

Haiti

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Query:

What are the current political and human rights conditions in Haiti?

Response:

There have been significant signs of erosion of public support for the government of President Jean-Bertrand Aristide in the year and a half since January 1, 2002. Yet the opposition, loosely organized in the Democratic Convergence (Convergence Démocratique, CD) is united only in its dislike of Aristide and his Lavalas Family (Fanmi Lavalas) party. With no truly popular leader that could serve as an effective challenger to Aristide, the CD's most potent tools against the government have been to boycott elections and to lobby foreign governments to withhold economic assistance. With the ruling party feeling increasingly under siege, the Popular Organizations (Organizations Populaires) that have formed its primary grassroots base have in many cases morphed into armed gangs that harass not only persons perceived as being in the opposition, but also rivals within the Lavalas Family. That has led to decline in respect for the rule of law on the one hand, and increasing human rights violations on the other.

SIGNS OF DECLINING PUBLIC SUPPORT

Haiti remains an overwhelmingly rural country, and it is in the countryside that President Aristide developed his largest mass base of support. Yet important peasant organizations that once stood by Aristide have grown disillusioned. Such is the case with the Papay Peasants Movement (Mouvman Peyizan Papay) and affiliated groups, which claim a membership of some 200,000. Once a close ally of Aristide, Movement leader Chavannes Jean-Baptiste is now sharply critical: "Stolen elections, corruption, this will do nothing to help the people here, and we refuse to accept it ... We have always fought against this and will continue to do so, and with our work today, it is obvious that Aristide considers ... the independent peasant movements a threat to be eliminated" (Reuters 18 Jun 2002).

Another group that once flocked to Aristide's movement was the student population. Yet thousands of students occupied the rectory of the State University of Haiti on November 15, 2002 to protest government interference in higher education. Joined by high school students and market women, they then marched on the National Palace, shouting "We don't want Lavalas!" Contributing to student disaffection with the government was a decision taken in July to postpone student elections and to dismiss the university vice chancellor. Agronomy student Jean David told a reporter that "while Aristide and Lavalas want to control everything, our country is dying" (Reuters 15 Nov 2002).

The northern city of Cap Haïtien has long been a bellwether of mounting discontent. On November 17, 2002, more than ten thousand persons took part in a demonstration organized

by the civic organization Citizens' Initiative (Initiative Citoyenne). More than two thousand took to the streets again on February 8, 2003, calling for the resignation of President Aristide. Participants complained of sharp increases in the cost of living as inflation eroded the buying power of the national currency. Citizens' Initiative leader Frandley Denis Julien said, "The people are discouraged, and we want to revive their hope in democracy" (AP 8 Feb 2003).

On January 20, 2003, 184 civic organizations, ranging from student unions to chambers of commerce, signed a joint declaration stating that President Jean-Bertrand Aristide had failed to create "conditions for citizens to exercise their political, social and economic rights," thereby "making it impossible to have elections that are free, transparent and credible." In particular, they said the government had done little to stop criminal gangs, and to arrest those who engage in political violence (AP 20 Jan 2003).

THE POLITICAL STANDOFF INTENSIFIES, THE ECONOMY DETERIORATES

In a properly-functioning democracy, citizens are able to express satisfaction or dissatisfaction with their leadership through periodic elections. Ever since its formation, however, the opposition CD has steadfastly refused to take part in legislative elections. Its initial stated reason was to protest the government's decision to declare victory for Lavalas Senate candidates in the May 2000 election on the basis of achieving an absolute majority among the four top candidates in each race, rather than an absolute majority of all votes cast, as stipulated by the constitution and the electoral law. There was never much doubt that the Lavalas candidates would have won the required runoff elections, and when the government offered to hold a new election for the disputed Senate seats, the opposition declined. More recently, the reason given has been the government's failure to control violence by so-called Popular Organizations affiliated with the ruling Lavalas Family. In the words of CD spokesperson Micha Gaillard, "Our dispute is not an electoral dispute. It began with an electoral dispute, but now it is about the creation of a state of law for the next election. We want some signs" (NYT 14 Jul 2002).

On February 7, 2003, at a rally commemorating the anniversary of President Aristide's original inauguration in 1990, Aristide announced the formation of a new electoral council. But two of the nine seats remained unfilled, including one designated by human rights organizations. Eliphaite St. Pierre of the Platform of Haitian Rights Organizations said "this is a complete masquerade, an attempt by the government to duck its responsibilities." Opposition parties said they would not participate until the government disarmed gangs, improved security, and prosecuted political crimes (MIAMI HERALD 8 Feb 2003).

