ANNUAL REPORT

April 2013 - March 2014
Reflections on Justice from BAI Director Mario Joseph

1. We have inherited a system which is flawed, which does not provide justice to those who deserve it. People buy justice with money. This brings an imbalance in our society—people who don’t have money, they don’t get justice.

2. When we accept cases at BAI, such as the Raboteau Massacre case, we do not work on the case because we think the system is good; we work on the case to make the system good. Just as attorneys in the civil rights movement did in the U.S., we view each case as a precedent for the next case, as a stepping stone on the path to establishing justice and the rule of law.

3. Our biggest challenge is to insure that people’s rights are respected, whether in cases where they are incarcerated, have been raped, or have been forcefully evicted from their campsites.

4. How should we rebuild our country? How we build our houses—whether or not we respect a building code—may determine how we fare if there is another natural disaster. After all, it was houses, and their poor construction—not necessarily the earthquake—that killed so many people.

5. The reconstruction of Haiti is more than the reconstruction of houses. We must have a new system. A system that excludes 40% of children from access to schooling, and countless others from healthcare, the right to shelter, and the right to food and water, must be rebuilt. We must rebuild in a different way—one that is respectful of everyone’s human rights.

6. At IJDH and BAI, we have created a small island of justice in an ocean of corruption. If we work together, we will build an archipelago of justice on this continent.
OVERVIEW

The Institute for Justice & Democracy in Haiti (IJDH) and its partner, the Bureau des Avocats Internationaux (BAI), help Haiti’s majority enforce the basic human rights that they need to enforce to escape poverty and vulnerability, on both individual and societal levels.

Haitians’ inability to enforce basic rights leaves them and their country susceptible to natural and man-made disasters. The majority of Haitians are excluded from the country’s educational, social, political and economic institutions, especially the justice system. Enabling Haitians to enforce their civil, education, employment, contract, and property rights lays the groundwork for fundamental, sustainable change.

BAI and IJDH’s work is extremely collaborative. IJDH and BAI provide the country knowledge, legal expertise, contacts and organizing support necessary for a broad network of organizations outside Haiti—human rights and solidarity groups, law firms, elected officials, journalists, and academic institutions—to put their capacities to work advancing rights enforcement in Haiti.

In 2013, a growing number of human rights activists, journalists, and funders took notice. With media coverage, op ed pieces, human rights awards, grants, and volunteer hours, stakeholders the world over joined the effort, shining a light on the Haitian majority’s valiant struggle for human rights and the rule of law.

APPROACH

IJDH and BAI use impact litigation, grassroots advocacy, capacity building and documentation to promote human rights and the rule of law in Haiti. Each victory is uniquely valuable in its own right, while also representing a critical step in the journey toward systemic change. Examples of practical applications of each approach from April 2013 to March 2014 follow.

1. Impact Litigation: Opening the doors of Haitian, international and U.S. courts for precedent-setting human rights cases
• **Prosecution of former dictator Jean-Claude “Baby Doc” Duvalier**
  BAI worked since 2011 to hold Duvalier accountable for torture, false imprisonment, murder and other crimes against humanity. In a 2013 appeals court hearing, for the first time, Duvalier’s victims told their stories, and Duvalier answered questions under oath. In February 2014, a three-judge panel reinstated political violence charges against Duvalier, accepting IJDH and BAI’s argument that under international law, the 10-year statute of limitations does not apply to crimes against humanity.

• **Cholera Litigation and Advocacy**
  In partnership with a dedicated and talented network of cholera victims, concerned citizens, legislators, journalists, students, scientists, nonprofits, and government officials in Haiti and the U.S., the IJDH and BAI filed a lawsuit against the United Nations in NY Federal Court for bringing the cholera epidemic to Haiti. We demanded that the UN provide infrastructure, compensation to victims, and an apology to all Haitians. Encouraging recent developments include a call for compensation for Haiti’s cholera victims by the UN High Commissioner for Human Rights, Navanethem Pillay, which has been echoed by two former high-level UN officials, Steven Lewis (former Canadian ambassador to UN) and Kul Gautam (Former Assistant Secretary General).

