

ANNUAL REPORT

April 1, 2004–March 31, 2005

Institute for Justice Democracy in Haiti



August 10, 2005

Dear Friend:

Give a man a fish, for a day he eats. Teach a man to fish, for a lifetime he learns there are no fish for the poor, because deforestation silts over the nearby reefs and big boats from big countries take the fish offshore.

This update on conventional wisdom illustrates the structural obstacles to poor Haitians obtaining the minimum essentials for dignified, peaceful existence. Haitians are the poorest people in the hemisphere, and have always struggled to survive on a tilted playing field, from the brutal slavery era through a long series of foreign occupations and home-grown dictatorships.

The struggle became even harder after the country's 33rd coup d'état on February 29, 2004. The elected government was ousted by an unconstitutional regime that attacked pro-democracy activists while slashing government healthcare, education and nutrition programs. A group of doctors, lawyers and activists with decades of experience accompanying Haiti's poor responded to this crisis by founding the Institute for Justice & Democracy in Haiti (IJDH). The Institute contests the current repression and helps its victims, but also works for sustainable, democratic solutions to Haiti's chronic instability and violence.

The Institute addresses Haiti's long-term problems by keeping the repression on the world's radar screen, challenging international support for human rights violations through international lawsuits and advocacy campaigns, and insisting on a constitutional, democratic solution to the crisis. The Institute's website, www.ijdh.org quickly became the single best source for information on human rights in Haiti. It now averages over 200 visitors per day. Our reports have been distributed to every member of the U.S. House of Representatives and appear on websites all over the world. IJDH organized a hearing on Haiti before the Inter-American Commission on Human Rights (IACHR), and we have spoken about Haiti before dozens of audiences worldwide, from Georgetown Law School in Washington to St. Joan of Arc Church in Minnesota to the World Social Forum in Brazil. We have become a trusted source of analysis and information for mainstream media like the New York Times and Washington Post as well as progressive outlets like Democracy Now!, and the Truthout, ZNet and Counterpunch websites.

IJDH and its Haitian affiliate, the *Bureau des Avocats Internationaux* (BAI), stand up for political prisoners in the dictatorship's courts, assure medical care for rape survivors and find internal refugees a place to sleep. In our first year of existence we represented over seventy political prisoners, nine of whom were freed. We are the only lawyers who will take most of these cases. We helped over two hundred rape victims and documented hundreds of cases of political killings, illegal arrests and other human rights violations, for our human rights reports and for future prosecutions.

The Institute leverages its knowledge by helping others advocate in both Haiti and the U.S. We provide documentation, legal analysis and leadership to several grassroots organization in North America and Europe. In Haiti, we help Haitian grassroots groups to organize themselves and to advocate on their own behalf within Haiti and to the outside world. Appendix A contains articles about our work by some of our collaborators.

IJDH leverages its resources by forming partnerships and recruiting volunteers. We helped establish a human rights clinic at Hastings Law School, and that clinic and a student clinic at Yale Law School help us prepare cases for the IACHR. Law students from all over the U.S. telecommute to IJDH year-round through the Institute's pioneering Virtual Internship Program. Most importantly, hundreds of people worldwide regularly join in our advocacy campaigns by signing petitions, writing letters and making phone calls. Appendix B contains letters of support from three of our partners.

In June 2005, a bullet pierced a window of the IJDH/BAI office and traveled the length of the building in the middle of the work day. In October 2004, Amnesty International issued an Action Alert for the safety of the BAI's managing attorney, Mario Joseph. We routinely visit poor neighborhoods that even the Red Cross refuses to enter.

Each day brings new victims or their survivors to our door. The deteriorating human rights situation saddens us, but does not erode our determination, because we know that Haitians will keep fighting until they win their democracy back. The only question is the cost of the fight: how many courageous activists and ordinary people will be killed, imprisoned, raped, or beaten. To a large extent, those of us in the powerful countries are the ones who will set the price: when we insist that our governments support democracy and human rights in Haiti, the killings will stop and the political prison doors will open.

