

Dear Colleagues,

Please find below the mainstream news on Haiti for March 22- April 5, 2007.

The South Florida press was swamped with coverage of the 101 Haitian migrants, including thirteen unaccompanied minors, who landed on March 28<sup>th</sup> about 15 miles north of downtown Miami following a three week sea voyage. South Florida community leaders, legal and immigration activists rallied support and media coverage around preventing their deportation to Haiti. Activists are demanding: Temporary Protected Status (TPS), such as that afforded citizens of several Central American countries, allowing Haitians fleeing natural disasters or political strife to remain legally in the U.S. and obtain work permits; release of the migrants from detention centers and allow them to remain in south Florida while their cases are reviewed; and allow detainees access to Creole-speaking lawyers. Despite such efforts, Congressman Kendrick Meek predicts most, if not all, the migrants will be sent back to Haiti.

The battle over these 101 migrants reignites the debate over inconsistent immigration policies that have for decades favored Cuban refugees and discriminated against Haitians. Meek is calling for parity between treatment of Haitian and Cuban migrants. An April 2<sup>nd</sup> Miami Herald article by Jacqueline Charles critiques the lack of coherence and political power by the Haitian-American community to effectively lobby for immigration reform, especially compared to the powerful Cuban-American lobby. Haitian activists admit there is a lot of room to further influence and use collaborators in high places such as members of the Congressional Black Caucus and other lawmakers friendly to Haitian issues.

The Miami Herald reported on the one day visit to Haiti by US Southern Command Admiral Jim Stavridis and Representative Kendrick Meek on April 2<sup>nd</sup>. The pair toured through Cite Soleil, were outspoken in discouraging Haitians from fleeing in unseaworthy boats headed for Florida. They also supported a rosy assessment (furthered by Jacqueline Charles) of a safer Cite Soleil following the violent surge by UN troops in February to kill and capture gang leaders.

Robert Lecorps, a wealthy Port-au-Prince businessman and former suspect in the assassination of Jean Dominique and implicated in the 1993 assassination of Haitian Justice Minister Guy Malary, was shot to death on April 4<sup>th</sup>. Lecorps' murder came one day after the seventh anniversary of Dominique's death.

Condoleeza Rice stated that the US is providing \$200 million in aid to Haiti to "overcome its historic circumstances and historic challenges." The amount seems to be less than the support the U.S. offered under the non-democratic regime of Gerard Latortue. Apparently the U.S. gave \$600 million between 2004-2006. Rice also mentioned an additional \$20 million in U.S. support for job creation and other assistance in Cite Soleil.

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**1. Transferring detained Haitian migrants infringes on rights, activists say**  
**The Associated Press**  
**International Herald Tribune**  
**March 29, 2007**

MIAMI: Activists urged U.S. officials not to ship 101 illegal Haitian migrants out of Florida as they await deportation hearings, arguing it could hurt their ability to make asylum claims.

The migrants arrived on South Florida shores Wednesday after a nearly three-week, 700-mile (1126.5-kilometer) sea voyage on a rickety, overloaded sailboat with little food or drink. One man drowned as the boat neared shore. Relatives want the migrants to remain near them and Creole-speaking attorneys as they plead their case to U.S. officials.

But increasingly, U.S. immigration authorities are housing migrants hundreds and even thousands of miles from where they were detained, making it difficult to maintain contact with family and lawyers.

For the Haitians, moving out of state is often even more complicated, as few attorneys outside of South Florida speak their native language of Creole.

"We have agencies here used to working with Haitian refugees," Marleine Bastien, head of Haitian Women of Miami, said Thursday. "When people have good representation, they have a better chance of presenting their cases appropriately."

U.S. Representative Kendrick Meek has written to U.S. Immigration and Customs Enforcement officials urging them to allow the Haitians to remain in Florida.

ICE spokeswoman Barbara Gonzalez said at least 30 of the migrants were transferred from local to federal custody and were undergoing medical screening.

Gonzalez said the department had no plans to move the migrants.

"All will have due process under law and will remain in ICE custody awaiting the outcome of their case," Gonzalez said.

ICE officials declined Thursday to release the number of detained immigrants who are moved out of Florida and other states.

Unlike Cubans, who are generally allowed to stay if they reach U.S. soil illegally, most Haitians who land on U.S. shores are sent back. And unlike Cubans, Haitians are generally detained until a decision is made. The administration of President George W. Bush — citing national security concerns — started that policy after 200 Haitians landed just off the coast of Miami in 2002.

Haitians are not the only ones who are transferred.

Following a recent immigration raid at a factory in Massachusetts, many of those detained were sent to facilities in Texas.

University of California, Davis, law professor and immigration expert Kevin Johnson said the issue of moving detainees is not new. In the 1980s, Central American immigrants successfully sued the government, arguing in part that being moved long distances affected their legal right to representation.

Asylum seekers are entitled to legal representation that does not cost the government, which often means lawyers volunteering their time.

Johnson said the government often transfers detainees to areas where it is cheaper to house them or because of overcrowding at local facilities. Overcrowding has become a serious problem as the Bush administration has sought to halt the long-standing "catch and release" policy, whereby immigrants were released until their deportation hearings and often disappeared.

But Johnson said moving immigrants out of state does not necessarily violate their rights.

"It depends on where they're transferring them to, what their access to counsel is and whether the detention facilities are full here," he said.

Relatives of the Haitian migrants just want to know whether their loved ones are OK. Amos Petitfrere, 28, saw TV news footage of a man on the boat he believes is his younger brother Maxim.

"I just want to know if he's alive and healthy," said Petitfrere, who came to the U.S. by boat a decade ago and is now a legal resident. Petitfrere said he is scared to return to his country because of increased violence in recent years.

"People say, 'Oh, you're from Miami, you have money,' and they want to kidnap you," he said.

## **2. Crossing to US ends in death for 1 Haitian, detention for 101**

**By Laura Wides-Munoz, Associated Press**

**March 29, 2007**

**Boston Globe**

[http://www.boston.com/news/nation/articles/2007/03/29/crossing\\_to\\_us\\_ends\\_in\\_death\\_for\\_1\\_haitian\\_detention\\_for\\_101/](http://www.boston.com/news/nation/articles/2007/03/29/crossing_to_us_ends_in_death_for_1_haitian_detention_for_101/)

MIAMI -- More than 100 Haitian migrants reached south Florida yesterday after spending at least three weeks at sea in a dilapidated sailboat, officials said. One man died in the crossing, and three people were in critical condition from dehydration.

