



Institute for Justice and Democracy in Haiti

Annual Report
April 1, 2005–March 31, 2006



Institute for Justice & Democracy in Haiti

Mission

To work with the people of Haiti in their non-violent struggle for the consolidation of constitutional democracy, justice and human rights, by distributing objective and accurate information on human rights conditions in Haiti, pursuing legal cases, and cooperating with human rights and solidarity groups in Haiti and abroad.

IJDH draws on its founders' internationally-acclaimed success accompanying Haiti's poor majority in the fields of law, medicine and social justice activism. We seek the restoration of the rule of law and democracy in the short term, and work for the long-term sustainable change necessary to avert Haiti's next crisis.

Support

To donate to IJDH, send a check to Box 745, Joseph, OR 97846, or contribute online at www.ijdh.org. IJDH is a tax-exempt charitable organization pursuant to U.S. Internal Revenue Code Sec. 501(c)(3). Donations to the Institute are tax-deductible to the full extent of the law.

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Letter from Paul Farmer, MD, PhD.

IJDH Board of Directors

Dear Friend:

Anyone interested in democracy and rights has reason to be interested in Haiti. Over two centuries ago, Haitians challenged the notions of human rights taking root in Europe and the nascent United States, insisting that all people are human. The first Haitians insisted that slavery—then a source of great personal profit for many of the self-proclaimed democrats on both sides of the Atlantic—could have no place in any republic worthy of the name. This was the beginning of the modern human rights movement.

There's great continuity, within Haiti and without, between these beginnings and the current human rights struggle within the country. For friends of Haiti who seek to support a progressive and principled human rights organization that gets its facts right and does not erase history, look no further than the Institute for Justice and Democracy in Haiti.

For at least 20 years, I've wondered how the mainstream human rights organizations could so often miss the boat in contemplating Haiti's political crises. The Haitians I know from our work with the destitute sick are quick to offer opinions on this phenomenon, noting that the struggles of the poor are seldom the primary concern of either human rights organizations or of the legal system operating within Haiti (alas, the medical profession is subjected to similarly sharp critique).

IJDH has changed all that, and is helping other organizations to improve their understanding of the noxious synergy between poverty, inequality, and injustice; IJDH has also restored historical memory to a notoriously short-memoried arena. The outlines of unjust power structures are shown, in both IJDH analyses and corresponding actions, to have deep and international roots. For the past two years, IJDH has been a voice of reason and honesty in the midst of an international attack on popular democracy in Haiti.

One of the ways that IJDH has managed to succeed where others have failed is by listening to the poor, and by accompanying, in pragmatic manner, those who face both poverty and abuse of their rights. Although IJDH is a young organization, it has deep roots in Haiti, as its leadership can point to well over a decade of hard work defending prisoners of conscience; prosecuting, often in the face of threats, the authors of some of Haiti's most notorious crimes; and holding the powerful, wherever they live, to task. IJDH has offered a precious and pragmatic solidarity to a broken justice system in which there are almost never lawyers available to the poor, a system in which courthouses have no electricity and judges might not have pens and paper, to say nothing of computers or transportation.

I believe that IJDH, as small as it is, offers something important to Haitians who continuing, amazingly, to believe in and struggle for genuine democracy, 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; and though Haiti's human rights movement has deep roots, it is, like so many things in Haiti, rendered fragile by extreme poverty and also by those who seek disrupt the democratization that Haiti so badly needs. Not all the disruptive forces come from within Haiti, as IJDH, based appropriately enough in the United States, has shown again and again.

Courage, pragmatic engagement with the daily struggles of the Haitian poor, honesty about the sources of Haitian suffering, and unswerving commitment—these are the ingredients of a human rights movement that will make a difference in Haiti. They are precisely the qualities that IJDH and its leadership bring to the fragile, promising, and implacable movement for justice and democracy in Haiti.

Paul Farmer, MD, PhD

Founding Director
Partners In Health and
Presley Professor
Harvard Medical School

Letter From the Director

June 15, 2006

Dear Friend:

When asked what they need for better lives, Haitians often reply simply: “*chanjman*” or “change.” *Chanjman* means a change in the current miserable conditions that make survival for Haiti’s poor a daily struggle—political violence and repression, not enough food, medicine or clean water, impassible roads. But *chanjman* also means a transformation of the unjust power structures—political and economic, national and international—that have been generating miserable conditions in Haiti for 300 years.

IJDH’s second year came to a close on March 31, 2006, amid a time of very welcome *chanjman* in Haiti. On February 7, 2006, Haiti’s voters overcame great obstacles to elect President René Preval by a landslide. Two long years of political repression and general violence decreased immediately. The justice system soon started acting more justly, and within a few weeks the cell doors opened for some political prisoners.

IJDH and our Haitian affiliate, the *Bureau des Avocats Internationaux* (BAI) played a key role in this transition to democracy over the past year. We protected people working for change within Haiti by defending political prisoners. We generated pressure from outside the country for better elections and less persecution by shining a spotlight on the interim government’s brutality and discrimination against poor voters.