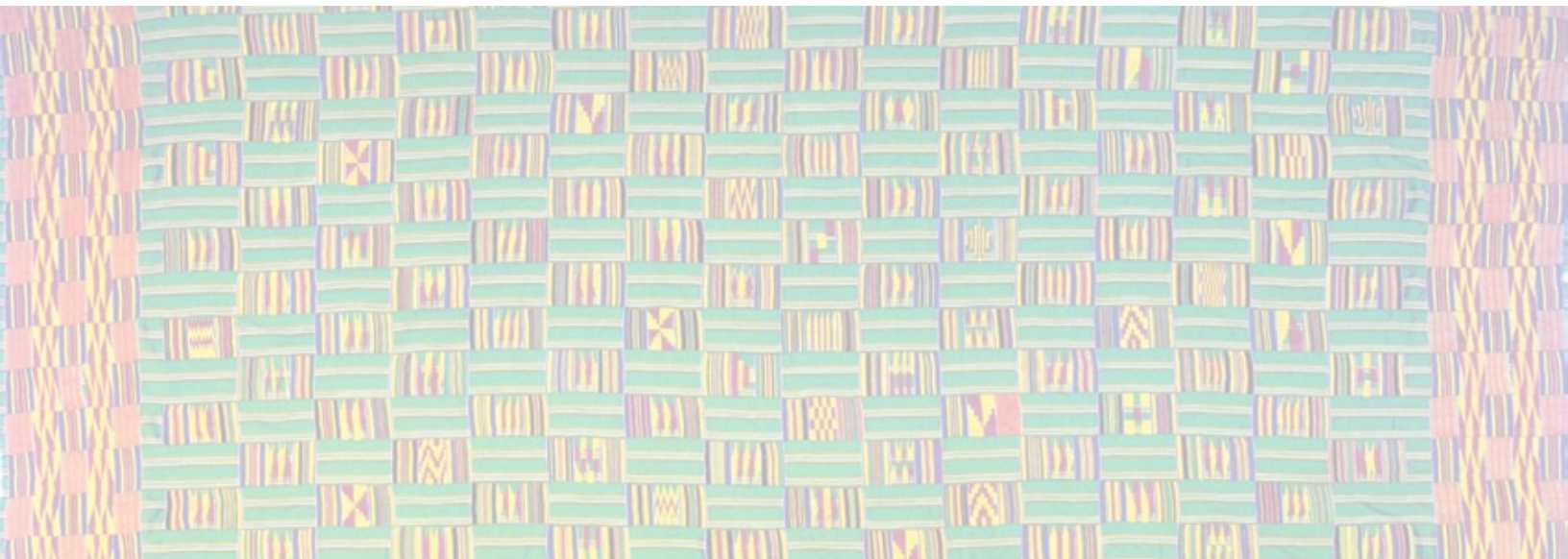
We receive inspiration from our Haitian partners and colleagues, but also from our supporters in North America and Europe. Our financial situation has never been comfortable, but contributions from individuals, churches, solidarity groups, student groups and one foundation ensured that we were able to go out every day during our first year and fight for the rights of Haiti's poor. Financial support does not just pay the rent- it is a tangible expression of belief in our cause and methods, and provides essential moral support during difficult times.

Our Annual Report accounts for IJDH's extraordinary accomplishments in a short and tumultuous year of existence. But the backdrop to the organization's success is the catastrophic deterioration of human rights in Haiti, and the enormous amount of work undone. In our second year we will need to work harder, and we will need more support. We intend to hire more Haitian lawyers and investigators so we can document more cases and free more prisoners, and find more ways to support struggling Haitian human rights groups. In the U.S., we would like to hire a second employee to increase our public advocacy, file more lawsuits and create a more stable financial footing.

Haitians say "*men anpil, chay pa lou*" – many hands makes the load light. Their load can be lightened, but that will require many more hands.

Sincerely,

Brian Concannon Jr.
Director



I. CURRENT PROGRAMS

IJDH works closely with its affiliate in Haiti, the *Bureau des Avocats Internationaux* (BAI), on most of its programs. The BAI represents political prisoners and helps document human rights violations in Haiti, with IJDH's financial support. The BAI provides IJDH with information and analysis, and is a partner in international lawsuits and at hearings and conferences. IJDH's current programs fall into three main areas: human rights documentation, grassroots collaboration and pursuing legal cases. IJDH and the BAI each work in all three areas.

