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Folder Title:

Haiti-Safe Haven, 1994-1995 [1]

Staff Office-Individual:

Multilateral & Humanitarian Affairs-Schwartz, Eric

Original OA/ID Number:

3416

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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Robert Malley to Kristen Cicio, re: [Haitians] (1 page)	09/11/1995	P1/b(1)
002. memo	Caroline Lavoie, HUM Manager, Save the Children Federation to Vivian Weiner, Desk Officer for Latin America, Save the Children Federation, re: Bi-Weekly Status Report on the Haitian Unaccompanied Minors (HUM) Project (3 pages)	04/20/1995	P6/b(6)
003. letter	Harold Hongju Koh and Ronald Slye to Eric Schwartz [partial] (1 page)	04/19/1995	P6/b(6)
004. list	Haitian unaccompanied minors (2 pages)	03/24/1995	P6/b(6)
005. paper	Discussion Paper: Safe Haven Arrangement (2 pages)	12/06/1994	P1/b(1)
006. paper	Discussion Paper: Safe Haven Arrangement (2 pages)	12/06/1994	P1/b(1)
007. memo	Eric Schwartz to Brad Hittle, re: [Haitian] (1 page)	03/14/1995	P6/b(6)
008. letter	Edward Saxon to Lawrence Rossin [partial] (1 page)	02/15/1995	P6/b(6)
009. paper	Re: unaccompanied minors (2 pages)	04/20/1995	P6/b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral & Humanitarian Affairs (Schwartz, Eric)
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FOLDER TITLE:

Haiti-Safe Haven, 1994-1995 [1]

2011-1045-F
ke1567

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Done

1

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Save the Children®

Haiti - Safe Haven

20 pages by fax
(30 will be by messenger)

1200 G. Street, N.W.
Suite 800
Washington, D.C. 20005 USA
(202) 434-8976

COVER MEMORANDUM

TO: Betsy Fitzgerald, PRM, Department of State

FROM: Beth Verhey, Children in War, Save the Children Washington Office
Direct Ph. 202-434-8719; Fax 202-637-9362

cc: Vivian Weiner, SC Westport, 203.221.4242
Wendy Young, Haiti UAM Project Consultant

DATE: 14 February, 1995

Dear Betsy,

Attached is Save's proposal for the Haiti Unaccompanied Minors Project. This fax includes: a cover letter from Save Vice President, Jim Kunder, the proposal narrative, the budget with notes, and two appendices -- one on Save's program background and the second is the Home Assessment Form. (M. Nandy may have already forwarded this Home Assessment Form to you when it was developed in Haiti by the Embassy, UNHCR and Save, ISW, ICRC.)

I will also send your office a hardcopy full proposal by messenger today. We are forwarding the proposal to Susan Kingsley and Mike Troje, UNHCR and to our Haiti Field Office Director, Bert Laurent to share with ISW in Haiti. I trust it is preferable to have the proposal forwarded to the Embassy, M. Nandy, in Haiti by your office directly

You will see in our cover letter that we propose a joint meeting to discuss the proposal between your office, Save and UNHCR Washington. We would be available to meet as soon as tomorrow or according to your schedule this week. Of course your office needs to determine how to proceed, but we would propose to conference in parties in Haiti and M. Troje in Guantanamo to bring together the layers of communication. The report by ICRC (in a meeting M. Nandy had yesterday in Haiti) of demonstrations in the Jeremie area in Haiti against the minors' return is a concerning example of how carefully this project must proceed.

Cover Memo Page 2

Further, in the proposed joint meeting, we would like to discuss the questions we raise in our cover letter and potential proposal and budget adjustments. (For example in the budget, we have been waiting for information from Haiti regarding the equipment items because we feel it should be feasible to rent/lease these items versus buy them as is currently budgeted and the Haiti ISW salaries reflect a verbal proposal of \$100 Haitian/per day inclusive of fringe roughly converted to US\$ at present.) Because of the environment in which the project is being developed, a number of refinements will have to be made as the project gets underway towards implementation.

Thanks for your patience in this project development process.



54 Wilton Road
P.O. Box 950
Westport, CT 06681 USA
(203) 221-4000

14 February 1995

Ms. Phyllis E. Oakley
Assistant Secretary
Bureau for Population, Refugees, and Migration
Room 5824
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520-5824

Dear Ms. Oakley:

Enclosed is Save the Children's proposal for family reunification of Haitian unaccompanied minors in Guantanamo. I apologize for not submitting the proposal earlier.