This *chanjman* is a very good start, but Haiti has had good starts before. IJDH and BAI will now refocus our work to ensure that this democratic transition is Haiti’s last. The new projects will be less dramatic than freeing political prisoners or denouncing massacres, but they are essential to creating a sustainable democracy grounded in the rule of law. Inside Haiti, we will resume our fight to make the justice system responsive to poor people and to their Constitution through high profile lawsuits. Outside Haiti, we will continue to challenge the world’s powerful countries and organizations to comply with their own professed human rights principles. In the next few months we will launch special initiatives on debt relief and economic human rights, and increase our ability to distribute credible information on human rights in Haiti throughout the world.

What will not change is our innovative approach. We will continue to follow the lead of and support Haiti’s grassroots movement, and we will continue to integrate courtroom work with human rights activism.

Our need for support will not change either. We were able to contribute much to Haiti’s democratic transition because our supporters put their social justice beliefs into action, and generously provided the material support we needed. We can play a central role in the battle to avoid Haiti’s next human rights crisis too, but we will need even more support.

Sincerely,



Brian Concannon Jr., Esq.

IJDH and BAI—A Model Collaboration

IJDH’s innovative collaboration with its Haitian affiliate, Bureau des Avocats Internationaux (BAI), allows both organizations to transcend barriers that often limit human rights advocacy. The two offices, one in Port-au-Prince, the other in the U.S., combine complementary information, resources and expertise to ensure a holistic approach that is defined by the needs of the case, not the limits of the organization.

In Haiti, BAI stands up in court for political prisoners and the relatives of people killed by police and death squads. BAI also provides technical, material and legal support to groups engaged in grassroots human rights advocacy in Haiti. Further, BAI provides IJDH with up-to-date information and analysis on human rights violations in Haiti.

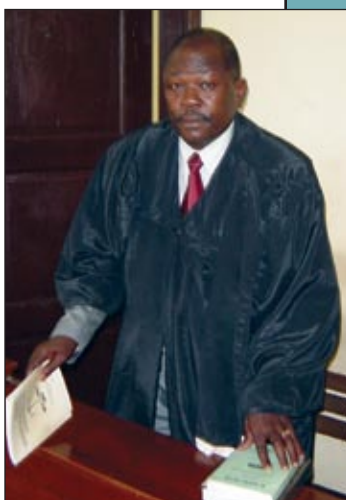
IJDH focuses on international work, by pursuing international lawsuits, disseminating information, and generating support for human rights protections from outside Haiti. IJDH also provides most of BAI’s financial support. The two organizations collaborate on almost every aspect of each other’s work. For example, IJDH uses its expertise in U.S. and international law to enrich the pleadings that BAI files in Haitian courts. Correspondingly, BAI ensures that IJDH’s analyses and pleadings in international litigation accurately reflect both Haitian law and the perspectives of BAI’s clients. IJDH and BAI file joint international lawsuits, frequently share the same podium and prepare joint human rights reports. The two organizations work closely together to forge a joint advocacy strategy that accommodates the voice and interests of Haitian grassroots groups with the needs and possibilities of the international solidarity movement.

Program Area 1: Litigation

The Institute for Justice & Democracy in Haiti (IJDH) and its affiliate in Haiti, the *Bureau des Avocats Internationaux* (BAI), file high-profile lawsuits to defend the rights of individual victims while simultaneously holding national and international actors responsible for their role in violations of human rights in Haiti. This litigation, by design, has an impact in the court of public opinion as well as the court of law.

Litigation in Haiti

In Haiti's courtrooms, BAI represents political prisoners and victims of official violence in both civil and criminal cases. BAI lawyers are the only lawyers who will take many of these cases. The work is dangerous, and no other Haitian organization has the resources to pay the high court fees or pursue cases for the months or years necessary to prevail.



BAI's Mario Joseph in court

Defense of Political Prisoners

In 2005–2006, the Haitian government held hundreds of political prisoners. BAI represented more than 70 of them. Many spent more than two years in jail, usually without formal charges. BAI provided these clients with a complete criminal defense, from challenging the initial illegal arrest through pretrial proceedings and appeals. Not one political prisoner was allowed a trial during the year, but nevertheless IJDH and BAI helped free 18 victims of political arrests. (See *Fr. Gerry's Story*, p. 4 and *Fighting for Freedom*, p. 7).

Fighting for Human Rights: In Haiti and abroad, in the courts, in the streets and on the internet

The root causes of Haiti's human rights violations extend far beyond the country's borders. They include the evident causes such as political repression and military intervention, but also less evident ones such as financial coercion by powerful countries and institutions, and manipulation of information. IJDH and BAI address this broad range of causes with a broad range of solutions, working in three main areas: lawsuits; human rights documentation and dissemination; and support for grassroots advocacy.

“When I was in prison, the great work of BAI and IJDH on behalf of all of the political prisoners kept my morale strong, and gave me hope. I knew that as long as IJDH and BAI were there, freedom was coming!”

