

Dear Colleagues,

Please find below the mainstream news on Haiti for July 11-20, 2006.

The New York Times reported the arrest of Emmanuel “Toto” Constant for defrauding banks in a mortgage fraud scheme. Many Haitians and activists living in New York cited the irony that Constant, the former leader of the paramilitary group FRAPH, was arrested for financial scheming and not the crimes for which he committed in Haiti in the early 1990s and was convicted in absentia (the Raboteau trial of 2000). Constant was ordered deported by a US Immigration judge in 1995, but that order has never been executed. Constant and U.S. officials have acknowledged that Constant was a CIA agent while he was leading FRAPH.

News reports in recent weeks are indicating heightened violence in Haiti, evidenced by clashes between rival gangs, gangs and peacekeepers and renewed kidnappings. The media continues to vaguely tie together armed gang violence, slums and Aristide supporters anxious for their exiled leader’s return in one tidy bundle explaining the resurgent violence. A notable exception is Reed Lindsay’s report on the Grande Ravine Massacre, which shows that contrary to other reports, the attack was aimed at women and children, because they were Lavalas supporters. Yesterday’s Reuters report mentions escalating violence and slums “home to armed gangs that supported Aristide”. In the Miami Herald article, Preval opines that the violence is not politically-motivated, rather it is rooted in the general misery of the slums in addition to the drug trade and involving some corrupt police officers.

The AP/Sun Sentinel story covered a demonstration of Aristide supporters in Port au Prince on Saturday July 15. The demonstration both commemorated Aristide’s birthday and demanded his return from exile. The demonstration was peaceful and estimated at 3,000 strong.

Yesterday, Thursday July 20 two American missionaries were reportedly kidnapped and released by late afternoon following payment of an undisclosed ransom. 29 kidnappings have been reported so far for the month of July and at least 10 of those were Americans.

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1. To His Compatriots' Relief, Haitian Exile Is Arrested
By COREY KILGANNON
The New York Times
July 11, 2006

Like many of his neighbors, Emmanuel Constant left behind tumult in his homeland, Haiti, and found a more stable life in New York City.

The change was good. He became a real estate agent and lived in a spacious white house in Queens.

But Mr. Constant kept his nickname — Toto — a name that continues to stir fear and hatred among many Haitians, who know him as the man who in the early 1990's ran a paramilitary group that human-rights groups say raped, tortured or killed thousands to silence loyalists of the deposed president, Jean-Bertrand Aristide.

For many Haitians here, Mr. Constant's unapologetic attitude and his success in America simply added to the horrors he was accused of.

"Toto has blood dripping from his hands, and he has been living his cocky lifestyle in the middle of New York's biggest Haitian community," said Ray Laforest, 59, a Haitian immigrant living in Flatbush.

"For us, this just reinforces the deeply painful and unjust history of Haiti."

Mr. Laforest and many other Haitians were surprised last week when Mr. Constant finally was arrested, not on charges relating to his past, but in connection with a mortgage fraud scheme on Long Island.

He was arraigned on Friday in State Supreme Court in Riverhead on charges including grand larceny. Attorney General Eliot Spitzer's office said that Mr. Constant, 49, and five others defrauded banks out of more than \$1 million in loans by using straw home buyers and inflated appraisals.

The attorney general's office said Mr. Constant played a role in recruiting one of the straw buyers and in forging a bank statement that the bank relied on in giving a loan. The prosecutors said Mr. Constant was paid \$45,000.

A lawyer for Mr. Constant, Edward R. Palermo of Smithtown, said Mr. Constant was pleading not guilty to the financial charges, but added that he knew little of his client's past in Haiti, or his immigration status.

"They want to make my client's political past in Haiti the background of the case, for publicity and to prejudice the judge to set a high bail, when it really has nothing to do with these charges," he said.

In a memorandum to the judge, Mr. Spitzer's office called Mr. Constant a flight risk, and because of his association with "a violent paramilitary organization," urged that he be held without bail, or that bail be at least \$2 million.

