

MASTER EXHIBIT SERIES

HAITI

PERSONS AFFILIATED WITH NEIGHBORHOOD COMMITTEES

[ME/HTI/93.003C]

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DISCLAIMER

The July 27, 1990 Regulations, "Aliens and Nationality: Asylum and Withholding of Deportation Procedures," mandated the creation of a new corps of Asylum Officers to provide an initial, nonadversarial adjudication of asylum claims. Asylum Officers use asylum law, interviews with asylum applicants, and relevant information on country conditions to determine the merits of individual claims for asylum.

The Resource Information Center was created to assist Asylum Officers domestically, and Immigration Officers determining refugee status overseas, by collecting and disseminating credible and objective information on human rights conditions. As specified in the Regulations (8 CFR 208.12), such information may be obtained from the Department of Justice, the Department of State, and "other credible sources, such as international organizations, private voluntary organizations, or academic institutions."

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Rev. 10/08/92

GROUP AT RISK¹: PERSON AFFILIATED WITH NEIGHBORHOOD COMMITTEES

<u>Item</u>	<u>Citation/Description</u>
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| I. | John Cummings, Acting Director - INS Office of International Affairs, "Memorandum to INS Asylum and Refugee Divisions, Re: Considerations when Adjudicating Haitian Refugee/Asylee Applications," 9 March 1993. |
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"The purpose of this paper is to provide additional guidance to INS officers to assist them in the adjudication of Haitian refugee and asylum applications...

3. Potential targets of violence and threats of violence...

A. Individuals who support, supported, or who are imputed to support or have supported the exiled President, Jean Bertrand Aristide...individuals, particularly in the countryside, who are identified as being pro-Aristide. Credible reports indicate that violence, including arrest and detention, has been directed at persons for possessing or circulating pictures of President Aristide...

B. Rural development and community organizations ... Military violence has been aimed at rural development or peasant organizations, neighborhood and community organizations, and literacy, pro-democracy, community organizations, and women's groups. This violence has thwarted the ability of many groups to meet openly or to meet at all. Leaders and members of these organizations have been hunted down and arrested, tortured, or killed by soldiers and section chiefs...

Leaders and Members of Potential Targets...

Although those in leadership or prominent positions are possibly at greater risk due to their greater visibility, lack of prominence does not remove the possibility of being at risk. This is true especially considering the fact that Haitian society is organized into small communities."

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| II. | Americas Watch/National Coalition of Haitian Refugees, <u>Silencing a People: The Destruction of Civil Society in Haiti</u> (New York: Americas Watch/NCHR, February 1993), pp. 27-32 |
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Based on eyewitness accounts and over 250 interviews conducted in the summer of 1992, this report describes how organizations that addressed economic and social conditions flourished under the Aristide government, but faced repression following the September 1991 coup. Many such groups remain banned.

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| III. | <u>Haiti: Resistance & Democracy Bulletin #175</u> , reprinted by Haiti Communications Project, 18 January 1993, translated by the Haiti Communications Project, Boston, MA ... |
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In Gonaives, soldiers severely beat a man accused of "participating in groups."

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| IV. | <u>Haiti: Resistance & Democracy Bulletin #173</u> , reprinted by Haiti Communications Project, 11 January 1993, translated by the Haiti Communications Project, Boston, MA |
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Reports that working class neighborhoods in the capital city are plagued by killings. A neighborhood organization leader in Gonaives was arrested and accused of circulating subversive documents.

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| V. | <u>Haiti: Resistance & Democracy Bulletin #171</u> , reprinted by Haiti Communications Project, 21 December 1992, translated by the Haiti Communications Project, Boston, MA |
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In Bainet, the KONAKOM regional coordinator was beaten and arrested on the street for informing other KONAKOM members of military repression.

- VI. Haiti: Resistance & Democracy Bulletin #169, reprinted by Haiti Communications Project, 14 December 1992, translated by the Haiti Communications Project, Boston, MA

In Petit-Goave, fifteen people, including a teacher who is a member of a local popular organization, were beaten and arrested, ostensibly for writing pro-Aristide graffiti.