—**Rev. Gérard Jean-Juste**
Catholic priest and
former political prisoner

Freedom Secured: Fr. Gerry's story

The campaign to free Rev. Gérard Jean-Juste illustrates the holistic approach that IJDH and BAI take to human rights work. When “Fr. Gerry” was arrested illegally, for the second time, in July 2005, BAI lawyers arrived at the police station and launched a vigorous criminal defense within minutes. But despite excellent legal representation and a complete lack of evidence, a judge handpicked by Haiti’s Interim Government refused to either release Fr. Gerry or send the case to trial.



Fr. Gérard Jean-Juste, “Fr. Gerry,” spent 11 months in jail following two illegal arrests. The government never presented any evidence of illegal activity against him.

St. Joan of Arc Peace & Justice Delegation photo

Meanwhile, IJDH organized a worldwide support network, convincing Amnesty International, Human Rights First and other human rights groups to condemn the persecution. Thousands signed petitions and action alerts prepared by IJDH calling for Fr. Gerry’s release. IJDH worked closely with Fr. Gerry’s supporters in the U.S. Congress, providing legal analysis and updates, and helped solidarity groups throughout the country engage more Congressional representatives. Eventually a total of 45 Members of Congress, including three top Republicans, intervened on Fr. Gerry’s behalf with the Haitian or U.S. governments.

When Fr. Gerry became sick with a leukemia that could not be treated in prison, the Haitian and U.S. governments denied it. IJDH and BAI arranged for medical examinations by two doctors, including IJDH Board Member Paul Farmer, who both confirmed the diagnosis. When the two governments claimed that Fr. Gerry’s detention complied with Haitian law, BAI provided the legal analysis to refute the claim.

Under intense pressure from the international community, the Interim Government eventually granted BAI’s demand for provisional release in January 2006. Fr. Gerry immediately flew to Miami for life-saving medical treatment. Although the case against him is still technically open, we expect that Haiti’s new elected government will soon drop it for lack of evidence.

Neither the courtroom work in Haiti, nor the international campaign alone would have been enough to free Fr. Gerry. The Interim Haitian Government ignored the legal challenges, and at the same time successfully claimed abroad that the case was in the hands of an impartial justice system. These ruses could only have been overcome with a combination of persistent legal challenges to demonstrate that the justice system was not working and external pressure to move the case forward.

Fr. Gerry’s high profile, inside Haiti and abroad, allowed him to speak out for other prisoners and attracted intense international scrutiny of the Interim Government’s human rights record. The case also built the movement for justice in Haiti. Religious, political, labor, medical and solidarity groups from around the world joined in the struggle for his freedom, and stayed on to support other political prisoners. Inside Haiti, Fr. Gerry’s victory gave other activists courage to organize and to participate in the elections held soon after his release.

Pursuing Accountability for Official Killings

Haiti's brutal and unconstitutional Interim Government, which ruled Haiti from March 2004 to May 2006, used murder by police officers as a routine tool for managing political dissidence, especially in poor neighborhoods. BAI helped the victims' families fight back by filing lawsuits against the government and top officials responsible for the killings. In 2005–2006, BAI filed complaints for the deaths of Jimmy Charles, an activist executed in police custody after his illegal arrest by UN peacekeepers; Abdias Jean, a journalist executed by police during a raid on his neighborhood; and 15 victims of the August 2005 Grande Ravine "Soccer Massacre."

Litigation in International Courts

IJDH and BAI filed several petitions against the Interim Haitian Government and its international supporters before the Inter-American Commission on Human Rights (IACHR), the human rights arm of the Organization of American States. IACHR petitions applied pressure on the Interim Government in individual cases, and exposed the gap between the international community's avowed human rights principles and its practices in Haiti.

Petition against the U.S., Dominican Republic and Haitian governments – IJDH organized a coalition including BAI, Yale Law School's Human Rights Clinic, and TransAfrica Forum that filed a petition on behalf of Haiti an voters whose democratic rights were violated by the February 2004 coup d'état. The petition alleges that the U.S., the Dominican Republic and the Interim Haitian governments' actions to undermine and overthrow Haiti's democracy contravened international law. The case will not be resolved for years, but has the potential to be a landmark in the struggle against powerful countries' interference in small countries' internal affairs.

Petition on behalf of political prisoner Yvon Neptune – In April 2005, IJDH, BAI, and the Virtual Human Rights Law Clinic at Hastings Law School in San Francisco (which IJDH helped establish) filed a petition on behalf of political prisoner Yvon Neptune (see *Fighting for Freedom*, p. 9). The IACHR determined that the petition was "admissible," called on Haiti to take precautionary measures to protect Mr. Neptune's health, and initiated a full investigation.

Petition against the U.S. and Brazil for human rights violations in Haiti – On July 6, 2005, peacekeepers from the UN Mission in Haiti (MINUSTAH) opened fire with automatic weapons in Cité Soleil, a densely populated, very poor neighborhood. Peacekeepers claimed they fired at gang members, but dozens of women and children were shot. MINUSTAH initially denied the civilian casualties, but after IJDH and other organizations documented deaths and injuries, MINUSTAH acknowledged some "collateral damage" and promised an investigation. In December 2005, IJDH joined 14 organizations and prominent individuals in an IACHR petition against the U.S. and Brazil for the killings.