Acting State Supreme Court Justice Michael F. Mullen set it at \$50,000. But even if Mr. Constant posts bail, he is to be turned over to federal immigration officials, who have orders to detain him, said Chief Alan Otto of the Suffolk County Sheriff's Office. The Immigration and Customs Enforcement bureau would not give any details about Mr. Constant's status.

He fled Haiti when Mr. Aristide returned to power in 1994. Immigration officials here detained him but ultimately decided not to deport him after Mr. Constant insisted that Haiti's unstable justice system would put him to death.

In 2000, Mr. Constant was convicted in absentia by a Haitian court for his involvement in a 1994 massacre, and he was sued recently in federal court on behalf of three women who said his soldiers beat and gang-raped them, under a "systematic campaign of violence against women."

It has always been a sore point with New York's Haitian immigrants that Mr. Constant has been allowed to live in exile here, said Kim Ives, a journalist who has written extensively about Mr. Constant in the New York Haitian press.

"If people weren't so afraid of him, he would be attacked the minute he walked on the street here," he said.

But, Mr. Laforest said, "Mentally, Haitians are still terrified of Toto; they're afraid his friends will have their house firebombed."

Mr. Constant remained on the margins of the Haitian community and would rarely walk in Haitian neighborhoods, both his friends and his enemies say.

But his distinctive face and 6-foot-4-inch frame made him easy to pick out. He was seen with friends at nightclubs and would appear alone at voodoo ceremonies. People would stare and whisper about Toto and the mass killings and rapes in Haiti committed by his band of guerrillas, a group known as Fraph and translated variously as the Front for the Advancement and Progress of Haiti.

There was the woman at a train station, Mr. Laforest said, who nearly fainted after recognizing him from his newspaper photograph. There was a time Mr. Constant approached a Haitian man who was selling a house, who told Mr. Constant he looked familiar. Upon learning his name, he stood agape, and Mr. Constant quickly left.

For the past 10 years, Mr. Laforest has organized occasional demonstrations in front of Mr. Constant's home in Laurelton, Queens, at his offices, and at the location in Manhattan where Mr. Constant checked in weekly with immigration authorities.

“People were afraid that he was still a killer, but there were times I had to literally hold people back from rushing into his office and attacking him,” Mr. Laforest said.

In the last couple of years, as the protests intensified, Mr. Constant, his companion and their young child began moving between Queens, Flatbush, New Jersey and Long Island, said Fritz Cherubin, a friend of Mr. Constant who runs a business providing notary, fax and other clerical services to immigrants.

Yet many Haitians would not dare physically or even verbally attack Mr. Constant because of his dangerous reputation in Haiti and his continued connections with the old backers of his violent paramilitary organization, others said.

Giroboam Raphael, who owns a record store on Flatbush Avenue, said, “So many Haitians were afraid to do anything to Toto because he seemed untouchable.

“Toto always claimed he was working for the U.S. government in Haiti, so we all thought he was out of reach of the law,” Mr. Raphael said. “It’s strange that, with all the horrific things he did in Haiti, they arrested him for mortgage fraud.”

Olisha Baptiste, 38, of Ditmas Park, said he saw Mr. Constant at voodoo ceremonies in Brooklyn, which consisted of drumming, prayer and consultation with spirits.

“It was always uncomfortable for me and the others that, ‘My God, it is Toto Constant sitting here,’ ” Mr. Baptiste said. “This is one guy nobody wanted to be associated with, but no one ever said anything. We welcome everyone, and also we were afraid of his background. We all know what he is capable of doing. He is untouchable.”

“Maybe those ceremonies were a place he could venture into quietly, just slip in and out without a fuss,” he added.

But he never shrank from his past, insisting he was a hero and boasting of working as a C.I.A. informer and having powerful protectors, Mr. Laforest and others said.

“He liked to talk to the press a lot and make himself look powerful, but he never killed anybody,” said Mr. Cherubin, his friend. “He’s been running from people the past couple of years, but he’s not a bad man.”