Many of the 101 migrants looked gaunt and exhausted as they were taken into custody by local and state officials. Nearly a dozen minors, including a 10-year-old boy, were among the group. The body of one man washed ashore, and officials said they believed he drowned.

"Our condolences go out to anyone who was on the boat who actually knew the individual," said Zach Mann, a spokesman for US Customs and Border Protection in Miami.

The migrants reached land at Hallandale Beach, about 15 miles north of downtown Miami. Haiti is about 700 miles southeast of Miami.

At least 11 people were taken to a hospital. Besides the three in critical condition, four were in serious condition and two were in good condition, Mann said. He did not know the condition of the other two.

The migrants told officials they had been at sea for about three weeks.

Unlike Cubans, who are generally allowed to stay once they reach US soil, most Haitians who illegally make it are sent back.

US Representative Kendrick Meek, a Democrat, urged immigration officials not to send the migrants out of Florida until their cases are reviewed.

Florida Governor Charlie Crist promised that at least while the migrants remain in Florida, they will be treated well.

"As the grandson of an immigrant, I appreciate people's yearning for freedom and a better opportunity for themselves and their family. We have a federal policy that's a little bit different from that," said Crist, a Republican.

Ludner Ermitus, 26, who said he helped sail the boat, told the South Florida Sun-Sentinel: "I know (the United States) is a big power. They help most countries in the world. I come to see what they can do for me."

Immigration and Customs Enforcement spokeswoman Barbara Gonzalez said the agency was investigating whether the migrants were part of a human smuggling operation. "This is why the US government discourages illegal migration, not only because it's illegal but more importantly it can be deadly, as we witnessed today," she said.

Last year, Coast Guard agents patrolling the waters of South Carolina, Florida, and the Caribbean stopped 6,093 migrants, 769 of them from Haiti.

Marleine Bastien, who heads the nonprofit Haitian Women of Miami, has long urged the government to allow more Haitians to stay. She argues that deporting people who have lived here for years and are sending money to family only makes those in Haiti more desperate. Haiti needs time to recover from hurricanes, flooding, and political upheaval, she said.

Bastien wants at least temporary legal status for Haitians -- as was given to illegal immigrants from Nicaragua, Honduras, and El Salvador after natural disasters in 1998 and 2001. That temporary status has been repeatedly renewed since, and some lawmakers are now calling for similar protection for Venezuelans.

Haitians in the United States sent about \$1.17 billion in remittances to the impoverished island last year, far exceeding foreign aid, according to the Inter-American Development Bank.

### **3. Arrival of Haitians brings relief to refugees' families, anger on U.S. policy**

**By Ruth Morris and Tal Abbady**

**South Florida Sun-Sentinel**

**March 30 2007**

<http://www.sun-sentinel.com/news/local/broward/sfl-chaitians30mar30,0,7662331.story?coll=sfla-news-broward>

The frantic text messages from Ricardo Francois' brother began a month ago.

"Please call me," they said.

But when he tried calling his brother in Port de Paix, Haiti, 27-year-old Jean Ferdinand was nowhere to be found.

Then Wednesday, Francois got word that his brother and eight cousins were just miles from the shuttered room he rents in Hollywood, survivors of a torturous sea crossing on a wooden boat with no fresh water and almost no food.

"I pulled some clothes on and ran out," said Francois, 43. He managed to reach the Hallandale Beach fire station where the men -- all in their 20s -- huddled under white sheets. Authorities would not let him approach, so he waved.

As immigration authorities began screening 101 Haitians who landed in Hollywood this week, their U.S. family members and advocates struggled for access to the group, with community leaders launching a full-scale battle to keep them in the United States.

Immigration authorities processed at least 40 of the survivors Thursday, a day after they arrived in a shivering, dehydrated mass. Immigration and Customs Enforcement agency spokeswoman Barbara Gonzalez said officials took the men and women to the Broward Transitional Center in Pompano Beach.

Authorities will continue examinations and processing today, in the largest apprehension of Haitians since a similar landing off Key Biscayne in 2002.

Cheryl Little, executive director of the Florida Immigrant Advocacy Center, said immigration authorities agreed to allow her group to inform the Haitians of their rights on Monday. Advocates will tell the Haitians they must have a credible fear of persecution in their homeland to have a chance at winning an asylum hearing.

"We're assuming a great number, if not all, will want to apply for asylum," she said.

Little's group also will visit 12 unaccompanied minors who were on the boat and are now at an undisclosed location.

Creole radio stations broadcast numerous angry calls from listeners who complained about what they perceive as unfair treatment of Haitian immigrants, particularly those who arrive by sea. In the aftermath of the Sept. 11 terrorist attacks, then-U.S. Attorney General John Ashcroft ruled Haitians should not be freed while they seek permission to remain here -- a measure some say singles out Haitians for especially strict enforcement.

"We don't have a country in Haiti. We don't have a country anywhere," Francois said. "They keep the Cubans here and send the Haitians back. I don't know why."

For their part, some community activists called for a Saturday rally at the 79th Street federal immigration building in Miami to demand that federal officials free the detainees on bond while their cases move forward.

Protesters gathered Thursday outside a U.S. Customs and Border Protection office in Pembroke Pines where officials processed the first few dozen arrivals. They lined the sidewalk shouting, "Give them freedom!" and holding signs that read: "Let my people go!"

Haitian Consul General Ralph Latortue, of Miami, said he visited 73 men and 15 women at the office Thursday morning. He said most of them were young people, in their 20s. "They were pretty tired, and in shock, most of them, but otherwise they looked OK," he said.

Some members of the group told him the trip was not planned, Latortue said, and that they had stolen the boat.

It was unclear how many days the Haitians spent at sea, or precisely how they veered from what they said was their original destination: Nassau.

Coast Guard spokesman James Judge said it was unlikely the boat drifted for 22 days as some of the people on board reported, although many seemed confused themselves as to how long the journey lasted. Taking into account the vessel's height in the water, Judge said northerly currents and winds would have carried it on the 600-mile journey in less time.

The 40-foot wooden boat had no engine and was described by the Coast Guard as a Haitian sail freighter used to carry light cargo between Caribbean islands.