The Haitian Unaccompanied Minors project proposal submitted herewith by Save the Children (SC) commits to making every effort to effect family reunifications for minors as determined by UNHCR within 6 months, but has an overall time period of 9 months. Because of numerous logistical and case complexities that can arise and that are beyond SC's control, we feel it is prudent and essential to allow for an adequate period to complete family reunifications. As has been discussed in previous communications, SC calculated the timeframe (based on smooth logistics, the number of cases and the number of available home outreach and assessment teams from Haiti's Institute for Social Welfare/ISW) to require a total of 5 months, covering home assessments, the reunification process of traveling from Guantanamo to the Haitian home, and the 30-day follow up visits. While we feel a 9-month contract period to be the most effective implementation timeframe, we would be willing to consider a grant agreement that allows for expenses incurred should we be unable to meet the 6 month goals, for reasons beyond our control.

To this effect, SC would like to propose a project progress review after 5 months of implementation. The project's progress would be reviewed in a joint meeting with SC, State Department and the U.S. Embassy/Haiti, UNHCR and other appropriate parties to assess remaining project needs and appropriate procedures for any outstanding cases.

One aspect of the proposal that we would like to highlight is SC's proposal regarding the repatriation grant scheme discussed for the minors. SC understands that the Department of State wants to follow the repatriation grant scheme of 200 Haitian Dollars that was used in other Haitian repatriations from Guantanamo Bay. SC proposes to work with the DOS to administer this grant to the minors as it may be inappropriate to send a minor home with a cash grant. SC is requesting an additional amount to cover grants toward the purchase of a culturally appropriate form of assistance or kit, such as covering school fees or providing the minor with a chicken or other appropriate farm item to contribute to the family's welfare.

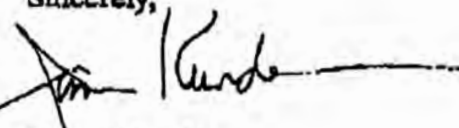
As the proposal review proceeds, SC would also like to discuss with the State Department the possible need of contingency funds for the interim care needs of the minors that may arise in Haiti. The proposal includes overnight allowances for needs in the escort and reunification phase. However, it is possible that more extended interim care needs will arise. In the instance of the initial caseload of minors being reunified without the home assessment phase, a few cases could arise where the family may not be at the anticipated location and tracing work must ensue. In addition, SC also recommends discussing the issue of legal custody and responsibility for the minors during the term of this project.

We further understand the Haitian unaccompanied minor project may involve some resettlement. Our understanding of the situation on the ground in Haiti suggests that any discussion of possible resettlement would greatly complicate and even hamper efforts to achieve family reunification for as many cases as possible.

Save the Children is highly concerned about the best interest of the Haitian children after they are repatriated from Guantanamo. We feel that the enclosed proposal represents minimal family reunification processes that are still in keeping with Save the Children's operating principles. I would like to request a joint meeting of Save the Children and UNHCR/Washington to discuss this proposal with your office upon its initial review.

Thank you for your consideration of this proposal.

Sincerely,



James Kunder
Vice President
Program Development

cc: B. Fitzgerald/State Department, Bureau PMR
M. Nandy/U.S. Embassy-Haiti
M. Troje/UNHCR
S. Kinsley/UNHCR
B. Laurent/SC-Haiti
B. Verhey/SC
ISW
ICRC

PROPOSAL

Haitian Unaccompanied Minor Project

1. Introduction

In close collaboration with the Haiti Ministry of Social Affairs' Institute of Social Welfare (ISW), the U.S. Embassy in Port-au-Prince, the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), and appropriate nongovernmental organizations (NGOs), Save the Children Federation (SCF) will implement a family reunification program for those unaccompanied minors currently identified and housed on Guantanamo Bay, Cuba for whom such reunification is judged appropriate and feasible.

The Haitian Unaccompanied Minor (HUM) Project will have as its objectives:

1. To reunify minors with their immediate family or an appropriate extended family caregiver when such reunification is in the best interests of the minor.
2. To access and mobilize community resources toward ensuring that a reunification is durable.