- VII. Haiti: Resistance & Democracy Bulletin #167, reprinted by Haiti Communications Project, 7 December 1992, translated by the Haiti Communications Project, Boston, MA

The corpse of Jacques Derenoncourt was found. Derenoncourt, a founding member of KONAKOM who had previously been abducted, was found shot in the back of the neck. The Secretary General of KONAKOM warns others of death squads operating in the country.

- VIII. Haiti: Resistance & Democracy Bulletin #166, reprinted by Haiti Communications Project, 5 December 1992, translated by the Haiti Communications Project, Boston, MA

In Carrefour-Feuines more than 30 young people who participated in the coordination of popular groups were arrested. A journalist who broadcasted this news was arrested and later released.

- IX. Haiti: Resistance & Democracy Bulletin #165, reprinted by Haiti Communications Project, 30 November 1992, translated by the Haiti Communications Project, Boston, MA

In Port-au-Prince, eight arrests of people accused of supporting Aristide were reported. Random searches of vehicles are common.

- X. Haiti: Resistance & Democracy Bulletin #160, reprinted by Haiti Communications Project, 12 November 1992, translated by the Haiti Communications Project, Boston, MA

A literacy instructor with the Association of Literacy Instructors of Port-au-Prince disappeared. A Cite Soleil resident was arrested and beaten for shouting anti-government slogans. Another resident was arrested and beaten for commenting favorably on the election of Bill Clinton.

- XI. Haiti: Resistance & Democracy Bulletin #151, reprinted by Haiti Communications Project, 12 October 1992, translated by the Haiti Communications Project, Boston, MA

Three members of popular organizations were incarcerated, tortured, and accused of murder, although they were not taken before a judge. Two young men were shot and killed by the military in Port-au-Prince. Military operations in Mahotiére aimed at eliminating all members of popular organizations, resulted in the destruction of six houses. Members of popular organizations are alternately forced into hiding for many months or arrested and badly treated. Elsewhere, a police plan to cripple popular opposition included burning houses and a local school.

- XII. Pamela Constable 'Killing of 3 Haitian Activists Heightens Fear of Rights Abuses,' Boston Globe August 1992

Reports that murders of three community activists have reinforced concerns that military authorities are not in full control of soldiers and police.

- XIII. Amnesty International, HAITI: Human Rights Held Ransom (New York: Amnesty International, (August 1992), "AMR 36/41/92'

AI delegation which visited Haiti between March 20 and April 3, 1992, concludes that human rights abuses are pan of daily life for most Haitians. Report discusses human rights abuses against

members of neighborhood committees and other grassroots organizations, comparing current urban insecurity with that found before February 1991. Report details warrantless arrests and detention of members of popular groups. For example, police arrested and beat Patrick Morisseau who had been active in community organizing. The next day, security forces arrested Morisseau's mother and executed her, reportedly forcing neighbors to witness the killing as a means of intimidation.

- XIV. Amnesty International, Urgent Action, Haiti, "Patrick Morisseau and Claire Edouard," 2 June 1992, "UA 182/92."

Reports arrest and ill-treatment of teacher and member of KJKP, a neighborhood committee. Morisseau's mother reportedly killed by security forces for revenge and intimidation of neighborhood.

- XV. Philip Bennett, "Legal Efforts Start to Hit Home," Boston Globe, 27 April 1992, p. 17

Asylum applicant believes his work on a neighborhood committee marked him for government repression.

- XVI. The Haiti Commission, Lavalas vs. Duvalierism: The Struggle for Haiti's Future (New York: March 1992), pp. 1-2, 17-38

The Haiti Commission visited Haiti during the first anniversary of Aristide's election and reports a "wave of repression" including mass graves, widespread brutality, and systematic repression of popular organizations. Neighborhood committees, literacy groups, unions, and socio-professional organizations are specifically mentioned as targets of repression. Interviews with members of Fugitive Militants of Popular Organizations and MONEDA detail patterns of random violence, government harassment, and surveillance. The Commission concludes that a goal of the coup was to stop Aristide's actions to improve the lives of poor Haitians. (The Haiti Commission was formed in early October 1991 by former Attorney General Ramsey Clark to investigate the causes and consequences of the September 29 coup d'etat in Haiti. Members of the Commission include E. Faye Williams, counsel and special assistant to US Congressman Mervyn Dymally, member of the Foreign affairs Committee, and John Brittain, President of the National Lawyers Guild.)