2. **Transnational grassroots advocacy:** Compelling governments and powerful institutions in Haiti and abroad to respect Haitians’ human rights

• **Rape Accountability Prevention Project**
  In addition to court cases, BAI and IJDH continued to use advocacy to empower women’s groups and to raise awareness of rape and women’s rights in Haiti and abroad. Over a dozen grassroots groups participate in BAI’s Women’s Network. The network engages in trainings on rights and strategies at BAI and then puts what they learn into practice through regular press conferences and periodic street protests, empowering Haitian grassroots women to enforce their own human rights. Weekly victim-client workshops strengthened relationships between BAI and its clients, built self-esteem and social bonds among women and girl survivors of sexual violence, and offered skills-based trainings to women. In November, BAI and partner the New Media Advocacy Project (NMAP) filmed a short documentary to educate Haitian justice officials and public about the importance of including expert testimony on the physical and psychological *sequelae* of sexual violence in rape trials.
• **Immigration advocacy in the U.S.**
  IJDH continued to promote fair treatment of Haitians under U.S. immigration law. This includes promoting the establishment of a Haitian Family Reunification Parole Program that mirrors the program in place for Cubans, as well as providing expert testimony in asylum cases.

3. **Systemic capacity building:** Developing and protecting a corps of Haitian human rights lawyers and advocates trained to fight for sustainable change in their country

• **Human Rights Defenders Program**
  BAI and IJDH supported human rights defenders who were threatened, harassed, and even arrested. By fighting in Haitian and international courts, and mobilizing support from the international community, the team freed activists and lawyers from jail, increased their protection, and enabled them to return to their work enforcing rights.

• **Training the Next Generation of Human Rights Lawyers**
  BAI guided Haitian law school graduates over the two hurdles to bar admission—completion of both a thesis and a 1-2 year apprenticeship. BAI also offered specialized training to these graduates and other new lawyers to enable them to become effective people’s lawyers. Full-time apprentices worked with BAI lawyers on all aspects of BAI’s work.

4. **Documentation:** Providing public officials, human rights advocates and grassroots activists outside Haiti reliable information they need to speak up for human rights in Haiti

• **Human Rights Reporting**
  IJDH and BAI regularly prepare reports for United Nations human rights reviews of Haiti, bringing grassroots perspectives to a forum where they are typically excluded. IJDH also periodically writes or contributes to text book chapters and academic articles, to further dissemination human rights information.

• **Telling the Story of the Fight for Haitian Human Rights**
  IJDH and BAI also work with journalist and academics to spread the word about human rights in Haiti, particularly in places outside Haiti where decisions about Haitian’s human rights are made. Both organizations have been featured in several award-winning documentaries. IJDH supporters hosted home and community screenings of *Baseball in the Time of Cholera*, a compelling film about the cholera epidemic that features inspiring footage of Mario Joseph and background on the cholera case. IJDH and BAI will be the focus of the book, *How Human Rights Can Build Haiti* (Vanderbilt University Press, July 2014).
2013 HIGHLIGHTS AROUND THE WORLD:

In addition to the daily work in Boston and Haiti, IJDH and BAI continue to serve as global leaders in human rights by disseminating valid information and mobilizing activists internationally. In 2013, those included:

- In Gaza, Mario Joseph participated in the International Association of Democratic Lawyers (IADL) Annual Meeting
- In Indiana, Mario Joseph gave the commencement address at the University of Indiana’s McKinney Law School
- In Washington, D.C., Mario Joseph and Brian Concannon briefed State Department officials, Congressional staff, and the Inter-American Commission on Human Rights (IACHR)
- In Argentina, Mario Joseph speaks at “Human rights of Women: Good Practices in Gender Justice,” a seminar organized by the OAS and the Supreme Court of Argentina
- In Geneva, Mario Joseph was one of three finalists for the Martin Ennals Award for Human Rights Defenders, awarded by ten of the world’s most influential international human rights organizations.
- In Salem, MA, Mario Joseph and Brian Concannon won the 2014 Salem Award for Human Rights and Social Justice

Year-round, IJDH and BAI staff, legal fellows, and interns work in Port-au-Prince, Boston, San Francisco, New York, and Miami to support Haiti’s majority in its struggle for human rights and the rule of law. Their work is amplified by volunteers—university students and retired professionals, Haitians in the diaspora and allies from all over the world—who contribute their passion, talents, and a range of skills to the cause.
Donors