Following a February 2002 visit to Haiti, Eugenia Charles, the Caribbean Community (Caricom) representative to the OAS, expressed frustration with what she saw as intransigence on the part of the opposition: "We met with government officials, members of civil society and the Convergence. After listening to the members of the Convergence, I had to ask them why they called themselves "Convergence." They were not converging on anything. They were not agreeing on anything. They cannot get together to form a plan. No one in Convergence was talking about what the Haitian people themselves want. That bothered me. No one is asking, "What do the Haitian people want?" I must say that I was very pleased with the government's point of view. They were anxious to get this matter settled. They weren't trying to say, "We are the government so we are right." There was no feeling like that at all. Their position was: "How can we get this thing solved?" And they did in fact do things that showed that they were interested in getting things settled" (HAITI REPORT 27 Feb 2002).

The comments were noteworthy because of Dame Charles' conservative credentials. She attracted international notice in 1983 while serving as prime minister of Dominica, with a public endorsement of President Ronald Reagan's decision to invade the small island nation of Grenada to remove a Marxist government.

Dame Charles' observations no doubt contributed to Caricom's decision to admit Haiti as its fifteenth full member on July 2, 2002. By that action, Haiti's neighbors in the Caribbean in

effect extended a vote of confidence in the Aristide administration even as other foreign governments froze virtually all assistance. The accession more than doubled the population of Caricom, since Haiti's population of about 8 million exceeds the combined population (6.5 million) of the other fourteen members – Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Montserrat, Saint Kitts and Nevis, Saint Lucia, Suriname, Saint Vincent and the Grenadines, and Trinidad and Tobago. All but the Bahamas participate in the Caribbean Common Market (Denny 5 Jul 2002, Singh 7 Jul 2002).

Meanwhile continuing efforts at negotiation in Haiti were fruitless. Prime Minister Jean-Marie Charestal submitted his resignation on January 21, 2002. President Aristide then replaced him with Yvon Neptune, a senator from Haiti's Western Department, which includes Port-au-Prince. Following his inauguration on March 14, Neptune appointed Marc Bazin, who had run against Aristide for the presidency in 1990, "minister of negotiation." Bazin was charged with seeking to resolve the two-year impasse between the government and opposition over elections. Bazin was able to bring the two sides together only once, in June, at the residence of the papal nuncio. On September 20, 2002, he submitted his resignation, saying "When I took this job, I gave myself a deadline of seven months to show substantive progress in the negotiations and, while we have had some small successes, the difficulties between the government and the opposition remain." He said he would revive his own political party to contest the next elections (AP 15 & 21 Mar 2002, Reuters 20 Sep 2002).

Beset by constant demands for his resignation, and by the opposition's refusal to take part in elections, President Aristide has argued that this is part of a recurring pattern in Haitian history. He has characterized the opposition's actions as the latest chapter in a longstanding conflict between lower-class blacks and upper-class mulattos, a conflict traditionally settled by force rather than ballots. "After 200 years of independence we still have some consequences from that past where we had 32 coups d'état," Aristide told the NEW YORK TIMES in December 2002. "It is not easy for all the political parties to forget about that bad way to behave, moving from one coup d'état to another." Earlier that month, in a speech delivered in Creole to residents of Les Cayes, Aristide told his mostly dark-skinned supporters, "You are peasants; you are poor. You are the same color I am. They don't like you. Your hair is kinky, same as mine. They don't like you. Your children are not children of big shots. They don't like you" (Gonzalez 13 Dec 2002).

In a measure intended to reinforce his support among the Haitian lower classes, Aristide, a former Roman Catholic priest, extended official state recognition to Vodou in 2003. By a decree issued on April 4, Vodou ministers and assembly halls may register with the Ministry of Religious Affairs. Then, by taking an oath from the presiding judge of the local civil tribunal, ministers are authorized to officiate at baptisms, marriages, and funerals. Vodou spokesperson Evrony Auguste welcomed the president's action, saying "this is good news for practitioners of Vodou, who have been marginalized for centuries." She described Aristide as a black Spartacus: "Like Toussaint l'Ouverture, President Aristide promotes equality for all Haitians" (AP Mar 2002, AHP 20 Sep 2002).