2. UN forces and Haiti gangs clash, two reported dead

Thursday, July 20, 2006

by Joseph Guyler Delva

Reuters

<http://www.caribbeannetnews.com/cgi-script/csArticles/articles/000024/002439.htm>

PORT-AU-PRINCE, Haiti (Reuters): At least two people were killed when U.N. troops exchanged gunfire with gangs in Haiti’s capital on Wednesday, a witness said.

The clash took place near the dangerous slum of Cite Soleil, not far from the national airport in Port-au-Prince. Panicked passersby fled the heavy gunfire.

"Two ladies who work in a nearby factory were killed by bullets," said a young man who identified himself as Maxime. "A man who was running away from the scene of the incidents was shot and fell on the ground."

"It was a real war," said resident Jackson Jeudi, who took refuge in abandoned factory in the area.

U.N. officials said they could not confirm the reports of deaths. U.N. spokesman David Wimhurst said peacekeepers came under attack and returned fire.

The 9,000-strong U.N. peacekeeping force was deployed to the violence-torn Caribbean country to restore order after the ouster in February 2004 of then-president Jean-Bertrand Aristide, who was ousted by a bloody rebellion.

Violence has escalated in recent weeks in Haiti's trouble slums, home to armed gangs that supported Aristide.

About 20 people died in clashes between rival gangs in the Martissant neighborhood two weeks ago.

3. Gang killings may be political

By Reed Lindsay

THE WASHINGTON TIMES

July 14, 2006

<http://wpherald.com/articles/308/1/Gang-killings-in-Haiti-may-be-political/Rival-gangs-in-turf-war-for-weeks.html>

GRAND RAVINE, Haiti -- The killings began before dawn. Gunmen walked through this hillside slum warning of a fire and yelling for residents to come out of their cinder block and sheet-metal shacks. Those who followed their advice were fatally shot.

Hours later, morgue workers and United Nations' peacekeepers piled corpses in one of the slum's main thoroughfares, a rocky streambed at the bottom of the ravine for which this neighborhood is named. The body count totaled 21, including three women and four children. Most of the victims were killed execution-style with a single bullet to the head.

"I've never seen anything like this," said Jean Gabriel Ambrose, the Port-au-Prince justice of the peace. "What is shocking is that all of the victims appear to have been innocent."

For several weeks, rival gangs had exchanged fire in a turf war over control of the slum. But family members, neighbors, human rights observers and police all agree the

victims of last Friday's massacre were not gang members, making U.N. and Haitian officials suspect it was a politically motivated attempt to destabilize the newly elected government led by President Rene Preval.

"I don't believe it was a spontaneous attack," said Desmond Molloy, who heads the U.N. peacekeeping mission's disarmament program in Haiti. "This massacre creates an atmosphere of fear, and when people are afraid, it's very hard to establish any degree of stability."

The killings in Grand Ravine shattered five months of relative peace since Mr. Preval's February electoral victory. The election marked the first sign of improvement after two years of crisis and violence after the departure of former President Jean-Bertrand Aristide into exile in February 2004.

In Grand Ravine and the neighboring slum of Martissant, opposing gangs made peace during a March 19 soccer match sponsored by the United Nations, and they handed authorities a grenade and a firearm in a symbolic gesture. But the truce did not last long.

"In recent weeks, we'd been aware of a heightening of tensions among the gangs in this area along political and territorial lines," Mr. Molloy said.

On one side was a gang based in Grand Ravine associated with Mr. Aristide's Lavalas party. On the other side were two anti-Aristide gangs -- one based in a slum called Ti Bwa and a second called the Little Machete Army.

The latter earned its name at a soccer match in August 2005 that ended with police officers shooting in the stadium and the machete-wielding gang hacking fleeing spectators to death.

Grand Ravine residents and government officials blame the Little Machete Army and the Ti Bwa gang for last week's massacre. What remains a mystery is what provoked it.