$1-$99
Ani Ajemian
Dave and Peggy Albertine
Ayesha Ali
Anonymous
Beth Applebaum
Colette Bennedsen
Deborah Benjamin
H. Steven and Kathleen Benson
Linda D. Bentley
Peter A. and Lisa Biagetti
Diana Bohn
Rick Bombaci
Janet Brackett
Livia Brown
Donna R. Bruno
Melissa Bullard
Greger Calhan
Keith Carroll
Adeline Chancy
Katherine C. Charbonneau
John Joseph Cheney
Jessica Chicco
Catherine Clare and Howard Fifer
Wayne Clark
Allison Coffelt
Bret Cohen
Jeffrey Collins
Jillian Collins
Sister Marie de Paul
Ana Combo
Corey H. Copeland
Roberta A. Cross

Frederick C. Curtis and Yenna Yi
Deborah Daccord
Margot Dashiel
Andrew DeVoogd
Rebecca Diamond
Kathleen R. Doherty
Matthew Donlan
Joan W. Drake
John Egan and Martha Lewin
Wendy Emrich
Meryl J. Epstein
Karen L. Essrow
Louis Facchino
Julia A. Feeney, LICSW
Julie and Jerald Feinland
Veronica Fellerath-Lowell
Susan M. Finegan
Daniel Follansbee
Benjamin C. Forbes
Robert Freedman
Eric Freeman
Marjorie Hess Freeman
Linda Furtado
Michael S. Gardener
Annie Gell
Christina L. Giacchetto
Lisa and Brooks Glahn
Marea Gordett
John Haag
Anand Habib
Polly Halfkenny
Donna Hammars
Joseph Hameline and Lisa Conway
Emily Harting
Therese Hartnett
Theodora C. Haughton
Nancy Heims
Veronica Hernandez
Sarah Hogan
Sherrill Hagen
Stewart Jones and Catherine E. Matthiass
Sandy Joseph
Yolanda Kader
Maureen Kane
William W. and Marla Kannel
Jennifer Karnakiss
Matthew W. Kennedy
Frederick Kessler
Jeremy Kessler
Ji-Young Kim
Hunter Knight
Cynthia Larose
David Lelli
Marta R. Lev and Beth A. Tabor Lev
Michael Levy
Diane E. Liebert
Peggy L. Macleod
Amy L. Malone
Stewart Mathison
Julie G. Mazo
Erin McDonagh
Myles McDonagh
John McGlynn
Paul McGovern
Colin McNiece
Joseph A. Minahan and Jennifer Sulla
Mary Lee Moore
Patricia A. Moran
Thomas J. Morrissey
Jon Morrison
Pamela Murphy
Linda O’Halloran
Matthew Olson
Angela Onikepe
Valerie Hughes Ormand
Lian Ouyang
Thomas Palmer and Ellen Lebowitz
Kasia W. Paprocki
Pax Christi Virginia
Edward A. and Susan Phillips
Kermmhilse Picard
Shaita Picard
Michelle Pette
Kathy Powell
James F. and Lauren J. Racine
Laureen E. Regan
Renaissance Charitable Foundation, Inc.
Jason Ricci
Penelope Risborough
Elizabeth Rockwell
Stanley Rodriguez
Robert J. Ryan
Lee Safran
Ann M. Schneider

$100-$249
Barbara Kohnen Adriance
Donna Barry
Father James Barry
Ruth Beeton
Kathy Bergin
Conor K. Bohan

Donna Barry
Father James Barry
Ruth Beeton
Kathy Bergin
Conor K. Bohan

Thomas and Emily Brenner
Patricia Carleton
Amanda Caroza
Wendy S. Chace
Andrew Chatzky

Ronald D. Daniels
Patrick Dignan
Jeron Donalds
Tom Driver and Anne Barstow
Herbie Duverne

Jack Schecter
Colleen Shank
Judith H. Sherman
Rudy Simons
Mark and Dorothea Sinclair
Barbara J. Slemmer
Jean L. Smith
Regina Sneed
Dale Sorensen
John K. Steinmeyer
Kelly Sullivan
Sahir C. Surmeli and Natalie F. Surmeli
Hannah Suzowitz
Steve Suzowitz
Kari Tannenbaum
Reena I. Thadhani
Harriet T. Ternipseed
Megan Turnbull
Carolyn G. Varno
Natasha Varyani
Judy Wandschner
Richard Wandschner
Katy Ward
Brian Weinstein
Ernie Michaud Weinstock
Leonard Weiser-Varon and Amy T. Woodward
Victoria White
Garrett Winslow
Susan S. Wong & John F. Webber III