Judge also rejected suggestions that repairs to several of the agency's 123-foot cutters had crippled its ability to reach the Haitians before they landed. He said cutters from other locations had been dispatched to fill the void, while crews tag-teamed on some boats to make up for the smaller number of vessels.

"The United States has a lot of coastline," Judge said. "We have people patrolling but they can't be everywhere all the time."

Overall, he said, the operation was a success because all the Haitians were apprehended.

Wednesday's landing also re-ignited a longstanding call by Haitians and their supporters for temporary protected status. The benefit, awarded to immigrants fleeing natural disasters and political strife, would allow Haitians already here to legally remain and obtain work permits.

Little said it was unclear whether today's new political context might help their case.

"It's difficult to be optimistic, because this administration has refused to grant TPS to Haitians," she said. "On the other hand, we have a new attorney general and a democratically-led Congress, so we have to hope that things have changed and Haitians will be treated fairly."

Staff Writers Juan Ortega and Alva James-Johnson contributed to this report.

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**4. Processing continues for 101 Haitians who survived arduous voyage**  
**South Florida Sun-Sentinel staff**  
**March 29, 2007**

<http://www.orlandosentinel.com/news/local/state/sfl-328migrantlanding,0,985735.story?coll=orl-home-headlines>

Most of the 101 Haitians who survived a weeks-long trek from Haiti to Hollywood continued being relocated to detention facilities across South Florida, federal Customs and Border Protection officials said on Thursday.

Forty migrants remained at the Pembroke Pines Border Patrol station were in various stages of having their documentation processed by immigration officials, while more than 50, including 13 teens and 15 women, had been taken to separate facilities in Miami-Dade County by early Thursday, said Victor Colon, a spokesman for Customs and Border Protection.

One man thought to be in his 20s, Lufaité Lully, drowned in the surf when he jumped off the boat before it ran aground on a Hollywood beach, officials said. Another person remained in an intensive-care unit Thursday at a Broward hospital, Colon said.

Colon said officials hoped to interview and document almost everyone's personal information by Thursday, taking sworn statements and documenting their fingerprints.

"We really don't have a timetable for processing. There's a litany of concerns," Colon said.

Some passengers described their trip as a harrowing almost three-week-long journey at sea. The survivors were 88 adults and 13 teenagers, Colon said.

Many were bruised and dazed, their bodies parched from a diet of seawater, their lips whispering Creole prayers.

Thursday morning, Ralph Latortue, Haiti's consul general in Miami, met with Border Patrol officials in Pembroke Pines as a handful of advocates protested the possibility the Haitians would be summarily deported back to their homeland. Most of the migrants said they left Haiti because they had no economic futures.

A day earlier, another advocate, Cheryl Little, head of the Florida Immigrant Advocacy Center, said she was concerned immigration officials would send the Haitians to detention facilities outside of South Florida, making it difficult for local lawyers to represent them.

The migrants said they sailed almost three weeks ago from a town on the Ile de la Tortue, an island off Haiti's northwestern coast.

On Wednesday, they scrambled off the rickety 35-foot-long boat and struggled ashore through rough surf to the beach just north of Hallandale Beach Boulevard and State Road A1A.

"God is the only reason we didn't die," said Cynthia Toussaint, 24, who boarded the sailboat in Haiti with her cousin, said of the voyage.

Covered in blankets, but still shivering, the Haitians told tales of hope and despair as they rested at the Hallandale Beach Fire-Rescue station within sight of where their boat had landed. Some lay face down on the floor, clutching white blankets around their heads. Many of their faces were bruised and bloodied from the run to shore or the fights over food as the boat pitched its way to Florida.

Several Haitians gave different estimates of the time spent at sea, from seven to 22 days. They said plans for the trip floated through their villages over a period of weeks -- until one Thursday, when they set sail for Nassau, Bahamas.

"I left because of hardship," said Maxene Lorama, 25. "We were going to Nassau. But we got disoriented. We lost our direction."

Lorama, who said he has an uncle in Miami, had a red right eye and bumps along his right temple from a fight during the journey. Tired and hungry, he was among those later taken to the hospital.

For many Haitians in South Florida, the dramatic landing underscored fears that their homeland, an island nation of 8 million, remains mired in turmoil.

In 2006, Haitians elected President René Prévval to office, hopeful that he would stabilize the country. His administration replaced an interim government installed after a bloody rebellion that helped depose former President Jean-Bertrand Aristide. Under Prévval's leadership, Haiti remains a fragile nation, plagued by random kidnappings and political instability.

One passenger on the sailboat, Dorvil Noel, 38, said he was scared to stay in Haiti because of random killings. And there are no jobs to feed his seven children and wife, he said.

"The country isn't any good," Noel said. "It's death over there."

Emergency personnel took 14 Haitians to Memorial Regional Hospital in Hollywood for dehydration and other symptoms. Doctors treated nine and released them to authorities, then admitted five for further care.

Federal officials were investigating whether the journey was a smuggling operation and whether smugglers were on board.

"We continue to ask individuals who are contemplating taking to the seas not to do so. Not only is it illegal, but it can have deadly consequences as we've unfortunately witnessed today," said Barbara Gonzalez, spokeswoman for Immigration and Customs Enforcement.

Gonzalez did not release information about how many are seeking political asylum.

Immigration advocates and attorneys mobilized quickly Wednesday. Many expressed long-held criticisms of a federal policy that allows Cubans to remain if they reach U.S. soil. Haitians, they say, are usually summarily deported.

Little, of the Florida Immigrant Advocacy Center, said her agency was coordinating efforts to provide the Haitians with legal representation.

"We're hoping our government will not shamelessly single out the Haitians for special discriminatory treatment," Little said.

Little on Wednesday said she was concerned immigration officials would send the Haitians to detention facilities outside of South Florida, making it difficult for local lawyers to represent them.

She said that if immigration officials do not release the Haitians to family members or sponsors, her attorneys would ask immigration judges for bonds.

But that strategy largely failed for more than 200 Haitians, many dressed in their Sunday best, who landed ashore in 2002 and sprawled onto a Miami highway. Authorities detained most, and when judges granted bonds for their release, immigration officials successfully appealed, citing national security concerns that prevailed after the Sept. 11 terror attacks. Federal authorities eventually deported most of the Haitians.

