

Dear Colleagues,

Please find below the mainstream news on Haiti for August 2 – 10, 2006.

The Wall Street Journal's Mary Anastasia O'Grady correctly observes that "there has never been a shortage of off the record allegations" of corruption by former President Aristide, but there has always been a shortage of proof. There is not a single criminal or civil complaint outstanding against Mr. Aristide, in Haiti, the U.S. or anywhere else. None of the reported foreign bank accounts have ever been found. Ms. O'Grady hopes that a wrongful termination case filed more than two years ago in New Jersey "might actually prove" allegations of Mr. Aristide's wrongdoing. But such predictions have been coming up empty for over a decade.

UN Secretary-General Kofi Annan made his first visit to Haiti on August 3rd. Annan advocated for a 12-month extension of the UN Peacekeeping Mission. The UN is talking with the Preval administration about how UN forces can 'crack down on gangs' and get the security situation under control. Attacks against missionaries and other expatriates, such as the recent murder of an Italian businesswoman's husband while she was kidnapped, are the 'ordinary people' cited by the UN as the most susceptible victims *who* capture the headlines. The media perpetuates its simplified version of the violence whereby expatriates are kidnap victims of the poor, Aristide-aligned gangs. The AP's Stevenson Jacobs' Miami Herald article of August 5th closed with vague references to 'gangs loyal to Aristide and want his return' as responsible for the violence. As usual, no proof is presented to support the allegations.

The major media outlets, most often the AP and occasionally Reuters reporters, end their stories with anonymous "UN officials" attributing the latest crime wave to a specific political intent by those seeking to "destabilize the country and pressure Preval into allowing Aristide to return" (August 8th, Washington Post/AP). However when specific UN personnel, such as UN Chief in Haiti Larry Rossin, in the same Washington Post story, is quoted as saying "this is....criminal activity taking place by these gangs" he clearly attributes the crime *to* economic, not political, motives. Again in the August 2nd "Les Kidnappings" article Leslie Dallemand, coordinator of the anti-kidnapping unit of UNPOL reiterates "so many people are making financial gains, that its become widespread" . Kidnapping is profitable, not some circuitous means of returning Aristide to Haiti.

The Stevenson Jacobs Miami Herald/AP story closes with "an 8,800-strong UN peacekeeping force has stepped up offensives against the gangs but hasn't penetrated most of the dense slums where they operate." Residents of Cite Soleil who lived under a constant state of siege the past two years would likely disagree with that statement. All serious analyses of armed violence in Haiti, including studies by the Geneva-based Small Arms Survey and MINUSTAH's own disarmament wing, conclude that the violence problem is directly linked to wealthy individuals and organized criminals living in Petionville who bring the guns into the country. Human rights investigations, including the 2004 report by the University of Miami's Center for the Study of Human Rights, repeatedly document links between wealthy business owners and gang leaders. But all the efforts to combat crime, and the reporting on those efforts, focuses exclusively on the poor neighborhoods. Given the bias against poor Haitians it is no surprise that gang leader Ti Blanc and other Cite Soleil leaders are negotiating for guarantees that all gangs are disarmed, not simply those in the poorer neighborhoods.

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1. New Jersey & Aristide, Perfect Together

Mary Anastasia O'Grady

Wall Street Journal

August 4, 2006

There has never been a shortage of "off-the-record" allegations that Haiti's Jean Bertrand Aristide stole liberally from the public purse. But a case being heard in federal court in Newark, N.J. might actually prove it.

It is there that Michael Jewett has alleged that in 2003 his then-employer, politically influential New Jersey-based telecom giant IDT, entered into a shady deal with then-Haitian President Aristide in violation of U.S. law.

In court documents Mr. Jewett claims he was wrongfully fired because he objected to the agreement. The deal, as he describes it in his complaint, was also highly unethical because it facilitated the theft of Haiti's telecom revenues -- one of the few sources of hard currency for the starving nation.

Mr. Jewett's claim has enough credence that the U.S. Department of Justice has been investigating it, according to his lawyer in court documents. But now federal magistrate judge Mark Falk has issued a blanket protective order prohibiting Mr. Jewett from talking to Justice about whatever IDT deems confidential in the discovery phase of the case. It leaves one wondering what IDT, which did not return phone calls for comment, doesn't want Justice to find out.

This case has implications that go far beyond the rights of the plaintiff. Based on what has already been revealed in the case, it seems quite possible that if he is allowed to tell his story, Mr. Jewett could help Justice get to the truth about Mr. Aristide's financial misdeeds, allegedly aided and abetted by IDT and other U.S. corporations during the decade that he controlled the country.

