



# 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 staffers 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.

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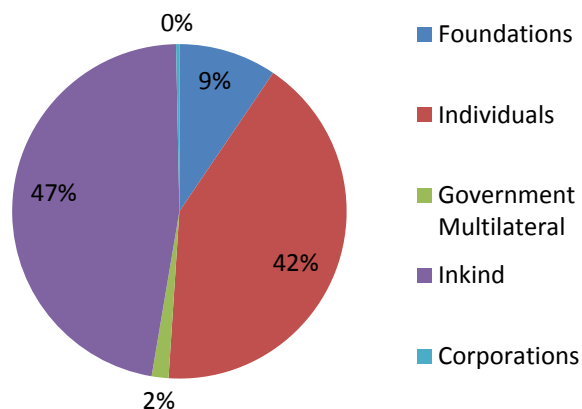
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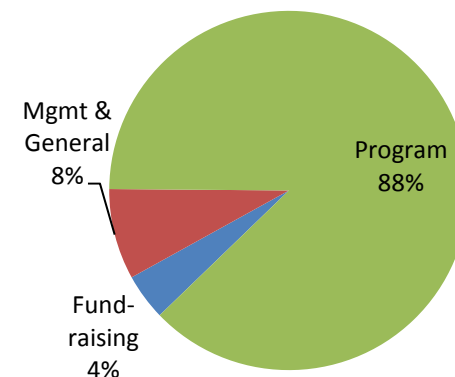
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<b>Assets:</b>	
Currents Assets	127,645
Long Term Assets	1,097
<b>Total Assets</b>	<b>128,742</b>
<b>Liabilities:</b>	
Current Liabilities:	34,103
<b>Total Liabilities</b>	<b>34,103</b>
<b>Net Assets:</b>	
Net Assets, unrestricted	26,764
Net Assets, temporarily restricted	67,875
<b>Total Net Assets</b>	<b>94,639</b>
<b>Total Liabilities and Net Assets</b>	<b>128,742</b>

### Revenue



### Expense



### Statement of Activities and Changes in Net Assets

<b>Changes in Unrestricted Assets:</b>	
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
<b>Increase in Unrestricted Net Assets</b>	<b>10,732</b>
<b>Changes in Temporarily Restricted Assets:</b>	
Grants and Contributions from Donors	315,423
Net Assets Released from Restrictions	(346,477)
<b>Decrease in Temporarily Restricted Net Assets</b>	<b>(31,054)</b>
<b>Decrease in Net Assets</b>	<b>(20,322)</b>
Net Assets at Beginning of Year	114,961
<b>Net Assets at End of Year</b>	<b>94,639</b>

### Where the money was spent

