



## Summer Newsletter 2010

### Letter from the Director

Dear Friends,

Since January 12, we have been working hard at IJDH and BAI to respond to the massive needs generated by Haiti's earthquake. In some ways, our work has remained the same. All of our legal and advocacy work is designed to help our clients, and the poor of Haiti in general, to escape chronic poverty and vulnerability to disasters through the enforcement of their basic rights. These rights include civil and political rights, but also the rights to food, water, shelter and education.

Many of our supporters have responded to Haiti's earthquake by writing letters, calling their representatives, donating generously both their time and their money, and offering emotional support. Nicole Phillips, a long-time IJDH collaborator, quit her law firm job to volunteer for us full time, and 380 lawyers and law students signed up for our Lawyers' Earthquake Response Network (LERN). Many others have organized fundraisers, helped with our website and joined delegations to Haiti. We are profoundly grateful for this generosity. It not only has allowed us to increase the legal services we provide to people in great need, it helps us take advantage of unique opportunities to use legal intervention now to make enduring changes that will build a more just Haiti less vulnerable to natural and man-made disasters.

But every day we are faced with even more unmet legal needs: women raped in the displacement camps, families evicted from their tents. **Even more important, we see more limited-time opportunities for legal intervention now to make a long-term improvement in the lives of all poor Haitians. We have a system that successfully delivers justice for Haiti's poorest, but we need to hire more lawyers to expand the system to meet the expanded needs and opportunities generated by the earthquake.**

**In short, we need to double our legal staff this year to meet the challenges of Haiti's earthquake.** We are, therefore, asking our supporters to consider doubling their previous financial support to help us reach this goal. We know this is asking a lot, that times are still tough, and that many of our supporters have already contributed to other Haiti causes. But we promise to work harder than ever to make sure our donors' generosity is translated into a more just society for Haiti's poor.

Peace and Justice,

Brian Concannon Jr., Esq., Director



"IJDH and BAI are so much more than just lawyers. Real change is more than lawyers acting alone. Real change is finding leverage points and thinking about systems. Real change is community. Real change is having the people involved in the work. Real change is happening at IJDH and BAI."

– Colleen McLaughlin,  
IJDH Volunteer and  
Supporter

# Responding to Haiti's Devastation

## Advocating for the Human Rights of Earthquake Victims

The earthquake's destruction was in large part a failure of the rule of law. Most of the over 200,000 people killed in the disaster died in the collapse of poorly-constructed houses in overcrowded slums perched on steep hillsides. If zoning and building codes had been stronger and enforced, fewer people would have died. A long history of rights violations forced Haiti's poor to live on the steep hillsides. Those who survived are now forced to live in abysmal conditions under sheets and tarps in displacement camps, where they suffer more rights violations.



BAI opened its doors the day after the earthquake to help clients and neighbors however it could. We distributed over \$20,000 in direct assistance, hosted medical clinics and provided a safe space for women to organize and seek respite from the camps. Now IJDH and BAI are turning our attention from short-term back to long-term needs. As we have done for the last fifteen years, we will continue to work closely with poor Haitians to challenge the unjust structures that keep them poor and vulnerable to earthquakes, hurricanes and man-made disasters.

### Lawyers' Earthquake Response Network

On January 17, IJDH launched the Lawyers' Earthquake Response Network (LERN), a national network of 380+ U.S. lawyers working with Haitian lawyers to implement a legal response to the earthquake.

LERN has already sent four delegations to Haiti to investigate and report on camp conditions and rapes, and to prepare applications for humanitarian parole. LERN lawyers have testified at the Inter-American Commission on Human Rights and presented information to Congress, the Administration and the UN Human Rights Council. LERN lawyers have also contributed hundreds of hours of research and advocacy time on a range of issues, including immigration, environmental law, women's rights, housing and disability issues.

### Rape Accountability and Prevention Project

Last month, IJDH and BAI launched the Haiti Rape Accountability and Prevention Project (RAPP) to respond to the epidemic of rapes against poor women and girls in Haiti. The Project provides individual victims of rape and other sexual assault the legal services and grassroots organizing training they need to obtain justice and compensation, while attacking the legal and social structures that keep poor women vulnerable to rape.



We have worked closely with grassroots women's groups to prepare a collective response to the rapes, including resources for self-protection, and to

coordinate healthcare services and counseling for rape survivors. We distributed 1,500 whistles through the groups in late May to serve as a tool for both self-defense and organizing. IJDH and BAI co-produced a compelling video on rapes since the earthquake with Digital Democracy, the New Media Advocacy Project and Partners in Health (available on [www.ijdh.org](http://www.ijdh.org)).



Also, last month, IJDH sent a high-level investigative delegation from the U.S. including lawyers, community organizers, and a women's health specialist. The delegation spent a week in Port-au-Prince investigating the prevalence of rape and the law enforcement response, interviewing victims and holding meetings with representatives from the Government of Haiti, the UN, large NGOs and grassroots groups. The delegation filed a written statement with the UN Human Rights Council, and an IJDH lawyer accompanied a rape victim from Haiti to testify before the Council earlier this month. The delegation's findings have laid the groundwork for the next phase of the project, pursuing cases in Haitian and international forums, against individual perpetrators and authorities who fail to respect their duty to protect vulnerable women and provide assistance to rape victims.

### Fighting for Safe Housing

After the earthquake, over 2 million survivors sought refuge in camps on available land. To add insult to injury – camp conditions are abominable to begin with – thousands of camp residents have been forcibly evicted or threatened with eviction by the Haitian government and private landowners. A 3-week moratorium on evictions with the Haitian government ended on May 13, and even during that period, reports of evictions continued.