Haitian Police Chief Mario Andresol suspects the attack was related to the killings last year, which appeared to be a joint effort by the Little Machete Army and rogue police officers to eliminate the Grand Ravine gang, some of whose members were at the match.

Chief Andresol arrested 15 police officers for their participation in the soccer stadium killings, but the judge handling the case has since released most of them.

"This is my 13th conflict, and it's been the toughest one to find out what's really going on," said Mr. Molloy, who oversaw disarmament in Sierra Leone before coming to Haiti. "There are a lot of smoke and mirrors. It's very difficult to nail down the motives behind actions in Haiti."

4. Aristide backers march to demand ex-leader's return

Violence avoided in Port-au-Prince demonstration.

By Stevenson Jacobs

**The Associated Press
The South Florida Sun Sentinel
July 16 2006**

PORT-AU-PRINCE, Haiti · Thousands of demonstrators demanding the return of ousted president Jean-Bertrand Aristide marched to Haiti's National Palace on Saturday, pushing past riot police in a dramatic show of support for the exiled former leader.

Chants of "Aristide or death!" and "Aristide's blood is our blood!" rang out as a crush of demonstrators pressed against a line of national police, who eventually allowed some 3,000 protesters to fill the street outside the palace.

The march coincided with Aristide's 53rd birthday and marked the largest display of support in months for the deposed leader, who fled Haiti in February 2004 amid a violent uprising and has been living in South Africa.

Helmeted police wielding batons and riot shields formed a human chain to keep protesters from approaching the whitewashed National Palace, President Rene Preval's official residence, which was guarded by dozens of United Nations peacekeepers in armored cars.

Police pushed back several protesters but the confrontation did not escalate to violence. Still, the show of force prompted many to turn back, fearful of a clash.

"If there's blood it will be on your hands!" a man yelled at police before they yielded.

"We voted for Preval on the condition that he bring back Aristide. That's the will of the people," said Bruce Pierre Richard, 21.

Preval, a champion of Haiti's poor who took power in May, has said Haiti's constitution allows Aristide to return but has not said whether he would welcome him home. Preval was prime minister under Aristide but the two grew apart and Preval has said little since his election about his former political mentor, frustrating Aristide supporters.

The United States has warned Aristide's return could destabilize the Caribbean country.

"The international community doesn't want Aristide to come back, so they're pressuring Preval to keep him out," said demonstrator Harold Lafaliese, 40.

The protest came amid a surge of bloodshed that U.N. officials say is aimed at undermining Preval's new government.

Most of the violence is blamed on warring street gangs, including last week's massacre of 22 civilians in Port-au-Prince's Martissant slum. Militants in recent days have also spread rumors that Preval had died, cut telephone lines at Port-au-Prince's international airport and staged other disturbances to stir unrest, U.N. officials say.

U.N. officials have doubled patrols in the capital in a bid to crack down on the gangs, which operate with virtual impunity in Port-au-Prince's densely populated, maze-like slums.

5. Ex-cop to head national security

BY STEVENSON JACOBS

Associated Press

Miami Herald

July 14, 2006

<http://www.miami.com/mld/miamiherald/news/world/haiti/15034584.htm>

PORT-AU-PRINCE - President René Préval appointed a former police official to Haiti's top national security post, as the troubled nation confronts a new wave of violence blamed on warring street gangs.

Préval announced Luc Eucher Joseph's appointment as national security undersecretary Wednesday night at a conference for Haitians living overseas. The job had been vacant since a U.S.-backed interim government formally left office last month.

SURGE IN KILLINGS

Joseph, a Préval ally and former head of the police internal affairs division, takes over as Haiti faces a surge in kidnappings and killings by well-armed street gangs based in the dense, lawless slums of the capital.

Last week, 22 civilians, including women and a child, were found shot to death in the Martissant slum in what some are calling a massacre. Witnesses said gangsters from a rival area broke into the victims' homes and shot them one by one.