Barbara Kohnen Adriance
Donna Barry
Father James Barry
Ruth Beeton
Kathy Bergin
Conor K. Bohan

Thomas and Emily Brenner
Patricia Carleton
Amanda Caroza
Wendy S. Chace
Andrew Chatzky

Ronald D. Daniels
Patrick Dignan
Jeron Donalds
Tom Driver and Anne Barstow
Herbie Duverne

Jack Schecter
Colleen Shank
Judith H. Sherman
Rudy Simons
Mark and Dorothea Sinclair
Barbara J. Slemmer
Jean L. Smith
Regina Sneed
Dale Sorensen
John K. Steinmeyer
Kelly Sullivan
Sahir C. Surmeli and Natalie F. Surmeli
Hannah Suzowitz
Steve Suzowitz
Kari Tannenbaum
Reena I. Thadhani
Harriet T. Ternipseed
Megan Turnbull
Carolyn G. Varno
Natasha Varyani
Judy Wandschner
Richard Wandschner
Katy Ward
Brian Weinstein
Ernie Michaud Weinstock
Leonard Weiser-Varon and Amy T. Woodward
Victoria White
Garrett Winslow
Susan S. Wong & John F. Webber III
$250-$499
Navjeet Bal
David Bicking
Blaine M. Bookey
Rose Anne Concannon

$500-$999
Pauline Bassett
Mitchel Bollag
Boston College High School
Rob Broggi
Myriam J.A. Chancy

$1,000-$4,999
William Butler
James Chace
John Duff & Melissa Wender

$5,000-$9,999
The CarEth Foundation Inc.
Hope & John Comerford
Frankel Family Foundation
Ed & Kathleen Kelly
Michael Ratner & Karen Ranucci
Salem Award for Human Rights and Social Justice
Schulte Roth & Zabel LLP

$10,000-$24,999
Anonymous
Cerro Foundation
Center for Constitutional Rights
Betsy Chace
Regan P. Remillard
The Firedoll Foundation
The Haiti Fund at the Boston Found.
Trociaire
Mary White

$25,000-$49,999
Channel Foundation
Flora Family Foundation
Laura Flynn
Ira J. Kurzban
Schooner Foundation
The A.M. Fund
UN Voluntary Fund for the Victims of Torture

$50,000-$80,000
Anonymous
Ansara Family Fund
Albert J. and Diane E. Kaneb
Fred and Mabel R. Parks Foundation
Board of Directors
Rob Broggi, MBA
Brian Concannon, Esq.
Paul Farmer, MD
Laura Flynn, MA
Ira J. Kurzban, Esq.
Judy Solange Prosper, Esq.
Bryan Stevenson, Esq.
Irwin Stotzky, Esq.

Advisory Board
Karen Keating Ansara
Jeffrey S. Brand
Herby Duverné
Al Kaneb
Fran Quigley
Mary S. White

Fellows, Interns, & Volunteers
Livia Brown
Katerina Canyon
Peggy Chateauaneuf
Andrew Chatzky
Jin Yong Chung
Joelle Coutama
Ana Dionne-Lanier
Laura Dismore
Amy Fealy
Chelsie GawnMarke
Adam Houston
Pam Hsieh
Shannon Jonsson
Sandy Joseph
Jieun Kim
Kathy Kolowich
Isabella Kulkarni
Dava Mallebranche
Laurie Millman
Amanda Mundt
Caitlin O’Donnell
Wadner Oge
Alok Pokharel
Katharina Rall
Nick Rees
Jhenny Saint-Surin
Yeri Son
Jerry Stenquist
Alice Stevens
Thomas Thompson-Flores
Shannon Walker
Dan Wong & CUNY team
Partners