Under contract with the U.S. Embassy of Port-au-Prince,¹ SCF will make every effort to complete the HUM Project in six months. Given the complexities of the project and the number of factors that are out of SCF's control, however, we believe that it is prudent to enter into a contract period of nine months. This will maximize the potential of the project to locate family members in Haiti with whom a minor can reunite, thus minimizing the number of minors who will require resettlement in the United States.

SCF is willing to commit to an ambitious family reunification process that will begin with an initial caseload two weeks after a grant agreement is signed by SCF and the Department of State and will aim to have all minors off Guantanamo Bay three months after SCF staff has begun to implement the project.

¹ SCF currently understands this to be the proposed grant process.

2. Problem Statement and Rationale

A number of unaccompanied minors, ranging in age from 6 to 17 years, are currently housed at U.S. facilities on Guantanamo Bay, Cuba. SCF believes that it is not in the best interests of the minors to remain on Guantanamo Bay for any longer than necessary. Since conditions in Haiti have improved, SCF believes that return to Haiti is the most appropriate durable solution for those minors for whom 1) family or extended family caregivers can be identified and traced; and 2) home assessments reveal that return to the family or an extended family caregiver is in their best interests.

Overall planning of a repatriation operation must be geared toward minimizing vulnerability of the repatriated person and addressing his or her special needs. The individual needs of the minors will vary according to their age and various family and sociopolitical factors. SCF envisions that a range of case scenarios--from minors for whom reunification with receptive families can be carried out to minors whose families are not traceable--will be presented by the unaccompanied Haitian minors.

SCF is committed to implementing programs and upholding policies that are responsive to the rights, psychosocial needs, and interests of displaced and refugee minors. SCF, through its Children and War Program, has a great deal of experience in other parts of the world, such as Mozambique and Rwanda, implementing programs that protect the rights and interests of displaced and refugee minors. (See Appendix). This experience and expertise will guide our implementation of the HUM Project.

3. Program Overview

ICRC is assisting in repatriation efforts by tracing the addresses of minors' family members and identified extended family caregivers. ICRC is performing this work in accordance with its guiding principles, which include strict case confidentiality. This means that ICRC will communicate its tracing results only to UNHCR. Because of the ambitious timeframe that has been laid out for the project, SCF has agreed in program discussions with the U.S. Embassy and UNHCR that it will augment ICRC's tracing efforts through the community outreach function of its home assessment efforts.

It is important that the needs of the minors are met on a case-by-case basis. SCF is prepared to facilitate family reunifications for cases in which that proves to be a viable option, recognizing that the best interest of a child is typically to return to his or her family or extended family caregiver. No reunification will be forced. Minors will not be sent to homes prior to contacting the relevant family or extended family caregiver or to families who clearly are not able to care for them.

Two tools have been developed to determine the individual needs of each minor. UNHCR is conducting interviews at Guantanamo Bay. These interviews form the basis for subsequent tracing efforts. Second, SCF will complete a home assessment in each case in which a family member or extended family caregiver has been located to confirm that the minor is able to return to a safe and viable home. This assessment will include completion of the home assessment form, developed in Haiti by the U.S. Embassy's Office of Refugee and Migration Affairs and UNHCR, with input from ISW, ICRC, and SCF. (See Appendix 2).

Ongoing project design discussions with the Department of State have resulted in the understanding that SCF will not identify alternative placement sites in Haiti for those minors for whom family reunification is impossible, given the scope of this grant. The criteria for the HUM Project is that reunifications will be effected for those minors for whom family or extended family extended family caregivers are identified and found viable and safe. It must be understood that current case information shows that the vast majority of minors have reported dead or missing parents.

For those minors for whom reunification is not an option, SCF understands that the U.S. government will arrange for resettlement in the United States. SCF will not play a role in these resettlement cases. However, if in reviewing the outstanding caseload at the end of this project, discussions with UNHCR, the Department of State, and ISW result in a determination that further extended family tracing or alternative placement in Haiti would be in the best interests of the minor, SCF is willing to consider extending the HUM Project.