The president also sought to bolster support among working Haitians by raising the minimum wage. On February 7, 2003, at a rally commemorating the anniversary of his first inauguration in 1990, Aristide announced an increase in the minimum wage to 70 gourdes a day, equivalent to about \$1.60. But the measure was of no assistance to the vast majority of Haitians who do not have jobs in the formal economy. Moreover, because of the declining exchange rate of the gourde against the dollar, the dollar-equivalent wage is below the \$2.15 reached at the time of Aristide's 1995 minimum wage hike, and even further below the \$3.00 equivalent wage during the Duvalier dictatorship (Regan 8 Feb 2003).

Political instability and a collapsing formal economy have fostered increased recourse to the underground economy, including drug trafficking. For the second year in a row, the U.S. on January 31, 2003, listed Haiti as a country that had "failed demonstrably" to take sufficient actions to combat drug trafficking. It cited weak democratic institutions, corrupt officials, and a fledgling police force (Lynch 3 Feb 2003, Reuters 6 Feb 2003). Two weeks later, on February 13, Evans Brilliant, director of the Anti-Drug Trafficking Brigade of the Haitian National Police,

was placed under arrest along with five other policemen under his command. The six were detained following an incident in which police officers allegedly placed roadblocks on Route 9 in Port-au-Prince, enabling a small Colombian plane to land and offload about a ton of cocaine. The cocaine disappeared and was not recovered. On the same day as the arrests, masked men who were said to be wearing t-shirts and jackets with police insignia abducted two alleged drug kingpins from a busy street in the upscale Port-au-Prince suburb of Pétionville. Witnesses reported that they took the two men – Hector Kitan and Herman Charles – to a private home, then executed them with automatic weapons (Reuters 14 Feb 2003).

A SEIGE MENTALITY, POLITICAL VIOLENCE, AND IMPUNITY

With the ruling party increasingly obsessed with the possibility of another coup in the context of domestic hostility and international isolation, factions within the ruling Lavalas have formed armed gangs. According to Merrill Smith of the U.S. Committee for Refugees, "Perhaps the most disheartening political phenomenon in recent years has been the transformation of many organizations populaires (OPs), once the backbone of democratization in Haiti, into heavily armed, quasi political gangs affiliated with various factions of the ruling Lavalas Family party (Fanmi Lavalas or FL)" (USCR 4 Feb 2003).

A case in point is the Popular Organization for the Development of Raboteau, more commonly known as the "Cannibal Army." Raboteau is a lower-class neighborhood of Gonaïves, Haiti's third largest city. Following the December 17, 2001 attack on the National Palace, Cannibal Army members burned the homes of opposition leaders in Gonaïves, as part of a nationwide campaign of reprisals for an alleged coup d'état. In response, foreign governments and international human rights organizations called for prosecution of vigilantes as a sign that the government was serious about enforcing the rule of law.

In July 2002, police arrested Cannibal Army leader Amiot Métayer, 38, and charged him with having directed the violence in Gonaïves. On July 8, Métayer supporters responded by torching the Gonaïves customs house, demanding his release. Though the government did not release Métayer, it did transfer him from Port-au-Prince to the Gonaïves prison. There, on August 2, supporters rammed a hole in the prison wall with a stolen tractor. After freeing Métayer and 159 other inmates, members of the Cannibal Army burned down the city hall and courthouse, forcing the outnumbered police to flee (NYT 10 Aug 2002, MH 9 Jul 2002, Gonzalez 14 Jul 2002).

On November 21, Radio Étincelle in Gonaïves suspended broadcasting after Cannibal Army activists accused the station of "working for the opposition," and threatened to burn it down. Four days later, assailants set fire to the studio, damaging a generator and other equipment (CPJ 2003). In response to threats from the Cannibal Army, four journalists – Jeaniton Guerino and Gedeon Pesendien of Radio Etincelles, Jean-Robert Francois of Radio Métropole, and Henry Fleurimond of Radio Quiskeya – went into hiding, then fled to the Dominican Republic on February 14, 2003 (AP 19 Feb 2003).

Also in February, Investigating Judge Marcel Jean fled to the United States, after being threatened by "people from the National Palace" for refusing to clear Métayer. The following month, deputy prosecutor Henock Genelus fled to the Dominican Republic with his family. He had refused to dismiss charges against Métayer at the request of a representative of President Aristide, and said he left "to escape being killed" (AP 18 Feb 2003). On May 15, government prosecutor Louizelme Joseph told Radio Métropole that the new judge assigned to Métayer's case had dropped all charges. From Florida exile, Investigating Judge Marcel Jean, who had previously been assigned the Métayer case, said "Someone can't kill people, burn their houses, and burn the courthouse and not be brought to justice ... I think this raises serious questions about the future of the country. This country has no future if this is how justice will be treated" (Lynch 16 May 2003).