A. Human Rights Documentation/ Disseminating Accurate Information

IJDH's human rights documentation helps keep Haiti's repression on the world's radar screen. In its first year, the Institute issued three major human rights reports and placed more than a dozen articles in newspapers and websites throughout the world. We briefed members of the U.S. Congress and Canadian Parliament, and testified before the Inter-American Commission on Human Rights (IACHR). Our documentation focuses on human rights violations that affect Haiti's poor majority, and denounces all responsible actors, whether they be agents of the Haitian government, gangs, soldiers or foreign governments. The Institute has become a respected source of expertise on human rights in Haiti and has been quoted by mainstream media such as the New York Times, the Washington Post, NPR, the BBC and CNN, progressive outlets including Democracy Now!, Pacifica Radio, the Guardian (UK). We have been interviewed by radio stations throughout the Americas, in Europe, Africa and Australia. We are consulted by human rights organizations like Amnesty International, and by the United Nations and Organization of American States missions to Haiti.



Haitian lawyer Mario Joseph directs the BAI. He represents over 70 political prisoners, and takes cases no other lawyer will take.



Brian Concannon Jr., IJDH's Director, and Mario Joseph of the BAI (second from left) spoke at a panel on Haiti at the World Social Forum in Brazil in January 2005.

The Institute launched its website, www.ijdh.org, in August, 2004, and it has become the most comprehensive source of information on human rights in Haiti. We average over 200 visitors and 2,500 hits per day.

IJDH speaks out for human rights in Haiti at conferences, conventions and rallies, before audiences as small as twenty to as large as two thousand. IJDH's Director delivered the keynote address at the Parish Twinning Program of the Americas convention in September, 2004, moderated a workshop at the World Social Forum in Brazil this January, and has delivered over twenty addresses to audiences at universities and conferences throughout North America. The Haiti Solidarity Network of the North East awarded the Directors of the BAI and IJDH its 2005 "Haiti Human Rights Award" and "Friend of Haiti Award", respectively.

IJDH seeks not only to disseminate human rights information, but also to explain to Americans and other audiences in wealthy countries why they should care about Haiti. We place Haiti's current crisis within the context of a long history of U.S. support for Haitian tyrants, and explain why Haiti will never have a stable democracy until the U.S. and other wealthy countries allow it to. We also enumerate the costs of undermining Haitian democracy to American taxpayers, including regular troop deployments, refugee crises and erosion of prior investments in the country. IJDH places Haiti in a broader context of aggressive U.S. foreign policy that undermines international law and decreases the U.S.' standing throughout the world.

The Institute also explains why support for popular democracy in Haiti is an integral part of building a sustainable solution to Haiti's centuries of misery. We demonstrate how the painstaking work of the BAI and its partners during the nine years of democracy in Haiti helped break the cycle of violence and establish durable mechanisms for resolving conflicts.

B. Working With Grassroots Organizations to Promote Human Rights In Haiti

IJDH works with grassroots groups in Haiti to help develop an effective human rights advocacy program with global outreach, by supporting the BAI and through the Institute's Port-au-Prince based investigator. The IJDH/BAI office's "NGO room" provides



IJDH helped KOFIV, the *Komisyon Fanm Viktim pou Viktim*, (Women Victims' Commission for Victims) establish a program for victims of rape, that includes medical treatment, solidarity groups and grassroots organizing.

care through a partnership with a local clinic. The women organize solidarity groups to provide each other psycho-social support and to fight against Haiti's epidemic of rape. KOFIV denounces violations of women's human rights in the local and international press, while IJDH documents the cases for future prosecution of the perpetrators.

In the U.S., IJDH collaborates with grassroots organizations to coordinate advocacy on human rights in Haiti. The Institute plays a leading role in the Let Haiti Live Coalition, and works closely with several other advocacy coalitions. The Port-au-Prince staff provides visitors to Haiti with in-country legal and human rights orientation, arranges meetings with grassroots groups, and helps prepare reports and other documentation.

At the end of the fiscal year, IJDH launched its "*Half-Hour for Haiti*" program, which provides a short, weekly action alert to over 2,000 activists throughout the world. *Half-Hour for Haiti* is designed to allow people with busy schedules to

grassroots groups with telephones, computers and working space, along with human rights reporting training, legal analysis, and introductions to potential foreign collaborators. Many of these organizations receive no other support, because they do not yet have the skills necessary to get on funders' radar screens (communication, accounting, even literacy), and because their support for Haiti's constitutional authorities alienates many funders.

IJDH helped poor women who were victims of rape in Haiti's previous dictatorship (1991-1994) establish the Commission of Women Victims for Victims (KOFIV). The Commission's community-based human rights workers reach out to rape survivors in popular neighborhoods- over 200 in our first year. The program provides victims with high-quality medical



Annette Auguste, a folksinger, grandmother and grassroots activist, was arrested illegally in May 2004, and remains in prison.

make a concrete difference, while developing a knowledgeable and persistent constituency for Haiti advocacy work and providing exposure and support for the campaigns of our collaborators in Haiti and abroad.