4. Project Initiation: Management and Staffing

SCF will assume the following management responsibilities:

- Logistical planning, including opening a Jeremie regional office and acquisition of equipment and supplies;
- Personnel hiring, training, and supervision;
- Record-keeping; including maintenance of a complete, up-to-date computer tracking system to monitor case progress and program implementation;
- Case management and confidentiality;
- Ensuring that HUM Project objectives are met;
- Regular reports to be submitted to the U.S. Embassy at agreed-upon times;
- Regular HUM staff meetings; and
- Interagency coordination meetings, efficiency of work flow and if necessary, letters of agreement with the ISW, U.S. Embassy, UNHCR, ICRC, and other parties.

The HUM Project will be managed, on a day-to-day basis, by a Program Manager under the supervision of the SCF Haiti Field Office Director.

The HUM Project will draw upon the SCF Children and War Program for project design, training materials, technical assistance, ongoing monitoring, and guidance.

SCF/Haiti will cooperate with the U.S. Embassy Office of Refugee and Migration Affairs in issues of policy direction. SCF/Haiti will submit periodic progress reports to the U.S. Embassy and Department of State, as mutually agreed upon.

SCF will require a 25-person professional staff for the HUM Project in seeking to carry out all of the functions outlined below within a six-month period. Twenty of these staff positions will be filled by ISW staff seconded to the project to conduct home outreach and assessments. Should the project require the requested nine-month contract period, we anticipate that only four of the ISW staff will be needed for the last three months of the project.

Approximately half of these staff persons will be detailed to a Jeremie regional office, which SCF will set up immediately after the grant agreement is signed. The Jeremie office will be essential to the

smooth and timely implementation of the project, as approximately half of the returning children come from the Grande Anse Departement. This regional base is needed to ensure the logistical efficiency of the home outreach and assessment component.

5. Project Timeframe and Caseflow Overview

SCF proposes that the HUM Project begin immediately, so as to permit time for administrative and logistical start-up and full deployment of project resources by the time the first minors are returned.

The U.S. Embassy has asked SCF to receive and reunify with their families an initial caseload of minors within two weeks after the grant agreement has been signed. Those minors whose cases, in the opinion of UNHCR, present no family reunification problems will be returned to Haiti as this first group. UNHCR is willing to forgo home assessments for this group. SCF will therefore receive and escort the minors directly to their homes, scheduling a follow-up visit for 30 days after the reunification to assess its continued viability. UNHCR currently estimates that 45 minors fall in this category. This number may fluctuate, however, as tracing reveals more about their situation and the potential reunification.

SCF anticipates that three months after the project is set up we will have every minor for whom reunification is possible off of Guantanamo Bay and returned to an appropriate living situation. To do this, we will form ten home outreach and assessment teams of two workers each. Each team will be responsible for approximately 35 cases, overseeing the home assessment, reception and escort, and follow-up visit components for each of its assigned cases. SCF will stagger the case components toward seeking to have every minor returned to Haiti and follow-up visits completed at the end of six months.

It is important to recognize the complexities and hurdles the caseflow process will face. The timeframe anticipates that at least one home assessment can be completed each day. In addition to logistical difficulties, it is anticipated that in some cases the parent or family will not be there. Alternatively, further evaluation may be required. In other cases, interim care may be necessary. This may be short-term overnight care, as envisioned for the reception or

escort stage, or longer-term. For example, a few minors in the initial caseload of 45 may turn out to not have the anticipated family or their family may not be located.

This is an ambitious timeframe, the success of which will depend on complex logistical arrangements, such as reliable transportation, and the timely and complete flow of information between Guantanamo Bay and all parties in Haiti.

The Project will be based on the following procedure, the steps of which are explained in detail in subsequent sections:

- After completion of a tracing, ICRC will furnish UNHCR with the addresses of the receiving family or extended family caregiver, if the family consents to that information being passed along. SCF may conduct tracings in some cases.
- Once UNHCR has communicated the location of a family or extended family caregiver to SCF, SCF will act as the primary agency for assessing the appropriateness of the potential reunification. To do this, SCF will dispatch a home outreach and assessment team to conduct an assessment of the receiving family or extended family caregiver.
- The completed home assessment form, including SCF's recommendation, will be transmitted to UNHCR on Guantanamo Bay.
- Based on SCF's recommendation, UNHCR will formally determine a durable solution for each minor.
- SCF will implement UNHCR's decision if it calls for reunification. This will entail preparing the receiving family for the return, reception of the minor upon his or her return to Haiti, escort to the receiving home, reunification, and a follow-up visit approximately 30 days later.