Concern about increased impunity had already led to the resignation of the minister of justice several months earlier, on September 29, 2002. "I arrived in this position with a plan of action,

and I was not given the means to implement that plan," Jean Baptiste Brown told Radio Métropole, "I found myself unable to substantively address serious issues such as professionalization of the Haitian police and fighting against impunity" (Reuters 29 Sep 2002).

As shown by the following examples, politically-motivated gang violence has been directed at both pro- and anti-government figures whose interests collide with those of Lavalas gang leaders:

-- On the night of June 23, 2002, a gunman broke into the home of Cleonord Souverain, a Lavalas Family regional coordinator in the border town of Belladere, 100 km from Port-au-Prince. Souverain was not present, but the assailant shot six relatives. Five died on the spot. A sixth person – a child – was rushed to a hospital in the Dominican Republic, where he died two days later. Residents of the town said the shooting could have been politically motivated, because conflicts had arisen within the party's local branch over the preceding months (AP 27 Jun 2002)

-- After midnight on December 6, 2002, arsonists tossed a firebomb into the headquarters of the Mobilization for National Development (Mobilisation pour le Développement National, MDN), an opposition party led by Hubert Deronceray. The building in downtown Port-au-Prince was gutted, but no one was inside at the time. Three days earlier, responding to an opposition-led strike, about 20 supporters of President Aristide had burst into the building, roughing up party members, and threatening to return to burn the building down (AP 7 Dec 2002).

-- On January 10, 2003, fifteen persons were injured in clashes between pro- and anti-government demonstrators in Port-au-Prince. Roughly equal numbers were wounded from both sides. Journalists who witnessed the confrontations reported that most of the violence was instigated by groups carrying photos of President Jean-Bertrand Aristide. The confrontations began after marchers organized by opposition parties and labor unions protested a sharp increase in the price of gasoline that went into effect on January 1. Pro-government groups responded by throwing rocks and bottles at the demonstrators, and by attacking them with clubs. Union leader Montes Joseph reported that police were present but made no effort to defend those who were attacked. The police did, however, detain Joseph and two other union members for six hours after finding fliers protesting high gasoline prices in their vehicle. Then on January 14, the government issued an arrest warrant for opposition leader Himmler Rebu. The warrant accused the former army colonel of having assaulted and shot pro-government demonstrators in the January 10 clashes. Pierre Espérance, director of the National Coalition for Haitian Rights (Coalition Nationale pour les Droits des Haïtiens), said "We want justice for the victims, but we don't want it to be a pretext to persecute the political opposition ... The warrant for Rebu's arrest is an example of political persecution." Rebu once commanded a battalion that tried to overthrow military dictator Lt. Gen. Prosper Avril in 1989. Following the failed coup attempt, Rebu went into exile, returning in 1990 after Aristide was elected to the presidency. He opposed the coup d'état against Aristide, and has opposed military involvement in politics. But Rebu, who now makes his living running an athletic center in suburban Delmas, has become an outspoken critic of Aristide (Regan 11 Jan 2003, AP 16 Jan 2003).

-- On March 9, 2003, armed men disrupted a meeting being held by women's rights activist Carline Simon. The intruders, supporters of President Aristide, said on national television they had acted because Simon was distributing money and weapons to seek the overthrow of the government. Police said they found automatic weapons in Simon's car, though witnesses said there had been no weapons either at the meeting or in the car. The police detained Simon and her husband for five days without filing charges, then released them. Haitian law specifies that unless charges are filed, suspects must be released within 48 hours (HAITI REPORT 14 Mar 2003).

In March 2003, an indictment was finally issued in the assassination of radio station owner and journalist Jean Dominique, an ally of President Aristide but severe critic of Senator Dany Toussaint, a Lavalas strongman and former military officer and police chief. The indictment

named six men who had been jailed for more than two years on suspicion of having carried out the murder, but said there was insufficient evidence to indict Toussaint. Prior to the murder, Toussaint supporters had surrounded Dominique's radio station, causing Dominique to respond that "[i]f Dany Toussaint takes other actions against me or against the radio station, and if I survive, I will denounce him, shut the door and go into exile with my wife and children." Investigating Judge Claudy Gasant named Toussaint and his bodyguard Frank Joseph as accomplices in the murder. But then, fearing for his safety, Gasant fled the country, and the investigation was handed over to Judge Bernard Saint-Vil. Saint-Vil said he did not find enough evidence to charge Toussaint. The report hinted that Toussaint had tried to redirect suspicion for the assassination to rivals within the ruling party. Frequent threats had led to a high rate of turnover in the investigation. Saint Vil was the last of four investigating magistrates. Three important witnesses died under mysterious circumstances (Lynch 25 Mar 2003)