- XVII. Anne-Marie O'Connor, "Artist Returned to Haiti Hides in Fear for His Life," Atlanta Constitution, 6 February 1992, p. A13

Discusses how a forcibly repatriated Haitian artist concluded he was in danger after fellow activists on a neighborhood committee supporting Aristide were seized and never heard from again. Neighbors report that well-armed police appeared at the man's house looking for him.

- XVIII. Haiti: Resistance & Democracy Bulletin #64, reprinted by Lawyers Committee for Human Rights, 6 February 1992, translated by RIC staff

A member of a neighborhood committee was arrested by two armed plainclothed police. He was severely beaten and subsequently died in prison.

- XIX. Haiti: Resistance & Democracy Bulletin #65, reprinted by Lawyers Committee for Human Rights, 10 January 1992, translated by R/C staff

Plainclothesmen reported to be randomly assaulting and robbing persons in targeted neighborhoods. One assailant stated, "[o]ur mission is to destroy this neighborhood because only 'Lavalassiens' [supporters of Aristide] live here." Report also notes trouble in countryside and the harassment of the news media.

- XX. Mike Levy, Amnesty International Haiti coordinator, "Letter to Mr. John D. Evans, Director, R/C,"

9 January 1992

Mr. Levy observes that "[t]he neighborhood committees...were an act of local empowerment and defiance. [They] said to corrupt, persecuting officials, 'we don't depend on you anymore. If you won't help us, we'll help ourselves.'"

"Haitian security forces and their agents have forbidden groups from meeting and have persecuted certain individuals solely because of their membership in groups perceived to be supportive of President Aristide. The Haitian armed forces have illegally arrested and detained people based on their affiliation- real or suspected - with pro-Aristide groups...The military has systematically disrupted the operation of small-scale self-help organizations promoting agricultural projects, literacy or neighborhood improvements. Members of these organizations have been forced into hiding; many have sought escape..." Letter details specific examples.

"Even now, cleaning streets, and anything else which improves the daily life of the people which is accomplished without government is seen in Haiti as a very definite political act as threatening as a demonstration.'

- XXI. Amnesty International, Haiti: The Human Rights Tragedy. Human Rights Violations Since the Coup (London: Amnesty International, January 1992), "AMR 36/03192," pp.

Documents continuing violence and human rights violations against neighborhood committees, Wade unions, literacy groups, election watchers, and other grassroots organizations.

- XXII. Lawyers Committee for Human Rights, Haiti: A Human Rights Nightmare (New York: Lawyers Committee for Human Rights, 1992), pp. 33-47

Report concludes that the human rights situation in Haiti is worse than **at** any time since the Duvalier era which ended in 1986. The military has harassed, executed, tortured and illegally arrested countless Haitians. Documents the systematic disruption of small, self-help organizations which promote agricultural projects, literacy or neighborhood improvement. Many members of these organizations are forced into hiding.

- XXIII. United States District Court, Southern District of Florida: Case No. 91-2653-CIV-Atkins, "Declaration of Jocelyn McCalla," Executive Director, National Coalition of Haitian Refugees 29 November 1991... 137-150

Expert testimony identifies some of the groups at risk of persecution by the military. McCalla discusses the Confederation de l'Unite (Confederation of Democratic Unity) or KID as an example of a popular group persecuted because of its association with the election of Aristide. KID, along with many other groups and neighborhood committees, was eliminated after the coup as part of the coup leaders' strategy to crush popular resistance. McCalla is doubtful that rights of repatriated Haitians will be respected.

ⁱ The term "Group At Risk" is used rather than "persecution" because the latter is a legal conclusion.