Echoing Little's concerns, U.S. Rep. Kendrick Meek, D-Miami, wrote letters to Homeland Security officials in Miami and Washington, D.C., asking that the Haitians who arrived Wednesday not be detained outside of South Florida.

At a news conference, Marleine Bastien, head of the advocacy group Haitian Women of Miami, asked officials to release the Haitians on their own recognizance so they could pursue their cases in court. The group organized an evening prayer vigil outside the Border Protection office in Pembroke Pines.

Responding to advocates' concerns that the Haitians would be summarily deported, Gonzalez said, "Everyone is entitled to due process under the law. Each case will be handled individually."

She said immigration officials sometimes hold detainees in facilities in other states for space reasons.

Jocelyn McCalla, former director of the New York City-based National Coalition for Haitian Rights, said U.S. officials have ignored the root problems of poverty and violence that compel Haitians to risk their lives at sea.

"Haiti is for all practical purposes a failed state. All it's been able to do is hold elections. People make a living out of very little and that very little keeps getting smaller," McCalla said.

Last year, Coast Guard agents patrolling the waters off South Carolina, Florida and the Caribbean stopped 6,061 people, 769 of them from Haiti.

Relatives of the boat passengers Wednesday were stunned to learn their loved ones had arrived.

Julio Joseph, 34, of Miami, said his Haitian girlfriend Prisca Zidor, in her mid-20s, had planned to pay thousands of dollars for a spot on a vessel sailing to the Bahamas.

Wednesday morning, he got a call that told him she was with the group of new arrivals. "I really hope they give them a chance," Joseph said. "They've already made it."

Joseph made a similar journey by sea in 1996 and was granted permission to stay.

"Things are harder now," he said.

Zidor, he said, hoped to finish high school in the United States and start a life with him. They've been dating for five years.

Resting at the Hallandale Beach fire station, faith and fatigue marked the words of Toussaint, whose cousin, Ludner Ermitus, 26, helped steer the boat.

"We were praying to God that we would make it," Toussaint said. "I prayed and prayed and called on the name of Jesus, 'If it's your will, we'll make it.'"

Staff Writers Juan Ortega, Macollvie Jean-François, Tal Abbady, Alva James-Johnson, Ihosvani Rodriguez, Marlene Naanes and Robert Nolin contributed to this report.

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## **5. Migrants begin another journey -- through legal system**

**The Haitian migrants who came to shore Wednesday face several hurdles in their quest to stay in the United States.**

**By TRENTON DANIEL AND ALFONSO CHARDY**

**Miami Herald**

**March 30, 2007**

<http://www.miamiherald.com/884/story/57687.html>

A day after Jean-Ferdinand Monestime came ashore in Hallandale Beach with a hundred other Haitians, Ricardo Francois already fears the worst: His half-brother will be sent back to a dangerous island rife with abductions and street crime.

"They almost kidnapped my mother," said Francois, 43, a Hollywood pizza delivery driver whose mother lives in northwest Haiti. "People know I send money."

Francois' half-brother is among the 101 migrants, including at least 13 unaccompanied children, whom police and border patrol officers rounded up Wednesday after their flimsy wooden sailboat came to shore in a journey they said took 22 days. One man in his 20s died.

If history is any guide, most survivors will convince asylum officers that they have a credible fear of persecution if they go back. But after that, their bids for asylum will take divergent paths, with immigration judges likely to send most of them back.

#### PREVIOUS ARRIVALS

That's what happened in October 2002 when a ship with more than 200 Haitians arrived at the Rickenbacker Causeway -- about a third of them were allowed to stay.

Among those granted asylum were a married couple with two small children, but it wasn't easy. An immigration judge accepted the husband's argument that he faced political persecution in Haiti, but another judge turned the man's wife down. She eventually avoided deportation by qualifying to stay under his asylum grant.

Monestime and his shipmates face a web of U.S. immigration law and policies Haitian-American advocates say favor Cubans.

Under the so-called "wet-foot/dry-foot" policy, Cuban migrants who reach land -- at least 3,076 in fiscal year 2006 -- can stay without asking for asylum, but those interdicted at sea -- at least 2,293 last year -- are generally returned to Cuba. Those picked up at sea who can persuade asylum officers they have a credible fear are sent to Guantánamo Bay and then to resettle in other countries.

"In a sense, Haitians are discriminated against," said Mark Krikorian, executive director of the Center for Immigration Studies, a Washington think tank that supports tighter controls on immigration. "But they're not being singled out. If the Chinese washed up there, they would be treated the same as the Haitians."

U.S. Immigration and Customs Enforcement concluded Thursday "there was no evidence" that the vessel that came ashore Wednesday was part of a smuggling operation, said agency spokeswoman Barbara Gonzalez.

Forty Haitian migrants were taken to the Broward Transitional Center, a detention facility in Pompano Beach, and the rest are being processed at the Border Patrol facility in Pembroke Pines, Gonzalez said. "Every case will be evaluated on a case-by-case basis," she said.

The Broward Medical Examiner's Office said a cousin identified the man who drowned Wednesday as Lufaité Lully, believed to be about 25. .

Also on Thursday, about a dozen protesters waved placards outside the Border Patrol facility in Pembroke Pines. Of concern: their inability to interview the migrants.

"There are conflicting reports -- we need to get in touch with them to get a clear idea of what happened," said Lucie Tondreau, a Haitian activist from Miami.

South Florida immigration lawyers and advocates said Thursday they hoped the outcome for the newly arrived Haitians will be happier than it was in 2002.

"For once, the Haitians should be treated fairly and provided a meaningful opportunity to obtain release and challenge their deportation," said Cheryl Little, executive director of the Miami-based Florida Immigrant Advocacy Center, which helped handle the Haitian couple's case.

The experience of the Rickenbacker migrants can serve as a road map for what the Hallandale Beach migrants will face.

#### 'CREDIBLE FEAR'

When a foreign national is given asylum, he or she may apply for permanent residence and later citizenship.

In the case of the Hallandale Beach migrants, who were placed in expedited proceedings, the "credible fear" hurdle will be key.

If an asylum officer does not find a claim of fear credible, the migrant can be deported without an immigration court hearing. If a judge agrees with the officer's finding, the migrant is deported.

Those who clear credible-fear interviews could, in the past, pursue their asylum cases under supervised release. But the Bush administration changed the rules in 2002 for all sea-arriving migrants -- except Cubans.

