized boats, by force when necessary, and, after having navigated, this part of the gunmen opened fire, from the sea, on the inhabitants who were flying toward the sea. The inhabitants were either swimming, or riding boats. The gunmen even opened fire on sailors who were passing by, on coal boats. The sea became bloody: more than 20 people were killed, because of the gunfire or because they drowned while trying to escape, and there were several people injured or missing.

The last phase of the slaughter operation has been: illegal arrestation and torture. Several victims have been arrested and brought to the Barracks. They stayed there for several days and suffered beatings with sticks and thorough interrogations. None of them was brought to justice. The soldiers even went in the hospitals of Port-au-Prince in order to arrest injured victims.

² The meaning of the acronym FRAPH is to be found later in the text.

D. Characteristics of the slaughter

The slaughter was a planned operation that took place in the framework of a wide repression. The planning is obvious if we consider: 1) the preparation of April 18th, 2) the fact that military reinforcements arrived at the Gonaïves, 3) the fact that soldiers and civilians gathered before dawn, on April 22, in order to coordinate their action, 4) the way the operation was led, and 5) the fact that the soldiers on the ground coordinated their action with those on the boats.

On a larger scale, we have to consider: 1) the planning, 2) the repression in Raboteau, led on a regular basis, 3) the fact that the operation occurred at the same time than an accrual of the nationwide repressive action in April 1994 -this fact has been highlighted by the CNVJ report (appendix: National trends, part II)- and 4) the fact that the high command acknowledged that the operation was an officially endorsed operation (see press release below).

2. The slaughter was an attack against an unarmed population

The soldiers justified their operation by saying that they were retaliating against a guerilla warfare. But this thesis does not resist to a serious examination. First of all, inquiries led by the US Embassy and the OEA/UNO Civil Mission reported that there were no proof of attacks against the Barracks. Second, until now, no soldier or civilian has claimed having been injured in such an attack. Third, a look to the list of the victims is enough to dismiss this pretext: among the victims were elderly people, children, a blind man, disabled people, pregnant women and ill people.

The victims of the Slaughter want all the soldiers and civilians having participated to the joint operation of April 22, 1994, in the Raboteau township, in Gonaïves, and its surroundings, to be brought to justice. The victims are asking for justice to be done for all the human rights violations they endured: murders, burglaries and ransackings, torture, rape, destruction of goods and denying them their civil, constitutional as well as human rights.

Given that the Slaughter was a planned operation and was part of a larger strategy of repression against the Haitian people, the victims of the Slaughter want all the people having participated to the operation to be brought to justice, whether they have planned it or carried it out, and among those people are:

Members of the High Command of the Armed Forces of Haiti (FADH)

Former General Lieutenant Raoul CEDRAS

Former General Major Jean-Claude DUPERVAL

Former General Philipe BIAMBY

Former General Henry Marc MAYARD

Former General Carl DORÉLIEN

Former General Hébert VALMOND

Former General Martial ROMULUS

Former General Frantz DOUBY

Former General Ernst PRUD'HOMME

Former General Jean-Robert GABRIEL

2) Officers and soldiers of the FADH

Former Lieutenant Colonel Joseph Michel FRANÇOIS

Former Lieutenant Colonel Belony GROSHOMMES, former commander of the military district of the Artibonite

Former Captain Castera CENAFILS, former commander of the military district of the Gonaïves, and former commander of the Tactical Unit, presently detained at the civilian jail of the Gonaïves

[in the following list, "ainsi connu" means "also know as". "Actuellement incarcéré" means "presently in jail"]

II. Individual Section

On April 22, 1994, a bloody event occurred in Raboteau. Human rights violations, extrajudicial killings, physical torture, menaces of death, arrests and imprisoning with no legal basis reached a all-high level on this terrible day of April 22, 1994. At 4AM, soldiers of the Toussaint Louverture Barracks in the Gonaïves, in combat fatigues, led by Captain Castera CENAFILS and his aide Jean TATOUTE, started patrolling in lower Raboteau, along with aides and members of the National Front for the Advancement and the Progress of Haiti. They were more than one hundred and were firing rounds in the air in order to have people awakened and to force them to flee. They took position on the shore and were waiting for the people fleeing. The sea, that used to be a way to escape when the soldiers were rampaging Raboteau, became, on this day, a killing field.

My husband, Pierre Michel also known as Jamèdodo [could mean in French slang: "does never sleep"], was at home when the soldiers rushed into the neighbourhood. When a commando started firing with the intent to kill, he left hastily the house in order to flee toward the sea. I kept him in sight until he started swimming. He did not come back. His body was found four days later.

The aides and members of the Nationale Front for the Advancement and the Progress of Haiti (FRAPH) hindered his relatives to go on the shore, threatening to kill them. They buried him superficially. Dogs and pigs of the neighbourhood partially unburied him (an arm was unburied) and began to eat him. I was able to recognize my husband Pierre Michel because he was wearing a shirt on the day the slaughter occurred. With the help of my sister, Foufoune, I buried his arm more deeply in the ground. Later, we made a grave for him near the seashore.

Your Honor, on behalf of the law that makes you the first defender of the society, and

Given that the Raboteau slaughter, on April 22 1996 [probable typo: it is 1994] was a planned operation and was part of a nationwide repression strategy plan, led on a systematic basis against the Haitian people, I, Marie Jeanne Jean, want the people who took part to the operation, whether to its planning or to its execution, to be brought to justice.

Given that the chiefs of the *de facto* regime are responsible for the slaughter as well, because they covered human rights violations, kidnappings, unlawful sentencings, extrajudicial killings, murder attempts, and torture of the inmates.

Given that the High Command of the Armed Forces of Haiti is intellectualy responsible for the slaughter, because it planned it by dispatching supplies and soldiers to the Gonaïves for this operation and by displaying openly its support to the operation through a press release.

Given that it should be underlined that the Raboteau slaughter took place on the night of April 22, 1994 and not on the night of April 25 (see copy of the press release in the appendixes)

Given that the fact of organizing unlawful actions against people and their belongings is a crime against civil peace

Given that the Raboteau slaughter, that took place on the night of April 22, 1994, is a crime against humanity

I commence a lawsuit against the people whose names are to be found in the General Section (see above), as responsible for or accomplices for murder, physical torture, menaces of death, crime against civil peace and violences against my husband Pierre Michel aka Jamèdodo. As the Article 13 of the Criminal instruction code allows me to do, I beg you to start the lawsuit against the accused. I will register as a plaintiff when necessary.

And justice will be done,

Marie Jeanne Jean

Copy sent to the Dean of the Court of first authority of the Gonaïves
Examining judges of the Gonaïves.