

MASTER EXHIBIT SERIES

HAITI

**GROUPS AT RISK: YOUNG PEOPLE, YOUTH GROUPS AND
CHILDREN**

JULY 1993

All the sources of information contained in this document are identified and are publicly available. Master Exhibit prepared by Cambridge and Somerville Legal Services, Harvard Immigration & Refugee Program, in cooperation with Church World Service, Documentation Exchange, Florida Rural Legal Services, Haitian Refugee Center, National Immigration Project, National Lawyers Guild.

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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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This Master Exhibit provides publicly available information, analyses, or comment. All sources are cited. Updates to this Master Exhibit may be made from time to time. This Master Exhibit, however, cannot be, and does not purport to be, either exhaustive with regard to the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. It is for the Asylum Officer adjudicating a particular case to determine what evidentiary weight to give to the information in this Master Exhibit.

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Rev. 10/08/92

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<u>Item</u>	<u>Citation/Description</u>
I.	<p>American Immigration Lawyers Association, <u>The AILA Human Rights Delegation Report on Haiti</u>, March, 1993, pp. 1-8, 12-13, Executive Summary.</p> <p>Reports arrests of students for possession of pro-Aristide literature and making pro-Aristide comments. Also reports that children are being detained in adult prisons.</p>
II.	<p>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.</p> <p>"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...</p> <p>3. <u>Potential targets of violence and threats of violence...</u></p> <p>A. Individuals who support, supported, or who are imputed to support or have supported the exiled President, Jean Bertrand Aristide...Grassroots liberation theology organizations in the countryside remain a strong base of support for President Aristide. These groups and their leaders have been particular targets of the army...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...</p> <p>B. <u>Rural development and community organizations...</u></p> <p>Military violence has been aimed at rural development or peasant organizations, neighborhood and community organizations, and literacy, pro-democracy, 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...</p> <p>D. <u>Students and student organizations...</u></p> <p>The military has targeted student leaders and members of student organizations. Soldiers have prohibited student meetings, arrested and detained students, and brutally beaten and in some cases tortured suspected student activists...</p> <p><u>Leaders and members of potential targets...</u></p> <p>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."</p>

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

- III. Americas Watch/National Coalition of Haitian Refugees, Silencing a People: The Destruction of Civil Society in Haiti (New York: Americas Watch/NCHR, February 1993), pp. 37-38 .

Based on eyewitness accounts and over 250 interviews conducted in the summer of 1992, this report notes that youth groups and young people were singled out for especially harsh treatment in every location investigated.

- IV. Haiti: Resistance & Democracy Bulletin #170, reprinted by Haiti Communications Project, 17 December 1992, translated by the Haiti Communications Project, Boston, MA.

In Rue Marcelin, a student was shot from behind while entering her house. In Carrefour-Feuilles, more than 30 young people who participate in the coordination of popular groups were arrested. A journalist who broadcast this news was arrested and later released.

- V. Haiti: Resistance & Democracy Bulletin #154, reprinted by Haiti Communications Project, 22 October 1992, translated by the Haiti Communications Project, Boston, MA

Nine youths in Fondou, an area around Petit-Goave, were arrested for their 'subversive activities.' The arresting officer indicated they had written slogans on town walls.

- VI. Dennis Nurske, Lutheran Immigration and Refugee Service, United States Catholic Conference/Migration and Refugee Service, At Special Risk: The Impact of Political Violence on Minors in Haiti, (July 1992).

This study details the situation of younger children and adolescents. It notes that evidence and testimony categorically confirm that massive political violence has been deployed against children and young adolescents in retribution for participation in social movements. It is reported that children have apparently been singled out simply to raise the level of terror in a community seen as adversarial by military authorities. The breakdown of family and kinship structures has created a whole host of other problems for children.

Specific incidents include soldiers surrounding a high school in Gonaives where a demonstration had taken place, the arrest and beating of 35 schoolchildren in Carrefour, and the tossing of an unarmed grenade into a student demonstration in Cap-Haitien.

"Secondary and elementary classrooms in Haiti may be more politicized than in any other country in the world...Ample documentation...suggests that the escalating dynamic of recent political events in Haiti has led to...the targeting and occupation of classrooms by army and paramilitary forces...and...imputing of political beliefs to all students who attend a school where political opinions have been expressed."

- VII. Amnesty International, Urgent Action, Haiti, "Lanfanmi Selavi," 1 July 1992, "UA 219/92."

Reports continuing intimidation of staff and children at orphanage founded by and associated with Aristide.

- VIII. Amnesty International, Urgent Action, Haiti, "Sulfrid Jeune Exime," 1 May 1992, "UA 138/92."

Secondary student accused of leafletting and arrested without warrant.

- IX. The Haiti Commission, Lavalas vs. Duvalierism: The Struggle for Haiti's Future (New York: March 1992), pp. 21-23.

Reports that young men in poor neighborhoods risk being shot if caught on the streets after dark. Includes personal accounts of beatings and extortion.

- X. Kenneth Roth, Deputy Director, Human Rights Watch, "Human Rights and the Bush Administration's Policy Towards Haiti," Testimony before the House Foreign Affairs Subcommittees on Western Hemispheric Affairs and on Human Rights and International Organizations, 19 February 1992.

Presents testimony that the small Haitian army is able to maintain power only by widespread and ruthless brutality. Anyone associated with organizations thought to have added to Aristide's popular support are at risk. Along with other groups, youth groups and student associations are especially vulnerable.

- XI. Haiti: Resistance & Democracy Bulletin #66, reprinted by Lawyers Committee for Human Rights, 16 February 1992, translated by RIC staff.

Reports approximately 2,000 documented arbitrary arrests between October 1991 and January 1992. Also reports that high school students continue to be targets of abuse.

- XII. Haiti: Resistance & Democracy Bulletin #61, reprinted by Lawyers Committee for Human Rights, 27 January 1992, translated by RIC staff.

Young people and students are identified as particular targets.

- XIII. Amnesty International, Haiti: The Human Rights Tragedy: Human Rights Violations Since the Coup (London, UK: Amnesty International, January 1992), "AMR 36/03/92," pp. 23.

Documents violence and human rights violations directed against children, who sometimes are beaten severely for minor allegations. In some cases soldiers beat youths instead of the relatives they are seeking when the persons they were looking for cannot be found.

Reports that on November 12, 1991, at the State University of Haiti, a pro-Aristide National Federation of Haitian student's (FENEH) demonstration of students was stormed by policemen who then proceeded to brutally beat students and arrested more than 100 of them. At least several of those arrested reported being beaten and tortured.

- XIV. Amnesty International, Urgent Action, Haiti, "Sergo (or Serge) Michel, Emilien Kersaint + over 20 unnamed street children," 13 December 1991, "UA 441/91."

Reports arrests and continuing harassment of members of center providing care for street children.

- XV. Haiti: Resistance & Democracy Bulletin #44, reprinted by Amnesty International, 8 December 1991, translated by Mike Levy, AIUSA Haiti coordinator.

Two young children inside the home of a sought after Aristide official were beaten by soldiers

demanding information on his whereabouts.

- XVI. Haiti: Resistance & Democracy Bulletin #43, reprinted by Amnesty International, 3 December 1991, translated by Mike Levy, AIUSA Haiti coordinator.

A sixteen year old girl was severely beaten for allegedly crying out "Long live Aristide! Long live the Embargo!"

- XVII. Haiti: Resistance & Democracy Bulletin #40, reprinted by Amnesty International, 29 November 1991, translated by Mike Levy, AIUSA Haiti coordinator.

In Port-au-Prince, 16 youths were arrested.