6. The Home Assessment Process: Identifying Appropriate Reunifications

Documentation is the first step toward identifying an appropriate placement. The U.S. Department of Justice/Community Relations Service (CRS) and UNHCR have collected information from the unaccompanied minors on Guantanamo Bay in order to identify family and extended family caregivers in Haiti who may be able to reintegrate the minor into their household upon the minor's return to

Haiti. Using the biodata collected by CRS and UNHCR, ICRC has begun family tracing for unaccompanied minors.

Performance of home assessments will be a crucial second step after tracing has verified the existence of the potential receiving household.

Since the home outreach and assessment teams will be staffed by ISW employees, SCF will be able to draw upon their familiarity with Haitian customs and family relations. In exchange, the home outreach and assessment teams will be trained and supervised by SCF staff, thus providing ISW with important training opportunities in child welfare practices. For quality assurance, SCF supervisors will also be responsible for writing the conclusions and recommendations of the home assessment forms. One SCF supervisor will be based in ISW offices to ensure full collaboration. The second supervisor will be based in the Jeremie regional office to facilitate the logistical requirements of the staff and caseload there.

Following the home assessment form, for each home assessment the home outreach and assessment teams will collect and analyze the following information:

- Names, ages, and occupations of all family and receiving household members;
- An evaluation of the family, including verification that the minor did in fact live with the family, the physical home environment, income level, ability to provide for the returning minor, availability of educational opportunities, evidence of abuse or neglect, and the willingness of the family head of household to resume responsibility for the child; and
- An evaluation of the biological/nuclear family, if different from the receiving household, including the reason for the minor not living with the biological/nuclear family.

Each home assessment form will be recorded and sent to UNHCR on Guantanamo Bay. Based on SCF's recommendation, UNHCR will determine the most appropriate durable solution for the minor, which it will then communicate to SCF.

For those minors for whom reunification is impossible or inappropriate, SCF understands that UNHCR and the U.S. Government plan to pursue resettlement in the United States. These cases fall

outside of SCF's role and the scope of this Project, as SCF understands that identification of alternative placement sites in Haiti for such minors will not be necessary.

For those minors for whom UNHCR judges reunification to be appropriate, SCF will prepare for the minor's return. For cases in which UNHCR might have concerns and questions regarding SCF's recommendation, the home outreach and assessment teams will follow up with further work to obtain additional evaluative information.

Home outreach and assessment staff will also liaise with and mobilize resources in the communities to which minors are being returned. SCF will thus seek to perform the following functions:

- Liaise and coordinate with community leaders who could assist in family tracing for those families that ICRC has been unable to locate;
- Conduct tracing work itself, particularly to identify extended family members who may be able to assume care of the minor; and
- Identify and mobilize community resources that may be available to the minor, thus increasing the viability of the reunification. Such resources might include educational facilities, health services, apprenticeships, and vocational opportunities. Assessing the sociopolitical context to which a minor is returning is a standard practice in tracing and home assessment work.

7. Reception and Escort

Once it has accepted a reunification recommendation from SCF, UNHCR will prepare the minor for return through information sharing and counseling at Guantanamo Bay. SCF and ISW will share information and provide counseling to the receiving family in Haiti.

SCF understands that the U.S. government is responsible for transportation of the minors from Guantanamo Bay to Haiti. SCF recommends that the minors be accompanied by UNHCR or an NGO with experience in handling refugee and refugee-like returns.

SCF will receive the minors at the port of arrival. The home outreach and assessment team that conducted the home assessment for the

minor will receive the minor and escort him or her to the reunification site.

Given the approximate 20-hour boat journey from Guantanamo to Haiti, an overnight stay in Port-au-Prince may be required before the minor is escorted to his or her receiving home.

SCF strongly recommends that those minors from the Grande Anse Departement be disembarked in Jeremie rather than Port-au-Prince. Based on ongoing discussions, SCF understands that the U.S. government is currently seeking to arrange for Jeremie disembarkations. This would greatly facilitate the logistical burden of returning these minors to their homes and relieve the project of the costs of providing overnight accommodations in Port-au-Prince and overland transportation from Port-au-Prince to Jeremie. It also would facilitate the timeliness of the entire project, freeing up critical home outreach and assessment team time to focus on other cases rather than spending critical days escorting minors from Port-au-Prince to Jeremie.