"The petition [filed by IJDH, BAI Yale and TransAfrica] seeks to break new ground in establishing that international law protects citizens' democratic choice of government, not only from the violence of domestic opposition, but also from the intervention of powerful states."

—Jim Silk,
Executive Director,
Orville H. Schell, Jr.
Center for International
Human Rights,
Yale Law School

Petition on behalf of Bob Molière – IJDH, BAI and Seton Hall Law School's Immigration and Human Rights Clinic filed a petition on behalf of grassroots activist and political prisoner Bob Molière (see *Fighting for Freedom*, p. 7).

Petition on behalf of Jimmy Charles – In January 2006, IJDH and BAI filed a petition on behalf of activist Jimmy Charles, against the Interim Government of Haiti and Brazil. Mr. Charles was executed in police custody following an illegal arrest by UN Peacekeepers from Brazil. The IACHR's ruling on admissibility is expected this summer.

Litigation in U.S. Courts

In the U.S., IJDH and BAI helped pursue Haitian human rights abusers hiding in the U.S., and assisted political refugees in documenting asylum claims.

Asylum for political refugees

IJDH protected victims of human rights violations by providing political refugees and their lawyers the tools they needed to present asylum claims. With the support of the American Immigration Lawyers Association, the Institute

launched the Haiti Asylum Information Project (HAIP), which assembles human rights information and legal resources on a special section of IJDH's website. The Institute also consulted directly with refugees, lawyers, law schools and charitable organizations on specific cases. IJDH helped gain asylum for persecuted grassroots activists, musicians, police officers, former government officials, and women fleeing domestic violence.



Pro-democracy protestors in Port-au-Prince regularly marched against the interim government's repression, even though the police regularly fired on legal protests.

Anne Sosin photo

Pursuing Persecutors in the U.S.

IJDH and BAI helped the Center for Justice and Accountability (CJA) to pursue Haitian human rights abusers and their assets hidden in the U.S.

by filing claims under the Alien Tort Claims Act. CJA filed lawsuits against Emmanuel Constant, the leader of the FRAPH death squad from 1992–1994, and Carl Dorélien, a member of the

1991–1994 dictatorship's Military High Command. IJDH and BAI provided CJA with factual information and legal analysis, and acted as experts in court proceedings.

Fighting for Freedom

Political Prisoners represented by IJDH and BAI

Annette Auguste, “So Ann”: A folksinger, grandmother and grassroots activist, Ms. Auguste was arrested on May 9, 2004 (Mother’s Day), along with eight family members. BAI’s advocacy forced the prosecutor to admit there is no evidence of criminal wrongdoing against her. IJDH’s action alerts generated hundreds of letters and signatures calling for her release, but she remains in jail.



Folksinger, activist, grandmother and BAI client Annette Auguste, better known as “So Ann.” She has spent two years in prison, with no evidence against her.

Haiti Information Project photo

Yvon Neptune: A former Prime Minister, Mr. Neptune turned himself in when the radio reported a warrant for his arrest in June 2004. The top UN human rights official in Haiti called his prosecution “a flagrant violation of human rights.” BAI, IJDH and Hastings Law School filed a petition on his behalf in April 2005, with the Inter-American Commission on Human Rights, and IJDH has featured his case in a half-dozen action alerts. He remains in prison.



Bob Molière in prison

Bob Molière: A used-mattress salesman and pro-democracy activist, was known to the police because he often provided them the required notice for legal protests against the repression. The police arrested Mr. Molière in April 2005, without a warrant, and interrogated him about his legal political activity. BAI represented him in Haitian Courts, while BAI, IJDH and the Seton Hall Law School Immigration and Human Rights Clinic pursued his case before the Inter-American Commission on Human Rights. IJDH issued an action alert calling on the prosecutor to dismiss the case. Mr. Molière was freed after a year and a day in prison.



Bob Molière after his release from prison with his daughter, Bobeline.

Program Area 2: Grassroots Advocacy

IJDH's grassroots advocacy program provides Haiti's poor with the tools to fight for their own human rights. Outside Haiti, the program helps generate pressure on powerful countries to respect the rights of poor Haitians and the governments they elect.

Supporting the grassroots movement in Haiti

The organized poor have always been Haiti's engine of social progress, from the 1804 revolution to the 1986 overthrow of the Duvalier dictatorship. But their efforts are severely limited by a lack of resources, access to communications, and connections with justice movements outside Haiti. IJDH and BAI helped even the playing field by providing grassroots groups with office space and equipment, connecting them with the worldwide solidarity community, and representing persecuted grassroots leaders.



Kolektif Fanmi Prizonye (Prisoners' Families Collective), a grassroots organization supported by IJDH and BAI, protest outside the Palais de Justice in Port-au-Prince.