In May, IJDH conducted a two-week investigation in Haiti to gather evidence of evictions that violate international law and human rights standards. IJDH is now preparing a petition to the Inter-American Commission on Human Rights (IACHR) on behalf of Haitians who have been evicted or threatened with eviction from IDP camps without a viable alternative for their relocation. The petition will seek Provisional Measures (injunctive relief) and request a moratorium on evictions until the Government of Haiti implements a national policy for relocating camp residents that complies with international standards. The petition will be accompanied by public advocacy in Haiti and the U.S. to bring attention to the evictions' illegality and the need for a national policy on evictions.



## Immigration Opportunities:

### Securing Safe Haven in the United States

The January 12 earthquake has generated great needs, but also opportunities for U.S. immigration policies to save lives, reunite families, facilitate orderly migration, and help Haiti recover by speeding the flow of remittances to hundreds of thousands in need in Haiti. IJDH is working through LERN to help coordinate the nationwide provision of Temporary Protected Status (TPS) services, by linking overwhelmed service providers with volunteer lawyers and collecting information and training materials through the creation of a new website tool, the *Haitian Immigration Pro Bono Project* ([probono.net/HaitianImmigration](http://probono.net/HaitianImmigration)), and advocating around challenges to implementation such as waiver of onerous application fees.

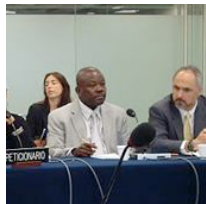


IJDH is also coordinating nationwide advocacy for humanitarian parole into the United States of 55,000 beneficiaries of approved immigrant visa petitions languishing in Haiti waiting for their priority dates to become current; earthquake victims in need of medical treatment, prosthetics, rehabilitation and psychiatric care; victims of gender-based violence; and members of other vulnerable groups. IJDH has lobbied key Administration officials including Vice President Joe Biden and drafted legislation for inclusion in the Haiti Supplemental spending bill.

IJDH's Haiti Asylum Information Project (HAIP), established in 2004, has provided asylum applicants from across Haiti's political spectrum the expert testimony and country condition information they need to present strong cases. This expertise is particularly important now, as lawyers, judges and asylum officers attempt to understand the post-quake situation.

## Making Our Voices Heard

As the proverb goes, *à quelque chose malheur est bon*, or every cloud has a silver lining. The world's spotlight is on Haiti, and we are using this opportunity to make our voice, and the voices of our grassroots collaborators in Haiti, heard. In the last five months, we have: met with several members of Congress and top Administration officials, testified before the Inter-American Commission on Human Rights, participated in an NGO consultation hosted by the UN Office of the Special Envoy, been regularly quoted in the press, appeared on radio programs throughout the world, and at the request of the New York Times, selected important articles for the 'Times' on-line Haiti Earthquake section. We will continue to apply pressure among powerful actors in the international community and work to ensure that justice and human rights in Haiti stay on the world's radar screen.



## Program Update

### Health and Human Rights In Prisons Project

BAI lawyers have continued to fight for the human rights of prisoners languishing in Haitian jails through our Prison Project. Since the earthquake, BAI Attorneys have assisted several unjustly held prisoners obtain release and return to their families. For example, in March, the BAI secured dismissal of charges brought against a woman arrested and charged with murder after she killed her husband in self-defense during a particularly brutal attack. Victories like these demonstrate the importance of our medical-legal collaboration with Partners in Health and show that the justice system in Haiti can be made to work for the poor if pushed. We will continue to fight so that imprisoned men and women receive the fair process they deserve and the unjustly imprisoned return to their families. The importance of our efforts to reduce prison population and improve conditions was highlighted by recent reports of the January 19 prison massacre in Les Cayes.



The HHRPP is fulfilling our goal of creating a corps of trained, public interest attorneys in Haiti. We have young, idealistic lawyers working in all three pilot locations, St. Marc, Hinche and Mirebalais. Thanks to the International Senior Lawyers Project, Canadian defense attorney Daniel Tardif recently spent a month in Haiti training our lawyers on criminal defense techniques.

## Office Update

**IJDH is moving its headquarters from rural Oregon to Boston in July!** We are excited for this opportunity to build capacity, work more closely with our partners and step-up our advocacy efforts on the East Coast.

We do not have a physical address yet, but our mailing address is now P.O. Box 52112, Boston, MA 02205-2112, our telephone number is (617) 652-0876.

## Staff Update

We are excited to welcome the newest additions to our staff in the U.S. and Haiti!



Nicole Phillips  
Staff Attorney



Jocie Philisten  
BAI Paralegal

# Thank You to Our Supporters (April 1, 2009 – March 31, 2010)

## Foundations

Agatson Family Foundation  
Bernice Jenkins Foundation  
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Larson Legacy Foundation  
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Kara Grant  
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Katie Kane  
Colleen McLaughlin  
Max Monclair  
Regine Monde  
Kasia Paprocki  
Laura Raymond  
David Schmidt  
Rosny St. Louis  
Ian Umeda  
Everyone who has joined LERN - too many to name here!

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Laura Flynn, MFA  
Ira Kurzban, Esq.  
Bryan Stevenson, Esq.  
Irwin Stotzky, Esq.

## Join!

Consider joining these courageous individuals and making a donation to IJDH or signing up to volunteer. We will work to make sure your generosity is turned into tangible justice for Haiti's poor, the hardest hit victims of the recent earthquake.

**To donate, mail checks to: PO Box 52112, Boston, MA 02205 or visit <http://ijdh.org> to contribute on-line**

IJDH is an approved 501(c)(3) charitable organization, and all donations are tax deductible to the full extent of the law.