"I hope the newly arrived Haitians are given the full protection the law requires, and a full opportunity to seek asylum" said Randolph McGrorty, executive director of Catholic Charities Legal Services.

## THE PROCESS

Once asylum-seekers appear before an immigration judge, the standard is higher than credible fear. To win asylum, they must convince the judge they have a well-founded fear of persecution based on race, religion, nationality, membership in a particular social group or political opinion.

Little and McGrorty said they were trying to assemble attorneys to represent each Hallandale Beach migrant. The Rickenbacker couple show why that's important: The husband, who won asylum, had an attorney from the outset. The wife did not.

Back in Francois' tiny bedroom in Hollywood, a radio with static reception crackled with the latest news on the ordeal. Francois gave friends in Haiti updates on his cellphone. He worried about his half-brother.

"I feel so sad, man. What can I do? I don't want them to return him to Haiti."

### **6. Haitian refugees' supporters speak out for their release**

**By Ruth Morris**

**South Florida Sun-Sentinel**

**March 31 2007**

Advocates, community leaders and radio personalities stepped up efforts Friday to win the release of 101 Haitians who slogged ashore in Hollywood Beach, while lawyers pushed for better access to the group.

"I cannot change laws. I can only say what is morally correct," said Miami Archbishop John Favalora, who planned to attend a protest today at 3 p.m. at the 79th Street federal immigration building in Miami to support the Haitians. "These people came out of despair. They didn't come because they wanted to make a journey across the sea for the fun of it."

Immigration lawyers eager to represent the Haitians said they were concerned the men and women who leapt from a flimsy sailboat Wednesday may be asked to sign statements underscoring economic reasons why they made the journey, weakening any eventual asylum pleas.

Authorities took several of the refugees to the hospital when they arrived, dehydrated and famished. The rest remain in federal custody as authorities process and send them to a Pompano Beach detention center.

The Immigration and Customs Enforcement agency will allow lawyers to talk to the Haitians on Monday to explain their rights, including the minimum standards for entering an asylum plea.

Randy McGrorty, executive director of Catholic Charities Legal Services in Miami, said refugees in this situation sometimes don't understand the gravity of immigration agents' questions, which might work against them later. This is especially true if they state economic rather than political reasons for taking to the seas.

"The focus of these questions is always why they came to the United States. They (might say they) came for a better life or because they're poor. But that does not touch at the specific reasons they left, and there are many political underpinnings for that decision," he said.

Wednesday's landing and the political momentum it generated also tests a 2003 attorney general ruling that has long chafed Haitian advocates. The decision cited security concerns in directing immigration judges to detain all Haitians who arrive here by boat, rather than release them with electronic monitoring devices or entrust them to family members.

"We need to have a new policy. They should be given equal and fair treatment under the law," said U.S. Rep. Kendrick Meek, who repeatedly has pushed for an immigration shield for Haitians based on Haiti's crippling poverty and political strife.

Meek, D-Miami, also questioned why the agents who rounded up the Haitians on Wednesday had no Creole-speaking translators, forcing them to rely on a nearby hotel worker who volunteered to help.

Creole radio host Yeye Boul was less diplomatic, taking direct aim at the so-called wet foot-dry foot policy that fast-tracks Cubans to a green card application if they set foot on U.S. soil. He said it's unfair to give special treatment to one group of refugees because they come from a communist island, then turn away Haitians who endure deep economic hardship and rampant violence.

"When you shoot bullets through cardboard houses, people die," he said.

The Cuban-American Brothers to the Rescue group, along with the Haitian Women of Miami grass-roots organization, will offer a Mass in support of the Haitians in Miami on Sunday, followed by a blank cannon blast to "awaken our community."

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## **7. At rally, calls for allowing 101 Haitian migrants to stay**

**BY TRENTON DANIEL**

**Miami Herald**

**April 1, 2007**

Protests to block the deportation of 101 Haitian migrants whose wooden sailboat landed in Hallandale Beach last week spilled into the streets Saturday.

Speaking before a crowd of a few hundred at a busy intersection in Miami, activists, politicians, and religious leaders took turns blasting a federal policy they say discriminates against Haitian migrants who reach U.S. shores.

Among those leading the charge was activist Marleine Bastien, executive director of Haitian Women of Miami.

With a microphone, Bastien roused the crowd with a rapid call-and-response chant.

"What do you want?!" Bastien said, standing in the bed of a white pickup truck.

"Justice!" responded the demonstrators, many of whom waved Haitian flags and placards.

``Deportation?!"

``No!"

Saturday's protest comes three days after 102 migrants from Haiti landed in a small, overloaded sailboat in Hallandale Beach; one man drowned as he tried to swim to shore.

Meanwhile, immigration officials have sent the migrants, many of them recovering from dehydration, to detention facilities. Most are being held at the Broward Transitional Center in Pompano Beach.

Thirteen unaccompanied children were at an undisclosed Miami-Dade hotel and staying during the day at a shelter in custody of the Office of Refugee Resettlement. Many fear the whole group will be sent back to Haiti.

Under U.S. policy, Cuban migrants who reach U.S. soil may apply for residency. All other migrants -- most of whom happen to be Haitian -- are usually sent back to their country of origin. The policy is informally known as Wet Foot, Dry Foot.

Miami Archbishop John C. Favalora implored those at Saturday's rally to voice their concerns to elected officials.

"You need to call them every day," said Favalora, South Florida's highest-ranking Catholic leader.

Favalora on Friday made a plea for the migrants' release, condemning the U.S. policy of detaining undocumented Haitians while releasing Cubans as ``apartheid."

The Rev. Gerard Jean-Juste, a longtime Miami activist for Haitian rights who was once a leading candidate for president of Haiti, also spoke Saturday.

"Dry black foot must stay," Jean-Juste said. "Black foot, white foot, we're all human beings."

In an effort to keep protesters from blocking traffic, the Miami police department erected metal barriers at the edge of a strip mall, located across from the federal building still known as the "INS" building. Officers kept watch from the other side.

Drivers along Northeast 79th Street honked in support.

The protest was deemed so important by one Haitian American that he felt compelled to drive from Miami Gardens and skip some sleep before leaving for his night-time job.

"How come it's good for one person but not good for another?" Wilford Johnson, 54, wanted to know. "It's a double standard."

