



Institute for Justice and Democracy in Haiti

Fall Newsletter 2009

Letter from the Director

Dear Friends,

In 2009, we won several historic victories for Haiti's poor. In Haiti, we took advantage of relative political stability and renewed international attention to move legal cases forward and launch two new projects. In the U.S., we took advantage of the opportunities of new leadership in Washington to secure the cancellation of \$1.2 billion in Haiti's multilateral debt and help obtain a moratorium on deportations of Haitians in the U.S. The *Bureau des Avocats Internationaux* (BAI) and the Institute for Justice & Democracy in Haiti (IJDH) received recognition for our leadership in 2009, including two prominent human rights awards.

This year, the BAI and IJDH were able to expand to serve even more Haitians suffering from human rights violations. We scaled up our Human Rights in Prisons Project (HHRPP) – an innovative legal and medical collaboration between IJDH, BAI, Partners in Health (PIH, founded by IJDH Board Member Paul Farmer) and the Harvard School of Public Health. Our demonstrated success with this project and others has allowed us to attract additional funding and quadruple our Haiti legal staff. This expansion is fulfilling our dream of creating a corps of trained, motivated Haitian human rights lawyers.

We are proud of our successes, but none of it would have been possible without our collaborators. We claim very few accomplishments as exclusively our own and recognize that each of our victories resulted from working with organizations in Haiti and the U.S., as well as individual clients, activists, students, lawyers, volunteers, and supporters, including you. As Haitians say, *men anpil, chay pa lou* (“many hands makes the load light”). Together we have worked to strengthen the rule of law and open the doors of justice for Haiti's poor – a proven solution to many of Haiti's chronic problems.

We call on our network throughout the year to take action and write letters or make phone calls, but right now we need your financial support. **Over 50% of our annual budget comes directly from private individual donors like you.** With your continued support, we will continue fighting for justice on behalf of Haiti's poor in 2010. **Know that your gift – in any amount – makes a concrete difference.** A donation of just \$200 will put a lawyer in the prisons for a whole week providing representation to those who would otherwise have no one to help them.

Thank you for making our work possible this year and for your ongoing support, in all the forms it may take: contributing financially, participating in action alerts, talking to others about the need for our work or keeping us in your prayers.

Peace and Justice,

Brian Concannon Jr., Esq., Director

BAI's client “Sea,” suffered a stroke in prison, which paralyzed the left side of his body. BAI lawyers first saw him as he dragged himself across the prison yard with one arm. BAI worked with doctors from Partners in Health to prepare a report and convince the prosecutor to dismiss the charges. Had BAI not taken his case, Sea would still be suffering in prison, and facing at least 6-12 months waiting for a trial.

Political opponents raped “Marie” in 1993. She fled to the U.S. with her young children, but because of a technicality, never obtained official U.S. residency. Marie's health is failing and she could not survive in Haiti. She, along with her two young daughters, both excellent students, faced deportation to Haiti. With IJDH's help, Marie obtained political asylum, allowing her and her daughters to remain in the U.S. permanently.

2009 Overview – 2010 Preview

We stand with Haiti's poor in their struggle for justice.

Thanks to the support of our network of sponsors, advocates and collaborators, the Institute for Justice & Democracy in Haiti (IJDH) and the *Bureau des Avocats Internationaux* (BAI), were able to help Haiti's poor make great strides in their fight for justice in 2009. In fact, 2009 was one of our most successful years ever and we will carry the momentum into 2010 as we continue to fight. **Some highlights include:**

➤ Debt Cancellation for Haiti

Haiti's government had been diverting \$1 million a week from its treasury to the World Bank and other public international financial institutions, to repay loans that were mostly given to past dictators. IJDH joined with other organizations fighting for cancellation of this unjust debt by writing Op-Eds, press releases and action alerts, preparing campaign materials and providing Congressional briefings, leadership and legal analysis. **On June 30, the Banks announced the cancellation of over \$1.2 billion in debt, freeing up that \$1 million/week for healthcare, schools, and other national priorities.** In 2010, IJDH and BAI will work with grassroots groups to ensure that the newly available funds will benefit Haiti's poor majority.



➤ Scaled-up Health and Human Rights in the Prisons Project

BAI and IJDH teamed up with Haiti-based *Zanmi Lasante* (ZL), Boston-based Partners In Health (PIH) and the Harvard School of Public Health's Francois-Xavier Bagnaud Center for Health and Human Rights (FXB) to fully launch the *Health and Human Rights in Prisons Project* (HHRPP). HHRPP combines the organizations' expertise in law and healthcare to reduce prison overcrowding and provide direct legal and medical services to prisoners in Haiti, over 80% of whom have not been convicted.

In 2009, together with our partners, we: **conducted a prison census** in the three pilot locations; **provided medical screening and treatment to over 400 prisoners**; and **secured freedom for ten prisoners** held illegally. The BAI hired **two new Haitian lawyers**, and is training them to lead Haiti's next generation of human rights lawyers.