With public confidence in the police and the judiciary hitting new lows, President Aristide appointed Jean-Claude Jean-Baptiste as Haiti's new national police chief on March 26, 2003. But the appointment was criticized both by the opposition and by human rights groups. Jean-Baptiste submitted his resignation on June 2, and was succeeded four days later by Jean-Robert Faveur, who had previously been the police chief of Haiti's southeast district. Two weeks later, Faveur resigned and fled to the United States, alleging government interference and threats to his life (Norton 27 Mar 2003, Lynch 1 Apr 2003, MIAMI HERALD 7 Jun 2003, Lynch 24 Jun 2003).

RADIO JOURNALISTS IN INCREASING PERIL

In a country with high rates of illiteracy, and where most cannot afford television sets, radio is by far the most important medium for the dissemination of news. That has turned it into a high-stakes battleground for appeals to the hearts and minds of Haitians by both sides in the country's sharply divided body politic. According to the Committee to Protect Journalists,

"Many stations are partisan and broadcast reports that serve the interests of either the government or its opponents, namely opposition parties and the private sector. Government officials tend to criticize private radio stations when their coverage does not support Aristide's ruling Fanmi Lavalas party or the president" (CPJ 2003).

"While private radio stations openly criticize Aristide's administration – and the state often cites such criticism to counter allegations of a pending dictatorship – they often fail to apply the same critical eye to civic organizations, opposition parties, and the private sector, whose paid advertisements help keep them afloat. Some journalists accept bribes and have been known to drop stories in exchange for money" (CPJ 2003).

When partisanship upstages professionalism, much of what is presented as news is in fact little more than unsubstantiated hearsay. That undermines the credibility of radio journalism both in Haiti and abroad. It means that foreigners who seek to objectively document conditions in Haiti must be very cautious about using or citing radio broadcasts. Within Haiti, the effect is even more pernicious, as it contributes to an atmosphere of cynicism and suspicion, casting doubt even on accurate reporting. When it becomes difficult to separate truth from hearsay and outright fabrication, it is easier for extremists to denounce radio journalists as agents of the other camp, making them potential targets of violence. Some of those most at risk are truly objective journalists whose reports offend powerful persons or groups, particularly among the pro-government popular organizations. According to the Committee to Protect Journalists,

"These popular organizations – informally called *chimères* (chimera) after the fire-breathing mythological creature – tend to comprise Aristide supporters, some of whom have even admitted to being on the state payroll. Popular organizations appear to be the most visible and viable obstacles for journalists, threatening and harassing members of the media at street demonstrations and accusing them of 'working for the opposition'" (CPJ 2003).

The following examples illustrate the extent of the dangers faced by radio journalists in Haiti, and the failure of the government to take effective measures to protect them, or to bring those who harm them to justice:

-- As of the end of 2002, ten members of a pro-Aristide grassroots group known as Asleep in the Woods (Dòmi Nan Bwa) had been indicted for the December 3, 2001 murder of radio journalist Brignol Lindor. But only two of the ten had been arrested, and no trial date had yet been set. Just days after Lindor was slashed to death by a mob wielding machetes, members of the group had admitted what they had done in an interview with Guy Delva, secretary-general of the Association of Haitian Journalists. Fearing for their lives, Lindor's father, two brothers, and four sisters fled to France in April 2002 (AP 3 Jun 2002, CPJ 2003, 105).

-- After completing the 10 pm news on the night of July 15, 2002, Israel Jacky Cantave, 28, headed home from Radio Caraïbes station with a cousin, Frantz Ambroise. Two vehicles bearing armed and masked men intercepted their car near Cantave's home in Delmas, a Port-au-Prince suburb. Heavily armed and masked men forced Cantave and Ambroise into a car at gunpoint. The men bound, gagged, and blindfolded Cantave and his cousin, and drove them to a house. There they interrogated, kicked, and beat Cantave, and made him listen to a radio broadcast of his mother pleading for her son's life. Cantave, who had been investigating criminal gangs loyal to President Jean-Bertrand Aristide, said, "[T]he kidnappers accused me of speaking too frankly on sensitive subjects. They said I was working to destroy the country." The two men were released bound, bruised, and almost naked on a roadside the following evening (AP 18 Jul 2002, CPJ 2003).