The "NGO Room"

The "NGO room" in BAI's Port-au-Prince office provided grassroots groups with telephones, computers, internet access and working space, along with human rights reporting training, legal analysis, and introductions to potential foreign collaborators. Many of these organizations received no other support, because they have yet to develop the organizational skills necessary to attract donors. Haitian grassroots groups were often shunned by international funders because they insisted on challenging both the

legitimacy of the Interim Government and the justice of the international economic order.

The NGO room was established in 2001 at the request of Haitian grassroots groups. It is open to all groups as long as their work is non-violent, legal, and directed towards advancing human rights in Haiti.

Making connections across borders: erecting a safety net

BAI and IJDH facilitated meetings between Haitian grassroots groups and visiting journalists, church groups, solidarity delegations, and human rights investigators. The meetings provided visitors with direct access to victims of persecution and to Haitians working for progressive change. The meetings also provided grassroots groups an opportunity for their voices to be heard and potential access to material support.

IJDH helped grassroots groups spread their message directly throughout the world, while providing protection against government retaliation. When the *Groupe de Defense des Prisonniers Politiques* (GDP) wanted to circulate a petition for political prisoners in April 2005, BAI provided legal and strategic advice. IJDH translated the petition into English, and helped circulate the French and English versions to solidarity groups and internet sites throughout the world. When the President of the National Commission of Women Workers (CNFT) was arrested at the airport in April on her way home from a labor conference, BAI and IJDH responded. BAI represented the CNFT leader at interrogation sessions, and IJDH organized a letter-writing campaign on her behalf. The government's harassment of CNFT came to a halt.

Bringing haiti's fight to the powerful countries: supporting the Haiti solidarity movement

IJDH helped bring the Haitian poor's fight for justice and democracy to the world's powerful countries, where many of the roots of their oppression originate. IJDH played a leadership role in constructing a sustainable, engaged, and organized solidarity movement. The movement applied pressure on the Haitian government and held foreign governments and international organizations accountable to their own espoused human rights principles.

IJDH, together with BAI, supported Haiti solidarity work by providing legal analysis and information, consulting on advocacy strategy, and developing and coordinating action campaigns.

“IJDH is a keystone of the movement to support social justice in Haiti. It provides the tools for people who care about Haiti to make a real difference on the ground.”

—**Bishop Thomas J. Gumbleton**
Archdiocese of Detroit,
Michigan, USA

Half-Hour a Week for Haiti

All the threads of IJDH's solidarity work came together in the pioneering *Half-Hour for Haiti* Program. The *Half-Hour for Haiti* Program was designed to develop an informed constituency regularly taking action to support justice in Haiti. Each week IJDH issued an email action alert to over 2,000 activists, organizations and social justice list-serves. The alerts provided a concrete, educational action to advance human rights in Haiti that could be completed in 30 minutes. The alerts also summarized important developments in Haiti, and announced upcoming solidarity events.

The *Half-Hour for Haiti* Program also helped to build the capacity of other solidarity organizations. Nearly half of the program's weekly alerts were authored by other organizations. Exposure through *Half-Hour for Haiti* helped promote the organizations and their work to a wide audience, while technical and strategic assistance from IJDH helped develop the organizations' advocacy skills.

Half-Hour for Haiti had a measurable impact on the ground in Haiti. Some impacts are directly attributed to the program, but in most cases the alerts played an important role in a larger mobilization. Specific results from the action alerts in 2005–2006 include the releases of political prisoners Father Jean-Juste and Bob Molière, and investigations opened into the Grand Ravine Soccer Massacre and the July 6 attack on Cité Soleil, as well as:

Condemnation of press attacks by the IAHCRC—The October 4, 2005 alert targeted the Special Rapporteur on Liberty of Expression for the Inter-American Commission on Human Rights. Although the Special Rapporteur is entrusted with reporting on attacks against the press in the Americas, the office had not issued a single condemnation of the repeated attacks against journalists under the Interim Government. Two days after IJDH issued the alert, the Special Rapporteur issued a strong statement condemning a series of attacks against the press.

Release of political prisoner Jean Louis Carlson—The November 15, 2005 alert called for the liberation of Jean Louis Carlson, who had been arrested illegally by UN troops on November 12. The very next day, Mr. Carlson was freed by police.



Linda Panetta photo, www.OpticalRealities.org, www.soawne.org

Release of political prisoners in Port-au-Prince—The February 28, 2006 alert asked the newly appointed prosecutor of Port-au-Prince to recommend freedom for political prisoners in his jurisdiction. Over the next six weeks, the prosecutor recommended dropping the charges against ten prisoners, four of whom were freed by the court (three had been released on bail and two others remained in custody on other charges).

Program Area 3: Human Rights Documentation and Dissemination

Documentation of Human Rights Abuses

Haiti's repression will not stop unless it is kept on the world's radar screen through timely, credible information and reporting. IJDH's documentation shines a sharp spotlight on human rights abusers in Haiti and the institutions abroad that support them. It is an important tool for elected officials, human rights groups, and activists working to address Haiti's human rights tragedy.