C. Pursuing Legal Claims in Haiti and Abroad

IJDH helps victims of human rights violations pursue cases in national and international courts. In Haiti, BAI lawyers



Yvon Neptune, Haiti's last constitutional Prime Minister, has been in jail illegally since May 2004. IJDH, the BAI and a student clinic at Hastings Law School in San Francisco, filed a complaint on Mr. Neptune's behalf with the Inter-American Commission on Human Rights in Washington.

represented over seventy political prisoners and persecuted journalists during the year, and are the only ones who will take many cases. Nine BAI clients have been freed, while several others have received liberation orders, without being freed. The BAI has also filed civil suits against the Haitian government and the UN on behalf of the families of people killed in police custody.

Outside Haiti, the Institute prepares cases for international courts, in collaboration with law school clinics. IJDH helped found a human rights clinic at the University of California Hastings law school in the fall of 2004. In April, 2005, the Hastings Clinic, the BAI and IJDH filed a Petition with the Inter-American Commission on Human Rights on behalf of Yvon Neptune, Haiti's last constitutional Prime Minister, who has been held illegally for a year. Another IACHR petition, developed with the Yale Law School Human Rights Clinic, will be filed soon. IJDH has provided legal and strategic advice and expert testimony in over a dozen political asylum cases in the U.S. We have also assisted the Center for Justice and Accountability in lawsuits in U.S. courts against two leaders of Haiti's 1991-1994 dictatorship: Emmanuel Constant, the head of the FRAPH death squad, and Carl Dorelien, a member of the military high command.

D. The Context of IJDH's Work

In February 2004, armed men, many of them convicted human rights abusers, escalated their campaign of violence against Haiti's elected government and its supporters. They assassinated police officers and democracy activists, intimidated journalists, raped and tortured women, and burned government buildings and vehicles. The insurgents allied themselves with Haiti's economic elites, and the two groups combined with the governments of the United States and France to force Haiti's constitutional government from power on February 29.

The regime change ended over nine years of continuous democracy, the longest such interlude in Haiti's history. The constitutional authorities were replaced by a U.S.-supported Interim Government of Haiti (IGH) led by a Boca Raton-based talk show host. The IGH moved quickly to grant tax breaks to the wealthy and dismantle government literacy, nutrition and education programs. Food prices doubled, a heavy burden on people managing to survive on \$1 a day.

The IGH immediately started attacking pro-democracy activists. The Port-au-Prince morgue disposed of 1,000 bodies, many bearing signs of execution, in



Catholic Priest and human rights activist Fr. Jean-Juste was arrested illegally in October, 2004, while feeding hundreds of children their only meal of the day. The BAI's Mario Joseph and IJDH volunteer lawyer Bill Quigley stood up for him in Haitian courts, while IJDH helped organize an international pressure campaign. Fr. Jean-Juste was freed after seven weeks in prison. As this report goes to press, Fr. Jean-Juste was arrested again, illegally in July 2005, and BAI and IJDH are once again working to free him.

March 2004 alone. Several hundred political prisoners rot in Haitian jails. Families fleeing persecution sleep each night in a different place. Journalists have been attacked: several have been beaten and abducted; the police executed one in January 2005 after he witnessed a police execution of two men. Critical radio stations have been closed by the government or destroyed by



Another innocent victim caught in police crossfire, November 18, 2004. IJDH documents police killings, and organizes pressure campaigns to stop them, while BAI represents the victims in Haitian courts.

paramilitaries. The Haitian army, disbanded by popular demand in 1995, has illegally re-formed and now controls many areas of the country, commandeering police stations, patrolling with assault rifles and resuming its trademark brutality against the defenseless. UN Peacekeeping troops maintain order in the business districts, but offer little protection to activists in poor urban or rural neighborhoods. UN troops even make illegal arrests themselves, and back up the Haitian police on illegal sweeps of poor neighborhoods

The institutions that should have responded to the assault on Haiti's democracy did not do so. Although CARICOM and the African Union, together a third of the UN membership, passed resolutions condemning the *coup d'etat* and calling for an investigation, the U.S. and France prevented the UN and the OAS from reacting as their charters required them to. In the U.S., although many NGOs did speak out against the *coup* before and after it happened, the overall response was muted. Some of this was due to inadequate coordination, especially with organizations such

as civil rights groups that did not follow Haiti closely but were natural allies. Other organizations with more knowledge of Haiti privileged their dislike of Haiti's leaders over their commitment to democracy and sovereignty. The mainstream media, and even much of the progressive media, uncritically accepted the U.S. Administration's version of events or dwelled on the imperfections of Haiti's democracy rather than the horrors of its replacement.