**8. Activists plead for Haitians at rally**  
**Archbishop: Church will care for them**  
**By Akilah Johnson**  
**South Florida Sun-Sentinel**  
**April 1 2007**

Miami – Haitian activists on Saturday kept up the pressure to win the release of 101 compatriots detained after coming ashore in Hollywood, and Miami's Roman Catholic archbishop offered the U.S. government a deal: free the Haitians, and the Church will care for them.

"The Catholic Church is ready to take all those who are presently being detained, the children, and put them in homes," the Most Rev. John C. Favalora told more than 200 demonstrators outside the 79th Street federal immigration building.

Before a backdrop of waving Haitian flags, the Catholic prelate branded the U.S. policy of detaining and deporting most Haitian arrivals while allowing Cubans who reach American shores to stay "unjust, unfair and uneven."

"There is no excuse," the archbishop said before blessing the crowd, which included elected officials, college students, community activists, hotel workers, babies in strollers and seniors in wheelchairs.

Wednesday's landing on the Broward County coast of 102 Haitians in a rickety, wooden boat -- one of the passengers, a man, died trying to swim to land -- has reignited a decades-old call by immigration activists for Haitians to be granted what is known as temporary protected status.

That status, awarded to foreigners fleeing natural disasters or political strife, would allow Haitians already in the United States to remain legally and obtain work permits.

"They say there's democracy in Haiti. There's no democracy in Haiti," Nadine Barreau, 40, of Fort Lauderdale, said. "People are being kidnapped. People are being killed. Our country is not stable. That's why people are fleeing."

A Haitian native, Barreau was raised in New York and moved to South Florida about 20 years ago. Her family still owns a house in the Caribbean nation, where she would love her young daughters to spend summers. But she refuses to send them for fear they'll be killed.

"We see others receive the red carpet," North Miami Vice Mayor Jacques Despinosse said, referring to the different welcome customarily given arrivals fleeing communist-ruled Cuba. "They speak to their family the very same day. If they are hungry, they get food. If they are thirsty, they get water. Naked, clothes."

"Us ... handcuffed and thrown in jail," the Haitian-American said.

Speakers at Saturday's rally demanded the release of the 101 Haitians, who are being kept in federal custody as immigration authorities process their cases. The detainees should also have access to Creole-speaking lawyers and remain in South Florida while their cases are reviewed instead of being sent to detention facilities elsewhere, Haitian-American activists said.

State Rep. Ronald A. Brisé, D-North Miami, said, so far, their demands apparently were being met. Immigration and Customs Enforcement officials said most of the Haitians were being housed at the agency's Broward Transitional Center in Pompano Beach. Several remained hospitalized, and 12 unaccompanied minors were being held at an undisclosed location.

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## **9. Lawmaker: Haitians Likely to Be Deported**

**The Associated Press**

**Washington Post**

<http://www.washingtonpost.com/wp-dyn/content/article/2007/04/02/AR2007040201525.html>

**Monday, April 2, 2007; 9:24 PM**

PORT-AU-PRINCE, Haiti -- The United States will probably deport most if not all of the 101 Haitian migrants who landed off a South Florida beach last week, a U.S. legislator said Monday, warning others not to risk the dangerous voyage.

U.S. Rep. Kendrick Meek, a Florida Democrat, said the Haitians have little recourse under U.S. law to avoid being sent back to their deeply impoverished Caribbean nation.

"I do feel very strongly that a super-majority of them, if not all of them, will be repatriated under present U.S. policy," Meek told reporters at the close of a one-day visit to the Haitian capital, Port-au-Prince.

The 101 Haitians, many looking gaunt and exhausted, came ashore Wednesday north of Miami after spending at least three weeks at sea in a dilapidated sailboat. One man died in the crossing and three were taken to the hospital in critical condition.

Unlike Cubans, who are generally allowed to stay once they reach U.S. soil, most Haitians who illegally make it to the U.S. are sent back despite claims that they face persecution in their politically turbulent homeland.

Thousands of Haitians take to the sea on flimsy boats each year, heading north toward Florida to escape grinding poverty and frequent political turmoil in the Western Hemisphere's poorest country.

Last month, nearly 50 Haitian migrants are believed to have died when their homemade boat caught fire off the Dominican Republic.

#### **10. Haitians have high profile, low clout**

**The Haitian-American community has failed to come together to lobby for immigration reform.**

**BY JACQUELINE CHARLES AND PABLO BACHELET**

**Miami Herald**

**April 2, 2007**

WASHINGTON -- The contrast is stark. Cuban Americans have a powerful Washington lobby that has helped win and maintain favorable treatment for its migrants.

Why can't the Haitian diaspora do the same?

The Haitian community has more friends than ever in high places in Congress, and its diaspora is throwing its muscle around more. But on immigration -- a burning theme for many Haitians -- its voice is muted.

Class and political divisions, some of them carried over from Haiti, hinder its lobbying clout on issues like immigration, several experts say, and explain in part the lack of congressional outcry when the 101 Haitians washed up on Hallandale Beach last Wednesday were immediately detained.

South Florida is home to the largest Haitian community in the country, with an estimated 329,883 of the 694,123 Haitians nationwide. And their status as one of the fastest-growing ethnic groups is reflected in their political gains.

Florida boasts two Haitian-American state lawmakers, and another recently served as secretary of health under former Gov. Jeb Bush, who actively courted the community's votes. In Chicago, Kwame Raoul, the son of Haitian émigrés, now fills Sen. Barack Obama's former state Senate seat. And Pierre-Richard Prosper, the son of Haitian doctors, served as U.S. ambassador-at-large for war crimes after he was nominated by President Bush in January 2001. He ended his term in 2005.

Under heavy lobbying by the U.S. Congressional Black Caucus and some Republicans, Congress last month enacted the HOPE Act, and President Bush signed it. The act provides duty-free imports for some Haitian textiles. The Bush administration also spared Haiti some of the deep aid cuts that hit other Latin American nations.

The Congressional Black Caucus has long been Haiti's strongest advocate, urging more economic aid and criticizing the lack of U.S. support for former Haitian President Jean-Bertrand Aristide, ousted in 2004 amid a violent uprising. And after the elections last November, Democrats active on Haiti issues now hold key posts.