The SCF mental health counselor will participate in the reception. SCF understands that a psychiatrist has been working with some of the minors on Guantanamo Bay. Our current case understanding is that the case load includes repeated rape victims. The psychiatric care provided on Guantanamo Bay may require follow-up to link the minor with existing services available in Haiti once the minor has returned. The SCF mental health counselor will assist the home outreach and assessment teams in accessing appropriate community-based services.

SCF requests that the mental health counselor and one additional SCF HUM Project member be granted permission to travel to Guantanamo Bay upon project initiation to plan for the minors' needs in Haiti. A confidential discussion with the psychiatrist and other staff on Guantanamo Bay is the only way essential case planning information can be obtained.

8. Family Reunification

SCF will seek to ensure that a reunification is durable and meets the best interests of the minor. International experience has shown that some families may need additional supports and services in order to

be fully capable of reabsorbing a minor back into the household. Such assistance can take several forms and aims to ensure that the minor is not stigmatized by the assistance. In other projects, SCF has facilitated such assistance as access to education, apprenticeships or vocational training, or health services for the minor. Alternatively, such assistance may take the form of a "kit" which the minor will take back, such as personal items, agricultural implements, or a chicken or goat. Of course, the Department of State is familiar with such reunification practices via our extensive experience in Southeast Asia.

SCF understands that the Department of State wants to follow the repatriation grant scheme of 200 Haitian Dollars that was used in other Haitian repatriations from Guantanamo Bay. SCF proposes to work with the Department of State in administering this grant to the minors as it may be inappropriate to send a minor home with a cash grant. This aspect of the reunifications will need further refinement during project implementation to accommodate the Haiti context and case specific needs. SCF is requesting an additional amount to cover grants toward purchase of a culturally appropriate form of assistance or kit, such as covering school fees or providing the minor with a chicken or other appropriate farm item to contribute to the family's welfare.

9. Post-Reunification Follow Up

In keeping with minimal child welfare practices, SCF proposes a system to follow up all reunifications. The home outreach and assessment team that facilitated the reunification will visit the family approximately 30 days after the reunification has been performed. The purpose of the visit will be to verify that the reunification is sustainable and continues to be in the best interests of the child. The reports resulting from these visits will be included in the case files that will be transferred to ISW at the conclusion of the project. Copies will go to UNHCR and the US Embassy.

The mental health counselor will participate in follow-up visits with those minors who have experienced mental health problems.

Standard child welfare and reunification practices usually include a six-month follow-up as well. SCF will work closely with ISW to ensure they will be able to conduct the further follow-up visits after the conclusion of this project.

10 Phase-Out: Transition to Haitian Initiatives

It is essential, particularly given the relatively short duration of SCF's involvement with this population, that SCF facilitate transition of the case work to ISW and other local programs available in Haiti. SCF will work with ISW to plan for additional follow-up monitoring to ensure that the reunification continues to protect the best interests of the minor. This will include continued work with community programs and resources identified in the home assessment process as available to the minor.

SCF plans to wrap up the project by conducting a de-briefing session with ISW, including transfer of the case files to them.

11. Documentation and Evaluation

SCF will carefully document case progress and management throughout the implementation of the HUM Project. A critical component of this documentation will be the computer tracking system, which will be maintained in the Port-au-Prince Field Office by an administrative support staff. Documentation will also include the case files and home assessment forms. The Field Office Director and Project Manager will also coordinate periodic reports to the U.S. Embassy regarding the progress and impact of the project. The final report will include an evaluation of the overall project.

016

HAITIAN UNACCOMPANIED MINORS PROJECT
PROPOSAL BUDGET (in US\$)

1. PERSONNEL

SALARIES

Expatriate Staff	
HUM Project Manager (1)	22,000
(\$2,444.44/month * 9 months)	
Jeremie Office Coordinator (1)	20,000
(\$2,222.22 * 9 months)	
Assessment Supervisors (2)	39,600
(\$2,200.00/month * 2 supervisors * 9 months)	
Sub-Total Expatriate Staff Salaries	81,600

Local Staff

Home Outreach & Assessment Workers (20 ISW workers)	
(\$33.00/day * 20 days * 9 months * 20 workers)	118,812
Mental Health Counselor (1)	
(\$30.00/day * 20 days * 9 months)	5,400
Secretary/Archivist/Tracking System (1)	
(\$583.34/month * 9 months)	5,250
Drivers (4)	
(\$222.23/month * 4 drivers * 9 months)	8,000
Casual Labor	2,500
Sub-Total Local Staff	139,962