In the past two weeks at least 30 people have died in gang violence in Port-au-Prince and 300 others were forced to flee their homes. The Economist Intelligence Unit reported on Monday that "U.N. representatives fear that the recent attacks in the capital's slums may be designed to exert pressure on [President René] Préval to allow Mr. Aristide, now in exile in South Africa, to return to Haiti." U.N. peacekeepers may not be the most effective fighting force but they tend to be in the know about who is behind trouble. Their observations support the claim that until Mr. Aristide is convicted and put in jail for his many transgressions -- alongside Panama's Manuel Noriega -- Haiti cannot begin to stabilize.

The interim Haitian government of Gerard Latortue (March 2004-May 2006) compiled a mountain of evidence against Mr. Aristide, alleging the theft of revenues from the telecom monopoly Haiti Teleco. In a civil lawsuit filed in a federal court in Florida in November, Haiti alleged that Mr. Aristide had given foreign carriers preferential settlement rates in return for their agreement to place payments in offshore bank accounts belonging to him. This is precisely what Mr. Jewett's claim against IDT alleges.

Unfortunately, Haiti has withdrawn its case in Florida, citing troubles with legal fees. The case may be refiled, but until then, the keys to unlocking the wider truth of the Aristide telecom business lie with the Jewett case and the Justice Department.

In the early stages of the case, IDT thought it could avoid scrutiny by claiming that its Haiti Teleco deal was a trade secret. In May 2004 it submitted a sworn affidavit saying just that. Judge Falk concurred and permitted the sealing of the pricing agreement in the complaint. But Mr. Jewett's attorney, William Perniciaro, later showed the affidavit to be false by presenting to the court Federal Communication Commission regulations that state that the FCC sets a single price for all U.S. carriers doing business with a given foreign monopoly. Mr. Perniciaro also showed that, according to FCC rules, agreements between U.S. carriers and foreign monopoly carriers must be publicly disclosed. Whereupon, IDT agreed to have the price unsealed. What was revealed was a deal that gave IDT access to the Haiti Teleco network at nine cents a minute, while the FCC's set price was 23 cents a minute. In other words, IDT had broken the law.

That's bad enough. Now, months later, in barring Mr. Jewett from discussions with Justice, Judge Falk has cited a new IDT affidavit that again claims the Haiti Teleco deal was a trade secret.

In his court filings, Mr. Jewett claims that the quid pro quo for the cut-rate price was an IDT agreement to deposit payments in an offshore account called "Mount Salem," for the benefit of Mr. Aristide. This is otherwise known as bribery. The Haitian complaint in Florida also alleged that there was a similarly named offshore account for the benefit of Mr. Aristide.

The federal court in Newark seems to be making discovery of this information also difficult. Mr. Perniciaro, Mr. Jewett's attorney, was given permission to submit 20 questions to each of the 12 defendants. Since the law stipulates that to prove a whistleblower case, you have to prove the connection between the firing and what the employee alleges went on, Mr. Perniciaro submitted questions related to the Teleco Haiti deal.

Federal Judge John Lifland ruled that the questions went against his instructions to keep the inquiry narrow and issued an order for Mr. Perniciaro to show why he should not be held in contempt. When the attorney argued the importance of motive in proving his case, Judge Lifland admonished him: "You are on thin ice by going into that, Mr. Perniciaro. It has very little to do with the reason we are here today." Mr. Perniciaro was held in contempt.

Under Judge Falk's gag order, Justice will have a hard time learning more from Mr. Jewett. If the plaintiff speaks to federal investigators he will have to keep clear in his mind what he has learned in discovery and what he knew already. If he makes a mistake, he could be sanctioned in some manner by the court.

Herb Denton, president of Providence Capital, a New York investment firm, has this to say about Mr. Jewett's allegation: "If it is true then one has to ask questions about the dozens of other notoriously corrupt countries throughout the Caribbean, Latin America, and Russia and its former republics where IDT does business."

That suggests one possibility for why IDT doesn't want Justice to know what, under FCC regulations, should be a matter of public record. It doesn't explain, though, why a federal court would want to assist in the effort.