Michigan Rep. John Conyers heads the Judiciary Committee, giving him a key say on immigration and refugee matters. Rep. Charles Rangel of New York now chairs the House Ways and Means Committee, which steers U.S. trade policy, among other matters. One member of that committee is U.S. Rep. Kendrick Meek of Miami, who is traveling to Haiti today to discuss immigration issues with President René Préval and the U.S. ambassador in Port-au-Prince.

"I want to make sure we are doing everything we need to do, and he's doing everything he has to do, to prevent Haitians from taking to the sea," said Meek, who has proposed several fixes in the sweeping immigration reform bill chugging through Congress to help many Haitians already here legalize their status.

#### UP THE LADDER

Key Haiti supporters outside the Congressional Black Caucus have also advanced to important positions.

Rep. Nita Lowey of New York chairs a subcommittee of the Appropriations Committee that allots money for foreign-aid programs that affect Haiti. Another New Yorker, Rep. Eliot Engel, heads the Western Hemisphere subcommittee of the Committee on Foreign Affairs. Last month, he invited Haitian hip-hop star Wyclef Jean to testify on aid to Haiti before the subcommittee.

"I cannot think of a country or subject more deserving of Congress' full and sustained attention than our neighbor, Haiti," Engel said at the March 13 hearing.

In recent years, the Republican Party has actively courted Haitian Americans, with Jeb Bush forming a task force of prominent Haitians and Haiti supporters to improve

relations between Florida and the troubled Caribbean nation, and leading a delegation to Préval's inauguration last year. But while Haitian-American Republicans and Haiti's private sector used their budding clout with the GOP to lobby for the HOPE Act, critics say they failed to focus attention on the strict U.S. policy of returning undocumented migrants to Haiti.

In 2001, the Bush administration changed policy to keep in detention undocumented Haitian migrants who could prove a "credible fear" of persecution if deported, instead of releasing them pending further immigration procedures. "There is no question that the Republican Party basically was paying lip service in its efforts to increase its ranks by seemingly going after the Haitian-American community," said Phillip Brutus, a Haitian-American Democrat and former state lawmaker.

The Black Caucus was no better, Brutus added. "They should have been the ones to put the press release out," after the Hallandale Beach arrivals, he said. "They should have been the ones to say, 'Let's take a stand on behalf of these poor black folk who look like us.'"

#### DIVISIONS PERSIST

Another part of the problem is the class and political divisions in the Haitian-American community.

There is a small but growing affluent and professional class, with one foot planted in the United States and the other in Haiti and more likely to be Republicans, while the poorer majority is more likely to be aligned with Democrats.

And then there is the rift over Aristide, seen by some as a champion of the poor who was forced out of office by the Bush administration and by others who viewed him as a demagogue.

Regardless of those differences, Haitian migrants deserve better, said Meek, a Democrat who represents the largest bloc of Haitian-American voters and has consistently taken on U.S. immigration policy on behalf of Haitians.

Meek said that while he supports the wet foot/dry foot policy that allows Cuban migrants who set foot on U.S. territory to remain, Haitians should receive equal treatment.

"Those of us who live here in South Florida and Florida . . . get a hard dose of reality every time we have Haitian immigrants get to the shores," he said. "It's polarizing for our community. We need to be patriotic about Haitian nationals."

Last week, Miami Archbishop John C. Favalora called the difference in the U.S. treatment of undocumented Cubans and Haitians an "apartheid situation."

On Sunday, Haitian activists joined with Brothers to the Rescue, a humanitarian group that used to scour the Florida Straits for Cuban rafters, in a prayer vigil and Catholic Mass at Ermita de la Caridad in Coconut Grove on behalf of the Haitian migrants.

Meek's relations with some of the Haitian-American community's most vocal activists have grown lukewarm in recent months, however. Some of the activists supported Meek's Haitian-American challenger in the November election and claimed on Creole-language radio that he has done nothing for the community.

As a result, political observers in South Florida have wondered whether Meek would champion the community's cause with the same passion as in the past.

"My motivations are not political," said Meek, who immediately wrote letters to immigration officials on behalf of the Hallandale Beach arrivals. "I represent a community of struggle that is trying to seek justice when it comes to the application of U.S. law."

**11. Southcom chief, Meek tell Haitians not to risk travel  
The Southern Command chief toured Haiti as activists here pushed for the release of 101 Haitian migrants.**

**BY JACQUELINE CHARLES**

**Miami Herald**

**April 3, 2007**

<http://www.miamiherald.com/460/story/61677.html>

PORT-AU-PRINCE -- Fresh from walking the once gang-plagued streets of this capital's most notorious and feared slum, U.S. Rep. Kendrick Meek warned Haitians to stay home and not attempt to take risky boat trips from Haiti.

"I want to discourage anyone that is even thinking about it from taking to the sea. Nine times of 10, they will be deported or even lose their life at sea," Meek told Haitians after ending a seven-hour trip along with Navy Adm. Jim Stavridis, who heads the U.S. Southern Command. "I've seen the U.S. Coast Guard tapes of hundreds of Haitians dying at sea when boats tip over at night."

Meek and Stavridis flew in and out of Haiti Monday, meeting with Haiti, U.N. and U.S. officials, but not before Meek -- a Miami Democrat who represents the largest voting bloc of Haitian immigrants -- also toured Cité Soleil on foot.

Barely a month ago, few would dare venture into the heart of the slum, where gangs freely roamed, bringing kidnapping victims by boat late at night.

On Monday, once-empty streets were full of life as children sang the Haitian national anthem and played with U.N. personnel dressed as a life-size reptile and robot -- all under the watchful eyes of the Brazilian-led U.N. troops.

The message from residents was clear: Life had become more peaceful since the United Nations' crackdown, which last month led to the capture of one of the slum's most notorious gang leaders.

But even with the near disappearance of gunfire by warring gangs, life remains perilous and difficult, residents said.

Few had heard about the old wooden sailboat that washed up last week in Hallandale Beach with 102 Haitians aboard. One man died, and one woman, five months pregnant, was among the survivors.

Those who knew about the migrants' struggles offered a poignant reason to risk such a voyage: "We are hungry. We have children and we cannot feed them," Jislaine Germain said as she and a crowd gathered around Meek.

But hunger and even Haiti's unprecedented wave of kidnappings, which seems to be ebbing in Cité Soleil, are not worth risking death to reach U.S. shores, Meek said.