-- On February 18, 2003, a pro-government mob attacked the home of Petit-Goave radio host Montigene Sincere. The assailants came from a funeral procession for Petit-Goave resident Mickey Flerius, who was murdered earlier in the month by an opposition party gang, according to the ruling Lavalas party. Warned by a telephone call, Sincere hid behind his house. The mob sacked three rooms of the cinder-block house, burning furniture, equipment, and archives. Sincere hosts the nightly Haiti Focus radio program broadcast both in Port-au-Prince and New York. He is also a correspondent for the Voice of America, and member of an opposition political party, the National Movement for Development. His son David, 24, a correspondent for Miami station Radio Piman Bouk, was briefly detained by police and then released (Regan 21 Feb 2003).

-- On February 15, 2003, arsonists torched a car at the home of Jean Numa Goudou, a political correspondent for Radio Métropole. The radio station suspended news broadcasts for a day to protest government inaction, and Goudou went into hiding (Regan 21 Feb 2003).

-- At about 5:30 pm on December 25, 2002, soon after Michèle Montas returned to her home in the Port-au-Prince suburb of Pétienville, two heavily armed gunmen appeared at the gate. Security guards shut the gate, but the assailants opened fire, killing one of the guards, Maxim Séide (CPJ 2003). Two months later, on February 21, 2003, Montas announced that the radio station she runs, Radio Haïti Inter, was going off the air. Montas, wife of slain radio station founder Jean Dominique, said she had made the decision in the face of continuing threats to station employees, and the failure of the government to solve the murders of her husband and two other station employees, including the above mentioned bodyguard, Maxim Séide (Reuters 22 Feb 2003, Lynch 25 Mar 2003). Montas fled to New York City. "We've had at least five people die in this case," Montas told the New York Times. "One suspect was lynched, another disappeared. The judge is in exile in Miami." She said, "It was unthinkable that this would happen under Lavalas, a party Jean worked to put in power... We thought things would change for participation and transparency. In fact, nothing has changed and impunity reigns. In fact, it is reinforced by the apparent inability of the president to control the violence" (Gonzalez 29 Mar 2003).

BRINGING FORMER HUMAN RIGHTS ABUSERS TO JUSTICE

In January 2002, a judge ruled that former dictator Prosper Avril should remain in prison. But in April, an appeals court ordered Avril released, saying the government had not provided

enough evidence to substantiate the charges. As Avril was leaving the National Penitentiary on April 15, 2002, however, police rearrested him on charges of instigating the 1990 massacre of a dozen peasants near the village of Pyat, close to the central city of St. Marc (Reuters 15 Apr 2002, James 16 Apr 2002).

On March 25, 2002, the U.S. Immigration and Naturalization Service (INS) deported former Port-au-Prince police Capt. Jackson Joanis back to Haiti. In September 1995, a Haitian court had convicted Joanis in absentia of the 1993 murder of businessman Antoine Izméry, an ally of then-exiled president Jean-Bertrand Aristide. Following Joanis' arrest by INS officers in Hollywood, Florida, an immigration court found that Joanis, who had been a top aide to Port-au-Prince police chief Lt. Col. Michel François, "engaged in human rights persecution prior to residing in the United States." Haitian authorities placed Joanis in the National Penitentiary pending a new trial, as provided for by Haitian law in the case of persons convicted in absentia (Chardy 22 Jun 2001, AP 4 Apr 2002).

On January 27, 2003, the INS returned two former Haitian military officers to Port-au-Prince. The officers – former colonel Carl Dorelien and lieutenant colonel Herbert Valmond – had been convicted in absentia of directing the April 1994 massacre of at least 26 unarmed civilians in Raboteau. Both had taken refuge in Florida, but were deported under a program adopted in early 2000 which aims to keep those who have previously engaged in persecution abroad from finding safe haven in the United States. Dorelien was arrested by INS agents at his home in Port Saint Lucie in June 2001, and Valmond at his home in Tampa in April 2002. Both have the right to seek new trials under Haitian law (Chardy 28 Jan 2003).

On June 14, 2002, the Swiss government adopted measures to deny former "president-for-life" Jean-Claude "Baby Doc" Duvalier and his associates access to 7.5 million Swiss francs (a little under \$5 million at the prevailing exchange rate) in frozen bank accounts (AP 14 Jun 2002).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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