This inadequate response was the strongest impetus for IJDH's founding. We realized that there would never be sustainable democracy in Haiti until a strong, organized and informed constituency in powerful countries demanded it. The repression and the inadequate response also created an urgent need for an organization to collect and disseminate accurate human rights information and to pursue legal claims in Haitian and international courts.

II. ABOUT IJDH

IJDH is a non-profit charitable organization, run by a Director and a six-member Board of Directors. The Institute has a main office in Joseph, Oregon, and a Haiti office in Port-au-Prince. IJDH is not affiliated with nor does it receive any financial support from any government or political party. The IRS granted IJDH Section 501(c)(3) tax exempt status on March 28, 2005.

IJDH's founders have a long history of advocacy for the human rights of the disempowered in Haiti and elsewhere. Board member Dr. Paul Farmer has changed the way the world treats infectious diseases among the poor, through his high-quality medical programs in Haiti and Peru, and his international advocacy of health as a human right. IJDH Treasurer Ira Kurzban helped found the Haitian Refugee Center, and has successfully challenged discriminatory U.S. immigration policies all the way to the U.S. Supreme Court. Board member Bryan Stevenson founded the Equal Justice Initiative of Alabama, which has overturned or reduced over 70 death sentences. Board member Laura Flynn helped found the Bay Area Haiti Action Committee, one of the most effective advocates for Haitian democracy in the U.S., and the Haiti Accompaniment Project that sent several American delegations to accompany and support grassroots activists in Haiti.

A. Staff

IJDH's Director, human rights lawyer and activist Brian Concannon Jr., worked in Haiti from 1995-2004, first as a United Nations Human Rights Observer, and from 1996 as co-manager of the BAI. He is a graduate of Georgetown University Law Center (JD) and Middlebury College (B.A.). He held a Brandeis International Fellowship in Human Rights, Intervention and International Law from 2001-2003, was a guest faculty member at the Brandeis Seminar for International Judges (June-July 2004), and has been named a fellow of Harvard Law School's Wasserstein Public Interest Fellows Program for 2005-2006.

The BAI is managed by lawyer and educator Mario Joseph, Haiti's most respected human rights lawyer. Mr. Joseph started his career during the 1991-1994 *de facto* dictatorship, representing victims of repression through the Catholic Church's Justice and Peace Commission. At the BAI, he has represented victims in several major human rights cases, including the 2000 Raboteau Massacre trial, considered one of the most important recent human rights trials in the hemisphere. He has served on high-level law reform commissions, he provides legal training to Haitian human rights organizations and appears frequently on Haitian television and radio as a commentator on justice issues. Mr. Joseph runs considerable risks in his work: he regularly receives threats; his wife and daughters were forced to move to the U.S., where they received political asylum, and Amnesty International has issued an action alert for Mr. Joseph's protection.



IJDH's Anne Sosin and the BAI's Mario Joseph spoke at the Health and Human Rights Conference sponsored by Zanmi Lasante/Partners in Health in Cange, Haiti.

IJDH's Haiti-based investigator, Anne Sosin, has worked in Haiti since 2003, when she arrived on a Dartmouth College Lombard Post-graduate Fellowship. Before coming to Haiti, Anne worked with a rural domestic violence organization in Vermont and coordinated social justice programs at Dartmouth College. Anne investigates and documents human rights violations, works with grassroots groups, advocates before international organizations in Haiti and manages the Institute's foreign delegation program. In September 2005, Anne will leave IJDH for other challenges in Haiti.

IJDH launched its innovative Virtual Internship Program (VIP) in the fall of 2004, which has attracted highly-qualified law students from across the country who volunteer to work on the Institute's cases and organizational projects from their homes and schools. The VIP program is the first of its kind, and harnesses

telecommunications technology to amplify the Institute's work while giving students valuable experience in the human rights field. The VIP program started with two students in the fall of 2004, and expanded to four in Spring 2005, and seven during the summer.