IJDH and BAI also partnered with the New Media Advocacy Project (N-Map) to produce a series of advocacy videos based on HHRPP that will be used in court, on the internet and in presentations to Haitian and international officials. Some videos will advocate on behalf of individual prisoners, while others will address systemic problems.

➤ Fair Treatment for Haitians in the U.S.

IJDH worked for fair treatment for Haitians in the U.S. through two initiatives, the *Stop Deportations Now!* Campaign, and the *Haiti Asylum Information Project* (HAIP). *Stop Deportations Now!* **led to the de facto suspension of all non-criminal deportations to Haiti in early 2009.** We are generating an increasingly successful mobilization for Temporary Protected Status (TPS) for the 30,000 Haitians in the U.S. subject to final deportation orders, by gathering support from major newspaper editorial boards, immigration groups and several prominent members of Congress.



IJDH provided assistance for Haitians fleeing political persecution through the HAIP. **IJDH testified in asylum cases**, and provided asylum lawyers in the U.S. and Canada the advice and country-condition information they need to prepare effective cases. IJDH redesigned and updated the HAIP section of our website with additional information on country conditions and case law and added a special section on violence against women.

➤ **Launch of Human Right to Education Project**

The *Human Right to Education Project* (HREP)'s **innovative lawsuit on behalf of the 50% of Haitian children who cannot go to school** is moving forward. In 2009, BAI and IJDH finished the legal research for the case, hired a Haitian lawyer to staff the case full-time, and developed an action plan for the legal and advocacy components. We plan to file our trial court complaint by **March 2010**. In addition to pursuing the legal case, we will insert the students' exclusion from school into the debates for Haiti's 2010 Presidential elections and help our clients organize to pressure the government to invest in education.



In 2009, BAI joined other Haitian organizations in Haiti's *Education for All Campaign*, which applies political pressure for universal education. BAI contributes legal and strategic advice to the campaign, and issued a press release in connection with the campaign's week of action in April 2009.



➤ **Litigation Successes**

After 5 ½ years, **all chargers were formally dismissed against former political prisoner and Prime Minister Yvon Neptune**. In September 2009, the Haitian government finally served the April 2007 appeals court decision in Mr. Neptune's case. This is the Haitian government's first step at respecting the Inter-American Court of Human Rights (IACHR) June 2008 decision in the case of *Yvon Neptune v. Haiti*, finding that the Haitian State had violated the human rights of Mr. Neptune, IJDH's client. The movement on Mr. Neptune's case followed several months of advocacy seeking enforcement of the IACHR judgment, and building moral and political pressure on the Haitian government.

This year, **the Inter-American Commission on Human Rights renewed its pursuit of the case of grassroots activist Jimmy Charles, murdered in police custody in 2005**. The original petition was filed by BAI and IJDH in January 2006. IJDH and BAI conducted additional investigations and submitted supplementary information to the Commission, which is currently preparing its decision on the merits.



➤ **Creation of the Lawyers Committee for Justice in Haiti**

In January 2009, IJDH and BAI created the *Lanyers Committee for Justice in Haiti* (LCJH), which brings the expertise, resources and idealism of lawyers in the United States to the fight to establish the rule of law in Haiti and to make the justice system work for Haiti's poor. LCJH members provide financial support, policy advocacy and where appropriate, pro-bono legal services. IJDH and BAI continue to work with several law school clinics. In 2009, we trained lawyers and law students from Haiti, the U.S. and France.

➤ **Recognition**

In 2009, IJDH and BAI were recognized for their leadership in using the law to empower victims of human rights violations to seek and win justice. Mario Joseph received the **2009 Catherine and George Alexander Human Rights Prize** from Santa Clara University Law School, and IJDH and BAI shared the **2009 Judith Lee Stronach Human Rights Prize** from the Center for Justice & Accountability. IJDH's Brian Concannon was invited to speak at a forum on Haiti at the John F. Kennedy Presidential Library, along with Dr. Paul Farmer, actor Matt Damon, and State Representative Linda Dorcena Forry. IJDH and BAI kept human rights in Haiti on the world's radar screen, through appearances on television and radio, quotations in print media, and their own Op-Eds and legal analyses published in newspapers and websites around the world. In 2010, we will continue to lead the discussion on a more just and prosperous future for Haiti.



IJDH/BAI Staff



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BAI Staff Attorney



Ouvens Jean Louis
BAI Staff Attorney



Clifford Frederic
BAI Staff Attorney



Robert Jean
BAI Grassroots
Coordinator



Blaine Bookey
Legal Fellow



Marcy Strazer
Administrative
Consultant



Steve Forester
Director, *Stop
Deportations Now!*

Staff Update

We are excited to welcome additions to our BAI staff: Haitian lawyers Bazelais Thévenot and Ouvens Jean Louis, U.S. Legal Fellow Blaine Bookey and Grassroots Coordinator Robert Jean.