2. Haiti gang leaders seek disarmament 'without bias'

04 Aug 2006

Reuters

By Joseph Guylor Delva

http://today.reuters.com/news/articlenews.aspx?type=worldNews&storyID=2006-08-10T225322Z_01_N10190823_RTRUKOC_0_US-HAITI-DISARMAMENT.xml&archived=False

PORT-AU-PRINCE, Haiti, Aug 4 (Reuters) - A gang leader in Haiti's largest slum said on Friday that he and others would be willing to lay down their arms as part of a broader disarmament process in the impoverished and violent Caribbean nation.

The comments from Ti Blanc -- who heads a gang in Cite Soleil and said he was speaking for other gang leaders there -- came a day after newly installed President Rene Preval held out an olive branch to the disparate groups linked to continuing political bloodshed and kidnappings in Haiti.

"Several armed groups want to hand over their weapons, but they need guarantees," said Preval. "We have opened a dialogue with them to see how they can give up their weapons in a peaceful manner."

Cite Soleil, a teeming warren of shantytowns on the outskirts of Port-au-Prince, is known as a hotbed of support for ousted former President Jean-Bertrand Aristide, who fled into exile in 2004 facing an armed revolt.

"We heard the president's call and we want to disarm, but the disarmament should be done without bias," Ti Blanc told Reuters.

He was referring to concern among Cite Soleil's gangs that rival armed groups, some allegedly linked to the Haitian police and to a U.S.-backed interim government installed after Aristide's ouster, would be allowed to keep their weapons.

Cite Soleil's gangs have made other tentative offers to disarm but none of them have borne fruit so far.

After Preval won an election in February, the level of violence in Haiti declined markedly. But it spiked again in July, prompting U.N. Secretary-General Kofi Annan, who visited Port-au-Prince on Thursday, to advise the Security Council against cutting back a U.N. peacekeeping force in Haiti.

3. In Haiti, Annan seeks solutions

BY MYRNA DOMIT

Associated Press

Miami Herald

August 4, 2006

PORT-AU-PRINCE - U.N. Secretary-General Kofi Annan called for strengthening Haiti's national police force with better-qualified personnel, advisers and equipment to stem an upsurge in kidnapping and lawlessness.

Annan, making his first trip to Haiti, said Thursday the challenges facing the troubled Caribbean country remained vast and that Haitians were "impatient" for change, but that "great strides" had been made in recent months.

"We have achieved a lot but much, much more needs to be done," Annan said in a speech at the National Palace. "These criminals should be ashamed to call themselves Haitians when the nation is at a critical stage of rebuilding itself."

Haiti experienced relative calm after President René Préval's February election victory but since May, dozens of foreigners and Haitians have been kidnapped and gang fighting has forced hundreds of people to flee their homes in Port-au-Prince.

Annan said the U.N Security Council should extend the current security operation, led by a U.N.-led Brazilian peacekeeping force, for another 12 months instead of the standard six months.

"I am challenging the member states to accept this longer-term proposition," he said.

Annan, who praised Préval's leadership, toured a Haitian police academy and met with two Brazilian peacekeepers who were wounded by gang gunfire in July.

An 8,800-strong force of U.N. troops and international police provides the only real security in a country plagued with well-armed gangs and a local police that Annan has said is "inadequately trained" and "infiltrated by criminal elements."

4. U.N. Plans to Increase Security in Haiti

By MYRNA DOMIT

The Associated Press

The Washington Post
Tuesday, August 8, 2006

PORT-AU-PRINCE, Haiti -- The United Nations intends to step up security in Haiti in an effort to crack down on gangs that are "kidnapping and terrorizing ordinary people," the U.N. chief in Haiti said Monday.

The U.N. Security Council is expected to review within a week a request for strengthening Haiti's national police force with better-qualified personnel, expert security advisers and equipment to stem a surge in abductions and lawlessness.

If approved, the U.N. will begin securing the capital to help the government and humanitarian groups do their work, said Larry Rossin, the U.N.'s acting leader in Haiti. He did not provide further details of what the stepped-up security would entail.

Haiti experienced relative calm after President Rene Preval's February election. Since May, however, dozens of foreigners and Haitians have been kidnapped and gang fighting has forced hundreds to flee their homes in the capital of Port-au-Prince.

"In Port-au-Prince, we have seen a significant deterioration in the security situation," Rossin told The Associated Press. "This is ... criminal activity taking place by these gangs who are kidnapping and terrorizing ordinary people."

"We are working very closely with the president and the prime minister to come up with a policy and to use our forces to help," he added. "We are looking forward to getting this under control."