IJDH and BAI prepare their own human rights reports and help other organizations prepare theirs. The innovative combination of investigators on the ground in Haiti, established credibility with victims and a U.S.-based office with global reach allows IJDH and BAI to respond to human rights crises by quickly disseminating reliable information throughout the world. Our collective depth of experience allows us to connect victims with organizations interested in helping them, and to provide the legal and historical background necessary for accurate reporting.

In the wake of the August 20, 2005, Grande Ravine Soccer Massacre—an attack by police and thugs on soccer fans believed to include political dissidents—BAI and IJDH wrote a series of reports and filed them with the United Nations. These reports and IJDH's action alerts, joined with our allies' efforts, forced the Haitian police and the UN to investigate the massacre. The police leadership initially denied participating in the massacre, but it eventually disciplined 20 officers and filed criminal complaints against eleven of them.

Throughout the 2005–2006 fiscal year, IJDH and BAI provided significant assistance with other reports. These reports included a comprehensive report on human rights in Haiti delivered to the International Association of Democratic Lawyers in June 2005 by Loyola University Law Professor Bill Quigley and a University of Pittsburgh Law School investigation of judicial independence. IJDH, BAI and their human rights information were cited in reports by the U.S. State Department, Amnesty International, and the Inter-American Commission on Human Rights, among others.

Dissemination of Information on Human Rights Abuses

Even the most up to date and credible information does little good if it does not get into the hands of the people and institutions that will act on it. Haiti has always suffered from an “information gap” between what happens on the ground in Haiti and what is reported in North America and Europe. This information gap is caused by language barriers, lack of interest by the mainstream press, and politicized manipulation of information. The gap makes it difficult for decision-makers, human rights groups, and activists outside the country to obtain the information they need to respond to threats to human rights in Haiti. IJDH fills the information gap by collecting and analyzing human rights information and making the results available to policy makers and the general public.

“IJDH is simply the most reliable source for information and analysis on human rights in Haiti”

—Maxine Waters
(D-CA) U.S. House of Representatives



Nicole Lee of TransAfrica, Actor/Activist Danny Glover, IJDH's Brian Concannon and Lovinsky Pierre-Antoine of Fondation 30 Septembre address TransAfrica Forum's Foreign Policy Weekend.

IJDH/BAI Public Speaking Highlights in 2005–2006:

- World Social Forum, Venezuela, January 2006—BAI's Mario Joseph spoke on several panels on human rights and democracy in Haiti
- School of the America's Watch vigil, Georgia November 2005—BAI and IJDH spoke before fifteen thousand solidarity activists
- International Association of Democratic Lawyers, Quadrennial Conference, Paris, June 2005—Mario Joseph addressed plenary session. The IADL membership voted a resolution condemning human rights violations in Haiti, and elected Joseph to its governing Bureau
- IJDH and BAI made addresses at twelve law schools and universities/colleges in the U.S. in 2005–2006

Haiti on the world-wide web: www.ijdh.org

IJDH's website, www.ijdh.org, is the most comprehensive source of information on human rights in Haiti. By the end of the 2005–2006 year, the site averaged over 3,500 hits per day, and was regularly consulted by activists, journalists, asylum lawyers, government officials, researchers, students, and policymakers. The site contains news, human rights reports, analyses and litigation reports, as well as opportunities for visitors to take action to promote human rights in Haiti.

Creating the framework for action: IJDH analysis

IJDH's analyses provide policymakers, organizations, and individuals the tools they need to take action in support of human rights in Haiti. IJDH's monthly commentaries on legal issues in Haiti are published on the Counterpunch.com website and in the Boston Haitian Reporter, and often appear in magazines, websites, and solidarity and social justice newsletters throughout the world. In 2005, IJDH's Director was named an analyst for the International Relations Center's *Americas Program*.

Briefing Policymakers and International Bodies

IJDH and BAI regularly brief policymakers and international bodies on human rights developments in Haiti.

U.S. policymakers – IJDH and BAI keep policymakers informed of the human rights situation in Haiti as issues develop, and IJDH maintains direct contact with the offices of members of the U.S. Congress from both sides of the aisle. In 2005–2006, IJDH and BAI briefed members of Congress on political prisoner and election issues, and BAI briefed Congressional delegations to Haiti. In September, IJDH gave presentations on human rights and Haiti's then upcoming elections to the Congressional Black Caucus Legislative Forum panel on Haiti. IJDH's analysis provided U.S. Rep. Maxine Waters and other Congressional leaders the material they needed to critique irregularities in the election process, and successfully insist on improvements, including better voter registration and more voting centers.

U.S. agencies — IJDH worked with the U.S. Department of Homeland Security (DHS), Immigration and Customs Enforcement Unit to pursue Haitian human rights violators seeking to hide in the U.S. Many of the abusers were convicted in cases brought by the BAI under Haiti's Constitutional Governments.