We are sad to say goodbye to Development Directors Monica Bernardo and Ross MacDonald, but thankful for their contributions to our work.

IJDH Board of Directors

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

Dr. Paul Farmer, MD, Ph.D., founder of Partners in Health, Professor at Harvard Medical School, and Deputy UN Special Envoy to Haiti.

Laura Flynn, MFA, self-employed author, teacher, and activist and co-founder of the Bay Area Haiti Action Committee.

Ira Kurzban, Esq., attorney with Kurzban, Kurzban, Weinger & Tetzeli and Adjunct Professor of Law at the University of Miami and Nova Southeastern University.

Bryan Stevenson, Esq., Executive Director of the Equal Justice Initiative of Alabama and Clinical Professor at NYU Law School.

Irwin Stotzky, Esq., Professor of Law and Director of the Center for the Study of Human Rights at the University of Miami.

IJDH bids a fond farewell to out-going Board Member, **Judy Prosper, Esq.**, and thanks her for four years of dedicated guidance and service.

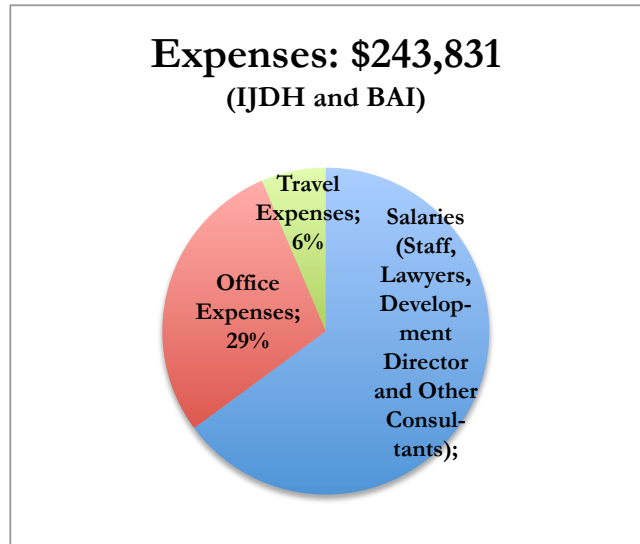
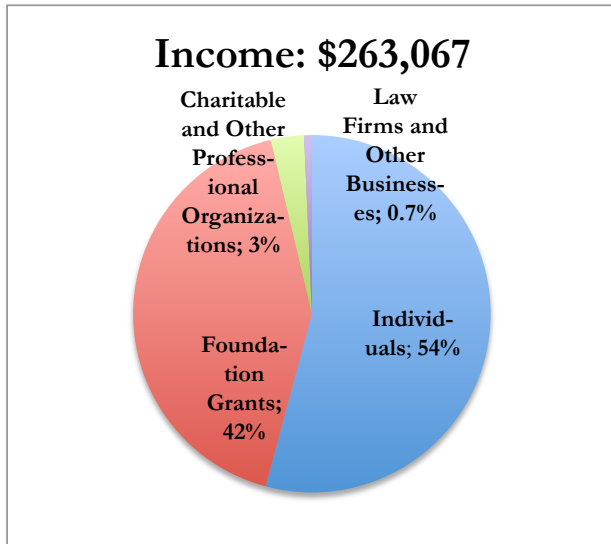
“I believe that IJDH, as small as it is, offers something important to Haitians who continue, amazingly, to believe in and struggle for genuine democracy and for human rights that are meant for all humans. To build a justice system that works for the Haitian poor rather than against them will require precisely the sort of pragmatic solidarity embraced by IJDH.”

– Dr. Paul Farmer

Financial Report

Fiscal Year 2009 (April 1, 2008 – March 31, 2009)

IJDH has been blessed with wonderful supporters, from intrepid foundations willing to invest in Haiti work to generous lawyers hosting fundraisers in their offices to idealistic kids running bake sales and lemonade stands. We never forget that it is our donors' sacrifices that allow us to do our work, and we strive every day to turn this support into tangible justice for Haiti's poor.



Special thank you to our collaborators

American Association of Jurists
Bay Area Haiti Action Network
Center for Economic and Policy Research
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
Center for the Study of Human Rights, University of Miami Law School
Francois-Xavier Bagnaud Center for Health and Human Rights, Harvard School of Public Health
Haiti Reborn Campaign

Hastings to Haiti Partnership, University of California Hastings College of the Law
Human Rights Program, Harvard University
Inspire
International Senior Lawyers Project
Jubilee USA Network
National Lawyers Guild
New Media Advocacy Project
Partners in Health/Zanmi Lasante
Robert F. Kennedy Memorial Center for Human Rights
School of International and Public Administration, Columbia University
TransAfrica Forum
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