

MASTER EXHIBIT SERIES

HAITI

PERSONS POSSESSING PRO-ARISTIDE TRACTS

AND THOSE POSTING AND OTHERWISE DISTRIBUTING PRO-ARISTIDE PHOTOS,

LEAFLETS, AND POSTERS

[ME/HTI/93.003I]

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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,

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Rev. 10/08/92

PERSONS AT RISK¹ BECAUSE OF POSSESSION OF PRO-ARISTIDE TRACTS AND FOR HAVING POSTED AND OTHERWISE EXHIBITED AND DISTRIBUTED PRO-ARISTIDE PHOTOS, LEAFLETS AND POSTERS

Item. Citation/Description

- I. American Immigration Lawyers Association, The AIIA Human Rights Delegation Report on Haiti, March, 1993, pp. 1-8, 12-13, Executive Summary

The military raided the largest school in Cap Haitien, searched the students' desks, removed any "tracts" about Aristide, and brought at least one student to jail.

Marie Josie St. Firmin is in hiding after writing and presenting a "tract" at mass. When the military came to her home to arrest her and could not find her, they arrested her mother, Madame Joseph St. Firmin.

- II. 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.

"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'

- III. Americas Watch, Silencing a People: The Destruction of Civil Society in Haiti (New York: Americas Watch/NCHR, February 1993), pp. 85-88

Reports "[f]ierce repression has been meted out to people possessing or suspected of distributing pro-democracy leaflets or caught writing graffiti. Many have been arrested after warrantless searches of their homes allegedly turned up pictures of Aristide. The aim is to silence the voice of dissenters who might resistance to military rule.' Eyewitness accounts and interviews describe specific incidents and methods of repression.

- IV. Haiti; Resistance & Democracy Bulletin #174, reprinted by Haiti Communications Project, 14 January 1993, translated by the Haiti Communications Project, Boston, MA

In Hinche, soldiers arrested a priest for having letters relating to Haitian crisis.

- V. Haiti; Resistance & Democracy Bulletin #173, reprinted by Haiti Communications Project, 11 January 1993, translated by the Haiti Communications Project, Boston,

A neighborhood organization leader in Gonaives was arrested and accused of circulating subversive documents.

- VI. Haiti: Resistance & Democracy Bulletin #172, reprinted by Haiti Communications Project, 7 January 1993, translated by the Haiti Communications Project, Boston, MA

In Mont Organize, 21 people were arrested during the night of December 16, 1992 on the pretext of having thrown tracts in the streets.

- VII. 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 teachers, were beaten and arrested ostensibly for writing pro-Aristide graffiti.

- VIII. Haiti: Resistance & Democracy Bulletin #159, reprinted by Haiti Communications Project, 9 November 1992, translated by the Haiti Communications Project, Boston, MA

Reports that armed soldiers were deployed near a Port-au-Prince high school after students in that school protested the presence of a new censor and graffiti supporting Aristide appeared on the school walls.

- IX. Haiti: Resistance & Democracy Bulletin #158, reprinted by Haiti Communications Project, 5 November 1992, translated by the Haiti Communications Project, Boston, MA

In Artibonite, a pastoral agent of the local church and his family were arrested for possession of pro-Aristide tracts.

- X. Lawyers Committee for Human Rights, Haiti: A Human Rights Nightmare (New York: Lawyers Committee for Human Rights, August 1992), pp. 12-15, 26-27, 30-33

Reports that even possessing or circulating pictures of Aristide usually triggers an arrest. 'In a number of cases, the military has brutally punished entire communities where such pictures...have appeared.'

- XI. Amnesty International, HAITI: Human Rights Held Ransom (New York: Amnesty International, August 1992), "AMR 36/41/92", p. 1-3, 36, Summary

Reports that three women were arrested and jailed for being on a bus where calendars bearing Aristide's photograph were found.

- XII. Mike Levy, Amnesty International Haiti coordinator, 'Memorandum to Mr. John D. Evans, Director, RIC,' 9 January 1992

Mr. Levy observes that "[a]nyone the authorities don't like can be called a 'Lavalassien.' Anyone caught with a photograph of Aristide, or talking favorably about him, or listening to information about any of the points of emphasis of Lavalas (the social or political or economic objectives of Lavalas) can be seen as 'Lavalassien.' And of course there is no way to disprove it, as there would be no complete list of the Lavalas movement; it is largely a matter of self-identification...Probably anyone wearing a t-shirt which deals with any political theme (unless it supports the Duvalierists or the macoutes [Tontons Macoutes]), anyone listening to any news broadcast about events in Haiti, etc. can be assumed to be a political opponent. '

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

Reports sustained shooting by army throughout the night of December 1 and 2 due to appearance of slogans and leaflets on city street walls.

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