The violence, after months of relative calm, raised fears of a return to the bloodshed seen following the February 2004 ouster of former President Jean-Bertrand Aristide, Haiti's first democratically elected leader.

However, Préval insisted the recent troubles were criminal in nature and not politically motivated.

"Political safety has been largely achieved," Préval said. "The insecurity which currently prevails, in my opinion, is banditism related to misery, drugs and the release of certain gangsters" from prison.

Préval added that "certain corrupt police officers" were involved in crime.

The insecurity has provoked fresh criticism against an 8,800-strong U.N. peacekeeping force, which Haitian legislators say isn't doing enough to disarm the gangs.

U.N. officials say they are working to root out the gangs but that it's difficult to penetrate the maze-like slums where they operate.

U.N. troops exchanged gunfire with gang members early Thursday in the Pele slum for the third straight day, witnesses said. There were no immediate reports of casualties.

SEEKING STABILITY

As Préval's top advisor on national security, Joseph will be in charge of coordinating the government's strategy to restore stability -- a tall order in a nation of 8 million with only 6,000 poorly equipped police.

During Préval's 1996-2001 presidency, Joseph won praise for his efforts to purge the police force of corruption, especially officers involved in cocaine trafficking. However, he was forced to quit the post in 2000 after Aristide supporters staged violent protests demanding his resignation on grounds he did little to fight crime. He has worked in Haiti's diplomatic mission in Rome since 2004.

6. 2 kidnapped missionaries freed in Haiti

By STEVENSON JACOBS

Associated Press

July 20, 2006

<http://www.chron.com/disp/story.mpl/ap/world/4060948.html>

PORT-AU-PRINCE, Haiti — Two North Carolina missionaries kidnapped on their way to church in Haiti's capital were freed Thursday after a ransom was paid, the FBI said.

Tom Barron, a minister at The Mustard Seed church, and congregation member William Eugene Seastrum were driving to church early Sunday when assailants stopped their car and dragged them out, said Leslie Dallemand, chief of the U.N. peacekeeping mission's anti-kidnapping unit. Both missionaries are from High Point, N.C.

The captors initially sought \$500,000 but lowered their demand to \$100,000 during negotiations with the FBI, Dallemand said.

The men were released Thursday after a ransom was paid, FBI spokeswoman Judy Orihuela said from Miami.

"They negotiated the amount and they were released," Orihuela said.

She declined to say how much ransom was paid and had no information about the men's conditions.

"As far as I know, they're pretty healthy," Dallemand said earlier. "The kidnappers didn't speak English. They made (one missionary) call his wife in North Carolina, and he did say he was OK."

Separately, Orihuela said another American was released Thursday after a day in captivity when an undisclosed ransom was paid.

Also, a Haitian employee of the U.S. Embassy was kidnapped Wednesday while driving in an embassy vehicle with diplomatic license plates.

Kidnappings, once relatively rare in Haiti, became a regular occurrence after a bloody revolt toppled former President Jean-Bertrand Aristide in February 2004. Kidnappings leveled off following the February election of President Rene Preval, but the problem has worsened since.

U.N. officials blame much of the kidnappings and other violence on well-armed gangs — some of which are loyal to Aristide and want Preval to allow the ousted president to return from exile in South Africa.

The United Nations, which has about 8,800 peacekeepers in the country, believes that much of the violence is aimed at destabilizing the new government. But Preval says drug traffickers, corrupt police and other criminals are behind the problems.

The special U.N. envoy to Haiti, Edmond Mulet, met with Preval on Wednesday and Thursday to discuss the deteriorating security climate, officials said.

On Wednesday, gunmen stopped dozens of cars traveling along a main road leading to the airport in the impoverished capital and tried to seize the occupants, Dallemand said. At least two Haitians were reported kidnapped.

The attacks were followed by heavy shooting that killed at least six people and injured several others in different parts of the capital, radio Kiskeya reported, suggesting a level of coordination among the gangs not seen in months.