B. Board Members:

Brian Concannon Jr., Esq., IJDH's Director.

Paul Farmer, M.D. Ph.D., Founder, Partners in Health (PIH) and Professor, Harvard Medical School. PIH has treated sick Haitians with dignity and success since 1984, and changed the way the world treats infectious diseases among the poor. Dr. Farmer divides his time between the PIH clinic in Cange, Haiti and Harvard Medical School.

Laura Flynn, is a writer and activist. She founded the Bay Area Haiti Action Committee and the Haiti Accompaniment Project, and is the former director of international relations for the Aristide Foundation for Democracy in Haiti.

Ira J. Kurzban, Esq., one of America's pre-eminent refugee lawyers. For over 27 years, he has represented Haitian Refugees, the Haitian Refugee Center in Miami, the constitutional and democratically elected governments of Haiti and Presidents Rene Preval and Jean-Bertrand Aristide.

Judy Prosper, Esq., a Haitian-American attorney and advocate for justice for the disenfranchised both in the U.S. and Haiti. Ms. Prosper practices with the New York State Attorney General's office.

Bryan Stevenson, Esq., founder and Executive Director of the Equal Justice Initiative of Alabama, a tireless and successful advocate for death-row inmates. His work has been honored by the American Bar Association, the ACLU and the MacArthur Foundation.

Irwin Stotzky, Esq., Professor of Law, University of Miami; Director, Center for the Study of Human Rights, author of a book and dozens of articles and book chapters on human rights and immigration law.

C. IJDH's Constituencies

The Institute's primary constituency is Haiti's poor, who have struggled for three centuries for autonomy and justice. Our programs focus on Haitians who have suffered from the country's political repression, including internally displaced people, victims



Journalist Abdias Jean was executed by police in the Village de Dieu neighborhood in January 2005. The BAI has filed a complaint in the Haitian courts, and BAI and IJDH are preparing a complaint for the Inter-American Commission on Human Rights.

of rape, other torture and destruction of property and the families of the disappeared and killed. We also work with those organizing against the repression. We have developed long-term relationships with women's groups and with organizations representing peasants and urban dwellers. This constituency is involved in our work on a daily basis in Haiti, through meetings, interviews and training sessions. Our efforts benefit this constituency by protecting individuals from the repression and by providing grassroots activists with the tools needed to fight the repression on behalf of all Haitians.

IJDH's secondary constituency is people in the U.S. who care about Haiti, and in a broader sense the U.S. public, who should care. Those who already care include the Haitian diaspora, the traditional Haiti solidarity groups (especially faith-based, humanitarian or political organizations) and groups that work on related issues such as racism and imperialism. IJDH involves these groups in its work through formal collaboration, such as the Let Haiti Live Campaign, informal communication, and by participating in conferences, demonstrations and other activities.

The Institute distributes human rights reports and action alerts to an email list of over 1000 organizations, activists, scholars, government officials and journalists. IJDH seeks to enlarge this second constituency by presenting the general public with information showing why they should care about Haiti.

Supporting IJDH

IJDH urgently needs your support. Please send your contribution to:

IJDH
Box 806
Key Biscayne, FL 33149

or donate online at www.ijdh.org.

III. IJDH FINANCES, APRIL 1, 2004–MARCH 31, 2005

A. Expenditures

1. Salaries (IJDH Director and Investigator in Haiti office).....	\$11,908
2. Program, Fundraising and Office Expenses	\$11,197
3. Travel.....	\$ 6,575
4. Support for BAI ¹	
Salaries:	\$55,300
Program and Office Expenses:	\$23,754
	\$79,054
Total Expenditures:.....	\$108,734

B. Income²

1. Foundation Grants ³ :.....	\$50,000
2. Churches, Solidarity Groups and Charitable Organizations:	\$26,552
3. Individual Supporters:	\$53,836
Total Income:.....	\$130,388

Footnotes

¹ BAI previously received most of its support from Haiti's constitutional government, which was forced into exile on February 29, 2004. Since September 2004, IJDH has provided most of the BAI's financial support.

² IJDH's Director received \$1,242 in honoraria during the period, which were deducted from his salary.

³ IJDH received a single foundation grant during the fiscal year, from the Public Welfare Foundation, for \$50,000.

IJDH Contributors

April 1, 2004–March 31, 2005

Major Donors: \$5000+

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Laura M. Flynn
Russel Flynn
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Sustainers: \$1000–\$5000

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