FRINGE BENEFITS

22% of Expatriate Salaries	17,952
12.5% of Local Salaries	
(excludes \$118,812 of ISW workers' salaries)	2,644
Total Fringe Benefits	20,596

CONSULTANTS

Design, training, assessment and evaluation consultant fees	15,000
---	--------

OTHER PERSONNEL COSTS (For Prog. Manager)

Housing (\$700.00/month * 9 months)	6,300
Utilities	1,000
Total Other Personnel Costs	7,300

TOTAL PERSONNEL	264,458
-----------------	---------

2. TRAVEL

International Travel

(For Exp. Fara: 10 tickets USA-PaP-USA @ \$500 each)
 (For Exp.Prog-Manager: 1 ticket Miami-PaP-Miami @ \$300) 5,300

Local Travel

(PaP-Jeremie boat fare for Project Coord/Manager,
 one trip/week * 36 weeks * \$25.00) 900

Per Diem

(For Consultants: 50 days * \$100) 5,000

Lodging (Staff)

(12 Staff * \$40.00 * 2 nights/week * 36 weeks) 34,560

Lodging (Minors)

(250 minors * \$40.00/night) 10,000

Vehicle Operation

(100 gal. carburant/month * 4 veh. * 9 months * \$2.50 = \$6,000)
 (Lubrifiant/other repairs @ \$62.50/month * 4 Veh. * 9 months) 11,250

Vehicle Rental

(4 Vehicles @ \$1041.67/month * 9 months) 37,500

TOTAL TRAVEL

104,510

3. EQUIPMENT

(1) Generator (Jeremie Office) 6,000

(1) Radio System 8,000

(3) Computers 9,000

(3) Motorcycle 12,000

(1) Photocopier (Jeremie Office) 7,500

Office Furniture 3,000

TOTAL EQUIPMENT

45,500

4. TRAINING

Training Allowances and Materials 3,750

5. OTHER OPERATING EXPENSES

Telecommunications 1,500

DHL Delivery to GTMO

(4 per month @ \$41.67/each * 9 months) 1,500

Photocopying

3,000

Rent (Jeremie office: \$500.00/month * 9 months) 4,500

Utilities (Jeremie Office) 500

Miscellaneous 200

Office Supplies 3,000

Photography 2,500

TOTAL OTHER OPERATING COSTS

16,700

6. PROGRAM DELIVERY

US Gov't. Repatriation Grant (\$66x300 minors)

19,800

Kits, supports (\$100x300 minors)

30,000

TOTAL PROGRAM COSTS (DIRECT)

484,718

INDIRECT COSTS (25.26%)

117,009

> \$5,000)

TOTAL PROJECT COST

601,727

HAITIAN UNACCOMPANIED MINORS PROJECT PROPOSAL

BUDGET NOTES

1. PERSONNEL

Expatriate Staff:

Jeremie Office Coordinator & Assessment Supervisors:

Expatriate hired locally, thus not necessary to budget relocation costs.

Local Staff:

Home Outreach and Assessment Workers: Haitian government employees from the ISW seconded to SC. SC acts as a pass through for their salaries. The \$118,812 allotted for these salaries already includes fringe benefits, thus these salaries don't compute into the local staff fringe benefit line item. Salary of \$33.00 per day is based on a 100 Haitian dollar daily rate.

Casual Labor: For a night guard in the Jeremie office and unforeseen expenses.

2. TRAVEL

International Travel: Consultants' Travel is estimated to require 10 trips based on the following needs:

Purpose	Length of Trip	Number of Consultants
Ongoing project monitoring, mental health program designs	6 days	1
To conduct 2-day training of HOAWs (ISW workers)	4 days	1
Initial project Assessment & design	5 days	1
Initial project Assessment & design	11 days	1
Assist with initial case load, due to arrive in Haiti within 2 weeks	7 days	2
Orienting newly-hired staff, back up, assist during HOAW (ISW workers) training	7 days	2
Phase-out, evaluation	10 days	2

Local Travel: Covers PaP-Jeremie boat fare. Assumes the U.S. government off loads the Jeremie case load directly in Jeremie. The \$900 covers one trip per week for the project manager or Jeremie Coordinator for 36 weeks.