Earlier in the day, he and Stavridis met with Haitian President René Préval and Prime Minister JacquesEdouard Alexis.

They also met with U.S. Ambassador Janet Sanderson and officials in charge of the U.N. Stabilization Mission here.

#### 'CAUTIOUS OPTIMISM'

"I have cautious optimism," said Stavridis, who during meetings stressed international agencies' need to work together.

Stavridis commended Préval and Alexis for their work. He said the command is working on building an emergency operations center for natural disasters in Port-au-Prince, and that this fall, it will send a ship to Haiti to provide much-needed medical care to as many as 100,000 Haitians.

"As I went around today, I saw evidence of wonderful work being done," he said.

The proof: Cité Soleil.

In February, life was slowly returning to normal after U.N. troops went in. Now people walked the streets and mothers and toddlers waited for medical care inside an abandoned market in the heart of the now U.N.-occupied slum.

Outside, officers filled jugs with fresh drinking water, while two U.N. soldiers -- one dressed as a huge reptile, and another as a space-age robot -- entertained hundreds of children.

They shared gut-wrenching stories about the difficulty of living in the slum but expressed hope for the progress they had seen.

"My mother is still suffering," said Monize Jean, 15, of her unemployed mother, struggling to care for three children. "I want peace, and I want school."

## MIGRANTS' ISSUE

Préval did not comment on the migrants, and it's unclear whether the issue will be brought up when Haiti's prime minister meets with Secretary of State Condoleezza Rice on Wednesday. The meetings were arranged before the voyage.

In South Florida, many of the 101 Haitians met with immigration lawyers on Monday, and one group of activists vowed to hold a hunger strike to press the Haitians' case to be set free.

Shannon LaGuerre, of the Florida Immigrant Advocacy Center, said one woman at the Broward Transitional Center in Pompano Beach told her: "God was able to bring me here, so I hope God can keep me here."

Eighty-two adults are being held in Broward and one at Krome; five remain in a Broward hospital. Attorneys today plan to interview 13 unaccompanied children and teenagers.

"The mood was frustration, anxiety and disorientation," LaGuerre said of the adults. "They had no clue what was going on."

The group had food for the first 10 days of their trip, then survived on dry rice, she said some Haitians told her.

The pregnant woman said she is doing well, LaGuerre said.

## LAWYERS MEETING

About 10 lawyers from the Haitian Lawyers Association plan to meet with the FIAC and other organizations today to discuss how they can help the migrants, said Jeff Cazeau, HLA's president.

"We're all trying to get some representation for them," Cazeau said.

Haitian activists plan a hunger strike for Wednesday, said Jean-Robert Lafortune, chair of the Haitian American Grassroots Coalition.

This was Stavridis' first trip to Haiti as the commander in charge of U.S. Southern Command, and Meek's ninth.

Miami Herald staff writers Casey Woods and Trenton Daniel contributed to this report.

## **12. Former suspect in slaying of Haiti's best-known journalist shot to death**

**The Associated Press**

**International Herald Tribune**

**April 5, 2007**

<http://www.iht.com/articles/ap/2007/04/05/news/CB-GEN-Haiti-Contract-Killing.php>

PORT-AU-PRINCE, Haiti: A wealthy businessman once considered a suspect in the assassination of Haiti's best-known journalist was shot to death near his house in an apparent contract killing, police said Thursday.

Robert Lecorps, who also was implicated in the 1993 assassination of a Haitian justice minister, was killed Wednesday in the upscale Port-au-Prince suburb of Pernier, police spokesman Frantz Lerebours said.

Lecorps was shot several times but police have no suspects, Lerebours said. Haitian broadcaster Radio Caraibes FM reported that Lecorps was shot by gunmen riding in a car and that his body lay in the street for hours before being removed.

Lecorps, then in his 60s, had been arrested in connection with the April 3, 2000, slaying of journalist Jean Dominique, but no charges were ever filed.

Dominique was gunned down along with a bodyguard outside his radio station on April 3, 2000. The crime remains unsolved and has become a symbol of the impoverished Caribbean nation's broken justice system. Dominique's life was chronicled in the 2003 documentary "The Agronomist," directed by American filmmaker Jonathan Demme.

The probe into the slaying of Dominique — who had become increasingly critical of ousted President Jean-Bertrand Aristide's government — has been plagued with problems, including missing case files and the resignation of two investigating judges who received death threats. Two early suspects were killed, one under mysterious circumstances in police custody and another by a mob.

Speaking at a memorial for Dominique on Tuesday, Haitian President Rene Preval vowed to remove any "political obstacles" to solving the case.

Lecorps was a loyalist of late dictator Francois "Papa Doc" Duvalier and was reputed to be a member of Duvalier's feared Tontons-Macoute militia, which terrorized and killed thousands of government opponents.

Lecorps made his fortune in business but was once described by the Washington-based Human Rights Watch-Americas as having "a history of violence and drug-dealing."

In 1996, he was acquitted in the slaying of Haitian Justice Minister Francios Guy Malary. The trial lasted only 15 hours and was widely derided as a sham.

### **13. Rice promises \$200 million (€150 million) in U.S. aid to Haiti**

**The Associated Press**

**International Herald Tribune**

**April 4, 2007**

<http://www.iht.com/articles/ap/2007/04/04/america/NA-GEN-US-Haiti.php>

WASHINGTON: Secretary of State Condoleezza Rice said Wednesday the United States is providing \$200 million (€150 million) in aid to Haiti, part of a broader international effort to help the Caribbean nation overcome its "historic circumstances and historical challenges."

Rice commented after a meeting at the State Department with Haitian Prime Minister Jacques-Edouard Alexis.

She said Haiti has made good progress over the past year in providing opportunities for economic development and improving security.

The \$200 million (€150 million) in aid slated for this year follows a combined total of \$600 million (€450 million) in assistance for Haiti between 2004 and 2006, she said.

She also noted that the United States is providing \$20 million (€15 million) for creating jobs and other types of assistance to Cite Soliel, a sprawling slum on the outskirts of Haiti's capital, Port-au-Prince.

Alexis said gains on the security front have been significant, and he noted the cooperation Haiti has been receiving in other areas.

A priority goal, he said, is to persuade American corporations to invest in Haiti.

"We are asking our partners in the United States to help Haiti get back in business," he said, speaking through a translator.

"This is a historic moment to help Haiti find a better situation."