An 8,800-strong force of U.N. troops and international police provides the only real security in a country plagued with well-armed gangs and a local police force that U.N. Secretary-General Kofi Annan describes as "inadequately trained" and "infiltrated by criminal elements."

The peacekeepers were dispatched to Haiti to help restore order following the 2004 revolt that toppled then-President Jean-Bertrand Aristide, now exiled in South Africa.

U.N. officials have said the latest crime wave may be an attempt to destabilize the country and pressure Preval into allowing Aristide to return. Preval has said he does not believe the violence is politically motivated.

5. Gunmen in Haiti Kill Italian Businessman
By Associated Press
Los Angeles Times
August 8, 2006

ROME -- Gunmen in Haiti have killed an Italian businessman and kidnapped his wife amid a spate of violence in the impoverished Caribbean nation, the Italian Foreign Ministry said Tuesday.

A group of armed men on Monday entered the couple's villa in the capital, Port-au-Prince, shooting 67-year-old Guido Vitiello and leaving him tied to a chair before abducting his wife Gigliola Martino, the ministry said. Vitiello later died of his wounds in a hospital.

Investigators believe Martino, 65, was kidnapped for ransom and the Italian ambassador in the neighboring Dominican Republic has been dispatched to Port-au-Prince to assist the family and keep contacts with local authorities, the ministry said.

Martino was also briefly kidnapped last year and released unharmed. She has been living in Haiti for about 30 years with her husband and two children.

Haiti experienced relative calm after President Rene Preval's February election. Since May, however, dozens of foreigners and Haitians have been kidnapped and gang fighting has forced hundreds to flee their homes in the capital.

6. 'Les kidnappings' are Haiti's latest misery

By NANCY SAN MARTIN

Miami Herald

August 2, 2006

In Haiti, no one is immune, no time of day is safe from the threat of kidnapping. Police seem helpless to prevent the abductions.

PORT-AU-PRINCE - One victim was grabbed in the afternoon on her way home from work. Another was stopped at gunpoint in evening traffic and yanked out of the car. A third victim, this one a child, was snatched at midnight from inside a house as family members remained helpless in saving the child from heavily armed thugs.

Les kidnappings, as the crime is referred to here, is at an all-time high, averaging at least one a day after a short period of relative calm following the election of President René Préval in February. At least 47 citizens and foreigners were kidnapped last month -- the highest number so far this year.

"I thought they were going to kill me," said a woman released by kidnappers last week after three days of captivity. "I was so scared. All I kept thinking was that I wanted to live. I didn't want to die."

Almost everyone in this overpopulated city has heard about someone who was present one moment and gone the next. No one is immune from capture, no time of day is safe. The problem has gotten so out of control, U.N. Secretary General Kofi Annan is likely to discuss the matter with Préval during a visit to Haiti today.

BEATEN, THREATENED

"Nobody wants the situation to stay like this," said the kidnap victim, who was beaten, burned and threatened with guns. ``My hope is that things will get better."

Préval's government has taken some steps to deal with the crime issue: a former police official was recently appointed to serve as the national security undersecretary, the prime minister has promised a "carrot and stick" approach to reduce violence and the police chief has spoken out against a judicial system accused of accepting bribes in exchange for releasing suspected criminals without charges. But those efforts have yet to yield any results.

Although Haiti has a long history of political unrest and violence from warring gangs, kidnappings have been unusual. More than 100 cases have been reported so far this year - nearly half of those in the month of July.

The problem is so prevalent, the U.N. security force last year formed an anti-kidnapping unit, which includes several Haitian-American police officers from South Florida who provide technical assistance to the understaffed Haitian National Police. The police component of the international security force, known as UNPOL, recently tried to raise public awareness by releasing tips on kidnapping preparedness. Among the advice: Don't discuss private affairs in public, install an alarm system and don't talk on the cellphone while driving.

TOP OF LIST

Those calling for an end to the violence place kidnappings at the top of the long list of Haitian problems, but authorities are at a loss on how to combat it quickly -- unless the 8,800-strong U.N. peacekeeping force is allowed to take on a stronger role in assisting the Haitian police force.

"Kidnappings are the biggest threat right now," said Leslie Dallemand, coordinator of the anti-kidnapping unit for UNPOL. ``So many people are making financial gains, that it's become widespread. Every day, when you step out in the street, you're a potential victim.

"Those kidnapers are very well-organized and armed, probably more armed than [Haitian] police officers," said Dallemand, a retired Miami police officer and one of about 15 Haitian Americans that form part of the international peacekeeping mission.