It is unclear how long Barron and Seastrum have been in Haiti. Dallemand said the two were staying at a hotel in the Port-au-Prince neighborhood of Delmas, where many kidnappings occur.

Dallemand said the FBI is working with U.N. and Haitian authorities to free the men, the latest foreign missionaries to be kidnapped.

Last month, Canadian missionary Ed Hughes was abducted from a rural town north of Port-au-Prince where he runs an orphanage. The 72-year-old was freed a week later after an undisclosed ransom was paid.

At least 29 people have been reported kidnapped in Haiti so far in July, and about a third of them are U.S. citizens, Dallemand said.

Last year, 40 Americans were kidnapped in Haiti and three more were killed in attempted abductions, according to the U.S. State Department.

7. Haiti Kidnappers Seek Ransom for Americans

By STEVENSON JACOBS

The Associated Press

Washington Post

Thursday, July 20, 2006

<http://www.washingtonpost.com/wp-dyn/content/article/2006/07/20/AR2006072000837.html>

PORT-AU-PRINCE, Haiti -- Kidnappers have demanded \$100,000 for the release of two U.S. missionaries seized on their way to church in Haiti's capital, a U.N. official said Thursday. The captors initially sought \$500,000 but lowered the ransom demand during negotiations with the FBI, said Leslie Dallemand, chief of the U.N. peacekeeping mission's anti-kidnapping unit.

An FBI spokeswoman in Miami, Judy Orihuela, declined to comment on the demand, saying the U.S. law enforcement agency doesn't discuss ransom details.

Tom Barron, a minister at The Mustard Seed church, and member William Eugene Seastrum were driving to church early Sunday when assailants stopped their car and dragged them out, Dallemand said. Both missionaries are from High Point, North Carolina.

"As far as I know, they're pretty healthy," Dallemand said. "The kidnappers didn't speak English. They made (one missionary) call his wife in North Carolina, and he did say he was OK."

Once relatively rare in Haiti, kidnappings became an almost a daily occurrence after a bloody revolt toppled former president Jean-Bertrand Aristide in February 2004. Kidnappings leveled off following the February election of President Rene Preval, but the problem has worsened again in recent weeks.

U.N. officials say the kidnappings and other violence are aimed at destabilizing the new government, which took power in May.

On Wednesday, gunmen stopped dozens of cars traveling along a main road leading to the capital's airport and tried to seize the occupants, Dallemand said. At least two Haitians were reported kidnapped.

It's unclear how long Barron and Seastrum had been in Haiti. Dallemand said the two were staying at a hotel in the Port-au-Prince neighborhood of Delmas, where many kidnappings occur.

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At least 29 people have been reported kidnapped in Haiti so far in July, about a third of them U.S. citizens, Dallemand said.

Last year, 43 Americans were kidnapped in Haiti, including three who were killed in attempted abductions, according to the U.S. Department of State's Bureau of Consular Affairs.

8. U.S. Says Haiti Airport Security Resolved

The Guardian Unlimited

AP

Tuesday July 18, 2006

<http://www.guardian.co.uk/uslatest/story/0,-5959214,00.html>

WASHINGTON (AP) - Security problems at Haiti's Port-au-Prince airport have been resolved, the U.S. government said Tuesday.

On Dec. 22, 2004, the Transportation Security Administration announced that the airport's security measures didn't meet international standards.

Airlines and airports were asked to tell passengers traveling between the United States and Haiti that there were security lapses at the airport.

“Now that the government of Haiti has made the appropriate corrective actions, the Secretary of Homeland Security has notified Haitian government officials that the public notification requirements are being lifted,” the agency said in a statement.

TSA spokeswoman Amy von Walter said the agency worked with Haitian authorities to bring the airport up to international security standards.

She would not discuss the nature of the problems or what was done to address them.

TSA assesses security at foreign airports. If the agency finds inadequate security, the Homeland Security secretary must tell the foreign government and recommend changes.

In late 2005, the agency determined that the airport in Bali didn't meet those standards, von Walter said.