International bodies — BAI briefed the IACHR and the UN Human Rights Commission's Independent Expert on Haiti during visits to Haiti. BAI regularly meets with representatives of the UN Stabilization Mission to Haiti (MINUSTAH), including the mission's investigative police, human rights unit and top leadership, as well as members of the OAS Special Mission to Haiti. BAI responds to international organizations' requests for information on human rights and legal matters, but also pressures the international community to take stronger action on human rights in Haiti.

Speaking Out About Haiti

Public speaking affords an opportunity to reach new audiences directly, and recruit for the solidarity movement. It also lends support to local organizations' initiatives. In 2005–2006 IJDH and BAI spoke to audiences as small as five people and as large as fifteen thousand, throughout North America, and in Europe and South America. Speaking venues included universities, churches, peace and solidarity groups, and rallies (see text box for highlights).

Media Outreach

IJDH and BAI are respected sources of information on human rights in Haiti. They are regularly consulted and quoted by mainstream media, such as the *New York Times*, *Miami Herald* and the BBC. IJDH and BAI are also regularly interviewed by progressive outlets including *Democracy Now!*, Pacifica Radio, *The Guardian* (UK), and dozens of radio stations throughout the world. In 2005–2006, IJDH and BAI received extensive international media coverage, and were quoted in news stories in North and South America, the Caribbean, Europe, Asia and Australia.

International Tribunal on Haiti

The International Tribunal on Haiti, established in 2005, provides a platform for disseminating information about Haiti's human rights crisis, while at the same time assembling a case file to be presented to the prosecutor of the International Criminal Court in The Hague. IJDH was one of the founding members of the Tribunal, which had sessions in Washington (September 2005), Boston (November 2005) and Miami (March 2006). IJDH provided the Tribunal with legal analysis and factual information, and IJDH's director served as a judge in two of the sessions.



IJDH's Director Brian Concannon and BAI's Director Mario Joseph speak before fifteen thousand activists at the School of Americas protest in Fort Benning, GA.

Linda Panetta photo, www.OpticalRealities.org, www.soawne.org

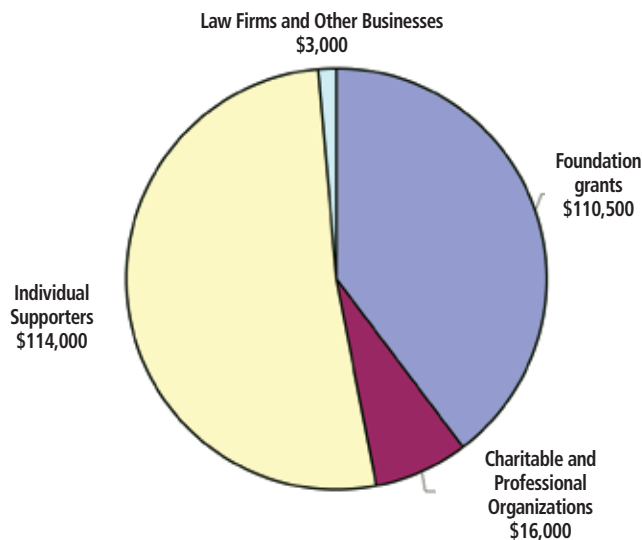


Chapter 4: Financial and Organizational Information for 2005

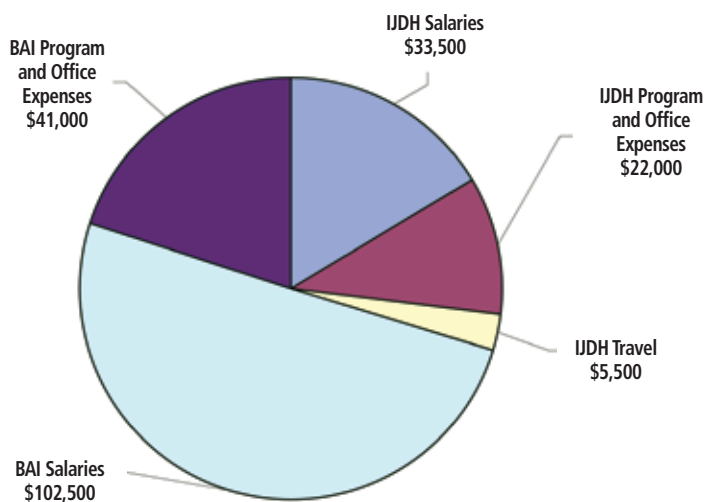
IJDH Finances: April 1, 2005 – March 31, 2006

Thanks to the remarkable generosity of our supporters, IJDH increased its revenue in fiscal year 2005–2006, and consequently expanded its programs.

IJDH Income 2005–2006



IJDH Expenses 2005–2006



Revenue for 2005–2006

Total contributions reached \$243,500 during the fiscal year, a 87% increase from our previous year. Overall, 152 individuals and families contributed \$113,698, or 47% of the total. Foundation grants totaled \$110,500, or 45% of the total, and charitable, professional and business organizations 8%.

Expenses for 2005–2006

IJDH's expenses during the fiscal year were \$204,108, an increase of 88% over the previous year. Support for BAI constituted 70% of expenses.