A.M. Fund
Alternative Chance/Chans Altènativ
American Association of Jurists
American Jewish World Service (AJWS)
American University Washington College of Law International Human-Rights Law Clinic (IHRLC)
Ansara Family Fund
Association Haitienne de Droit de l’Environnement (AHDEN)
Bertha Foundation
Boston College High School
Cardozo Law School
Canada Haiti Action Network
CarEth Foundation
Center for Constitutional Rights (CCR)
Center for Economic and Policy Research (CEPR)
Center for Gender and Refugee Studies
Center for Human Rights & Global Justice, New York University School of Law
Center for Justice & Accountability
Center for Law and Global Justice, University of San Francisco School of Law
Center for Social Justice, Seton Hall University School of Law
Channel Foundation
Cleary Gottlieb
Cultures of Resistance Network Foundation
New York City College of Technology, CUNY
Dietel Partners
Disaster Relief Network, Fordham University School of Law
Fanm Viktim Leve Kanpe (FAVILEK)
Firedoll Foundation
Flora Family Foundation
Florida Immigrant Coalition
Francois-Xavier Bagnaud Center for Health and Human Rights, Harvard School of Public Health
Frankel Family Foundation
Fred & Mabel Parks Foundation
Georgetown University Law Center
Gide Loyrette Nouel
Goldin Institute
Greater Boston Interfaith Organization
Groupe Concertation des Femmes Victimes (GCFV)
Haiti Action Committee
Haiti Advocacy Working Group (HAWG)
Haiti Analysis
Haiti Justice Alliance of Northfield
Haiti Legal Advocacy Project, Duke University School of Law
Haiti Union Solidarity Fund
Haitian American Grassroots Coalition
Haitian Lawyers Association
Haitian Women of Miami/Fanm Ayisyen Nan Miami, Inc. (FANM)
Hastings to Haiti Partnership, University of California Hastings College of the Law
Health and Human Rights Clinic, Robert H. McKinney School of Law, Indiana University
Health through Walls
Human Rights Advocates
Human Rights Clinic, University of Miami School of Law
Human Rights Program, Harvard University
International Association of Democratic Lawyers
Kodinasyon Nasyonal Viktim Direk (KONAMVID)
Komisyon Fanm Viktim Pou Viktim (KOFAVIV)
Kurzban, Kurzban, Weinger, Tetzelli & Pratt
Lawyers Earthquake Response Network (LERN)
Li, Li, Li, Read
MADRE
Massachusetts Immigrant and Refugee Advocacy Coalition
Mennonite Central Committee (MCC) Haiti
Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C.
National Lawyers Guild
New Media Advocacy Project
New York Immigration Coalition
O’Neill Institute for National & Global Health Law
Other Worlds are Possible
Paloma Institute
Partners in Health/Zanmi Lasante
Physicians for Haiti
Richard M. Fairbanks Foundation
RYOT Foundation
Schulte Roth & Zabel LLP
Sisters of Charity of Leavenworth
South Florida Catholic Charities
Still Harbor
The American Civil Liberties Union in Florida and NY
The Haiti Fund at the Boston Foundation
The Haiti Solidarity Network of the Northeast (HSNNE)
The National Haitian American Elected Officials Network
TransAfrica Forum
Trecaire
United Nations Voluntary Fund for the Victims of Torture
Université Fondation Dr. Aristide (UNIFA)
U.S. Human Rights Network
WilmerHale LLP
Yale Law School
Financial Summary for the Year Ending March 31, 2014

Statement of Financial Position

Assets:
- Currents Assets: 127,645
- Long Term Assets: 1,097
Total Assets: 128,742

Liabilities:
- Current Liabilities: 34,103
Total Liabilities: 34,103

Net Assets:
- Net Assets, unrestricted: 26,764
- Net Assets, temporarily restricted: 67,875
Total Net Assets: 94,639
Total Liabilities and Net Assets: 128,742

Statement of Activities and Changes in Net Assets

Changes in Unrestricted Assets:
- Unrestricted Support and Revenue: 1,314,987
- Net Assets Released from Restrictions: 346,477
Total Revenues, Support + Reclassifications: 1,661,464
Total Expenses and Losses: 1,650,732
Increase in Unrestricted Net Assets: 10,732

Changes in Temporarily Restricted Assets:
- Grants and Contributions from Donors: 315,423
- Net Assets Released from Restrictions: (346,477)
Decrease in Temporarily Restricted Net Assets: (31,054)
Decrease in Net Assets: (20,322)

Net Assets at Beginning of Year: 114,961
Net Assets at End of Year: 94,639

Where the money was spent

- In Haiti: legal work, advocacy, capacity building
- In the US: legal work, international advocacy, communications, fundraising, financial management