The Haitian National Police do not have the manpower, equipment or training to launch an effective offensive, and the U.N. officers can only provide technical assistance. They are not allowed to make arrests or enforce the law, although there is widespread consensus that the Haitian and international security forces must be allowed to deal with the problem immediately.

"I can't tell [Haitian] police officers what to do," said Emmanuel Nelson, another retired Haitian-American officer from Miami-Dade County. ``I can only show them, if they are willing to learn."

The woman abducted last week, a foreigner who has lived in Haiti for more than six years, is a typical case.

She was a passenger in a vehicle when several men climbed in and ordered the driver to keep going. The kidnappers put dark glasses over her eyes.

"When they put the glasses on me, I knew what was happening," said the woman, whose identity is being withheld because of the ongoing investigation. The men took her cellphone, had the driver take them to an unknown location and placed her into a room alone.

AFRAID TO SEEK HELP

"Three people took turns hitting me," the woman said. The kidnappers told her they wanted money and threatened her with guns to make their point. "I had like three or four firearms pointed at me, as if one wasn't enough to kill me."

UNPOL has tried to address the kidnapping issue within the limits of their power.

They provide assistance with investigations, document cases and a year ago set up a hot line for citizens seeking help.

But victims' families are often too afraid to seek help because there is little faith in Haiti's severely broken justice system, even when arrests are made. Few kidnappers remain behind bars for long.

"They need to prosecute them fully, punish them," Dallemand said.

Nelson, a 25-year veteran who served with Miami-Dade police and retired as a lieutenant for Surfside, said recruiting more Haitian Americans for UNPOL could help bridge a cultural gap that is hindering efforts to properly train Haiti's understaffed police force.

"There is no country that can operate in a climate of insecurity," Nelson said. "This is a real problem and that has to change. The only ones who can change that is a professional police force."

7. Missionaries face violence in Caribbean

Foreigners are kidnapped, shot at; many stay home

BY STEVENSON JACOBS

The Associated Press

The Miami Herald

August 5, 2006

PORT-AU-PRINCE, Haiti -- An American minister and his companion kidnapped on their way to church. Franciscan friars abducted on a busy street. A Canadian pastor seized at gunpoint from his rural orphanage.

Foreign missionaries have become prime targets in Haiti, where an upsurge in violence has made their jobs more difficult and dangerous at a time when they are needed most.

Religious workers, mostly Protestant and Roman Catholic, say they are trying to lower their profile in the often-lawless country, cloistering themselves in fortified compounds protected by razor-wire walls and armed guards and going out as little as possible.

Others have decided to stay in their home countries. Several groups said the violence has scared off volunteers who once streamed into Haiti on short-term mission trips to build homes, install plumbing and pass out meals in some of the poorest, most desolate areas.

"It's really shut down the visitors," said Tom Osbeck, of Fort Wayne, Ind., whose Protestant-run Jesus in Haiti Ministry operates a school in a rural town north of the capital. "People are leery of coming. They read about the kidnappings in the news."

There is no official census of foreign religious workers in Haiti, but there are thought to be as many as 1,000 in the country of 8 million that is the poorest in the Western Hemisphere.

Besides seeking converts, missionaries and church groups run a vital network of hospitals, orphanages, schools and food-distribution sites, bolstering Haiti's cash-strapped government.

For many Haitians, missionaries fill an urgent need that the weak government simply can't, especially in education.

Missionaries run or support 2,000 primary schools attended by 600,000 students -- one-third of Haiti's school-aged population, said Adriano Gonzalez, the UNICEF representative in Haiti.

"Because of missionaries, half a million children can go to school," Gonzalez said. "They are irreplaceable."

But the kidnappings have kept workers away, depriving missions of sorely needed staffers, along with the donations they typically bring, said Matthew Marek, the Haiti-based director of Norwich Mission House, part of the Connecticut-based Haitian Ministries.

"We've been hit pretty hard financially," said Marek, whose Catholic group welcomed about 200 volunteers per year during calmer times.

Missionaries say they think they're targeted only because they are more vulnerable than U.N. and foreign embassy personnel, who often travel in armored convoys.

Most of the kidnappings are blamed on well-armed street gangs, which have flourished in the aftermath of the February 2004 revolt that toppled former President Jean-Bertrand Aristide. Some gangs are loyal to Aristide and want his return from exile in South Africa.

An 8,800-strong U.N. peacekeeping force has stepped up offensives against the gangs but hasn't penetrated most of the dense slums where they operate.