Frugality, hospitality and in-kind donations keep IJDH's expenses very low, leaving most of the organization's money available for programs in Haiti. The design of this report and the Institute's U.S. office space, bookkeeping and much of its web design are donated. During the fiscal year, IJDH's staff spent over 60 nights traveling, but only \$239 in hotel bills.

Who we are: IJDH Board members and staff

IJDH Staff

Brian Concannon Jr., Esq., IJDH's Director. Human rights lawyer and activist Brian Concannon Jr., worked in Haiti from 1995–2004, first with the United Nations, and from 1996 as co-manager of BAI. He is a graduate of Georgetown University Law Center (J.D.) 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 was a fellow of Harvard Law School's Wasserstein Public Interest Fellows Program for 2005–2006.

Mario Joseph, Av., BAI's Managing Attorney. Lawyer and educator Mario Joseph is 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 and he provides legal training to Haitian human rights organizations. Mr. Joseph appears frequently on Haitian television and radio as a commentator on justice issues. In 2005, he was elected to the governing Bureau of the International Association of Democratic Lawyers. Mr. Joseph runs considerable risks in his work: he regularly receives threats; in 2004 his wife and daughters were forced to move to the U.S. where they received political asylum.

Maren Dobberthien, MPA, Rechtsassessor, IJDH and BAI. German lawyer Maren Dobberthien worked in Port-au-Prince for BAI and IJDH from July 2005–July 2006, on a Third Millennium Human Rights Fellowship from Harvard University. Ms. Dobberthien received an MPA from Harvard University's John F. Kennedy School of Government, and a law degree from the University of Trier Faculty of Law. In Haiti, she drafted pleadings for national and international lawsuits, investigated human rights violations, prepared reports, and worked with grassroots human rights organizations.

BAI Contract Lawyers. Several lawyers pitched in on specific cases throughout the year, providing the legal team an important boost at critical times.

Pascalie Duvivier, BAI Office Manager. Pascalie has worked in human rights in Haiti for over 12 years, with the United Nations and the BAI. In addition to managing the office's administration and finances, Pascalie translates among Haitian Creole, French, English and Spanish, and coordinates with grassroots organizations.

Manes Cadet, BAI Office Assistant. Manes does everything at the BAI that is not already someone else's job, which includes keeping the office and its equipment supplied and running, making copies and deliveries, sneaking gunshot victims through blockades to the hospital, and driving internal refugees to safe houses.

Lucien Moricette, Jules Jean-Macksen, Jean Naby Lexiné, BAI Security Agents. With high levels of both political repression and common crime, BAI Security Agents had their hands full keeping the office and employees safe. But they found time to answer phones and receive victims and members of grassroots organizations.

IJDH Virtual Internships

IJDH's Virtual Internship Program (VIP) attracts highly qualified law students from across the United States who volunteer to work on the Institute's cases and organizational projects from their homes and schools. The innovative VIP program harnesses telecommunications technology to amplify the Institute's work while giving students valuable experience in the human rights field.

2005–2006 Virtual Interns:

Stephanie Corcoran, St. Thomas University School of Law
Jessica Herrington, Catholic University School of Law
Lamar Litz, University of California Los Angeles School of Law
Jessica McDonald, University of Oregon School of Law
Angela Onikepe, University of Pittsburgh School of Law
Melissa Sachs, University of Pittsburgh School of Law
Annamaria Turlea, Seattle University School of Law

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 was the subject of the best-selling book, *Mountains Beyond Mountains*, and the recipient of a MacArthur "Genius" Fellowship. He divides his time between the PIH clinics in Cange, Haiti and Rwanda, and Harvard Medical School.

Laura Flynn, MFA, Fellow, University of Minnesota Human Rights Program. A writer and activist, Ms. Flynn co-founded the Bay Area Haiti Action Committee and the Haiti Accompaniment Project. She worked for five years in Haiti, where she was the Director of International Relations for the Aristide Foundation for Democracy.

Ira J. Kurzban, Esq., Chair of IJDH's Board. One of America's pre-eminent refugee lawyers, Mr. Kurzban has represented Haitian refugees for more than 27 years, and was the legal counsel for Haiti's democratically elected governments from 1991 to 2004. The National Law Journal named him one of the top twenty immigration lawyers in the United States, and he is the author of the widely read "Kurzban's Immigration Sourcebook."

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

Bryan Stevenson, Esq., founder and Executive Director of the Equal Justice Initiative of Alabama, and Professor of Clinical Law, New York University. A tireless and successful advocate for death-row inmates, Mr. Stevenson has received the Reebok Human Rights Award and a MacArthur "Genius" Fellowship.

Irwin Stotzky, Esq., Professor of Law, University of Miami; Director, Center for the Study of Human Rights, author of a book on democratic transitions in Haiti, and dozens of articles and book chapters on human rights and immigration law. Professor Stotzky has advised Haiti's elected governments on justice, immigration and drug control matters.

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Contributions may also be made on our website, with a credit card or Paypal account, at www.ijdh.org.