Lodging (Staff): For non-Jeremie based staff for in-country overnight lodging needs in conducting home outreach, escort and follow up visits.

Lodging (Minors): For overnight lodging needs during escort.

3. TRAINING

Training Allowances and Materials: Allowance for 20 HOAWs (ISW workers) for food, etc. and training materials.

4. OTHER OPERATING EXPENSES

Photography: For photos and poster boards to be used for tracing efforts (identify extended family members, etc.).

5. PROGRAM DELIVERY

Kits: Assumes SC will distribute the U.S. government repatriation grant of approximately 200 Haitian dollars (roughly US\$66.00) to the nearly 300 minors covered by the project. Additional funds are for supplemental, culturally appropriate kit needs for the minors' viable reunification (such as covering school fees, providing chickens or other farm implements). Currently estimated at US\$100 per minor. Will be distributed in the form of assistance or kits.

Haiti -
Safe haven

ERIC

Clarke

THE WHITE HOUSE
WASHINGTON

May 19, 1995

MR. PRESIDENT:

Attached is a memo from Tony Lake on disposition of the remaining Haitians at Guantanamo. Tony recommends the following approach:

Safe haven "hold" cases (65) -- Owing to the trauma they experienced in Haiti, Justice and NSC recommend that these people be paroled into the U.S. rather than returned to Haiti; **Unaccompanied children (220)** -- State and Justice agree on a compromise whereby we would announce that all minors will be out of Guantanamo by June 30, either returned to Haiti or paroled into the U.S., depending on the best interests of the child; **Medical hold cases (100)** -- most would be repatriated but about 20 of the most serious cases would be paroled into the U.S.

HIV -- For the 5-10% of Haitians likely to test positive for HIV, Justice would institute the same processing procedures mandated by worldwide U.S. guidelines.

Leon concurs in this approach.

Approve ☒ Disapprove ☐ Discuss ☐

Todd Stern

THE WHITE HOUSE

WASHINGTON

May 18, 1995

95 MAY 18 PI2: 57

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM:

ANTHONY LAKE

SUBJECT:

Disposition of the 400 Haitians Remaining at
GuantanamoPurpose

To obtain your approval on disposition of Haitians at Guantanamo.

Background

There are about 400 Haitians who remain at Guantanamo, down from some 20,000 last summer. They fall into three groups.

-- **Safe haven "hold" cases (65 individuals):** When we screened and returned thousands of Haitians from Guantanamo after the restoration of democracy, INS determined that 33 individuals and 32 of their family members should not be returned. In most cases, these Haitians experienced trauma so severe in Haiti -- such as the killing of family members -- that INS determined forced return would be unreasonable and inappropriate. The Attorney General strongly recommends these individuals be paroled into the United States, and we concur in this recommendation.

-- **Unaccompanied Minors at Guantanamo (about 220 remaining):** We have sought to resolve these cases in the "best interests of the child," which generally has meant seeking to return the children to their parents, most of whom are believed to be in Haiti. The investigation and review process has been very time consuming, and we have been under heavy public criticism for prolonged stays of children at Guantanamo. The Attorney General would like to provide immediate U.S. entry for all the remaining children (mostly young teenagers). State opposes and argues that the placement process is likely to be completed by the end of June. Both agencies agree to a compromise in which we would publicly indicate now that the minors will be out of Guantanamo by June 30. Cases that have not been resolved by that point would be paroled into the United States with suitable sponsorship. At that point, we would still be able to continue efforts to reunite the minors with their families.

cc: Vice President
Chief of Staff

-- **Medical hold cases (about 100):** We plan to repatriate most of some 100 medical cases when they are finished with their treatments. However, there are between 10 and 20 serious medical cases -- involving potential loss of life, limb or eyesight -- in need of treatments not currently available at Guantanamo or in Haiti. The Attorney General recommends that we bring this small number of Haitians into the U.S. so they can receive treatment, as we have done for similarly situated Cubans at Guantanamo. We would seek sponsors for these Haitians, who would also be eligible for special "Cuban/Haitian" federal assistance that could cover medical costs. We concur in Justice's recommendation.

The HIV Issue: All Guantanamo Haitians who are otherwise eligible for parole would be tested for the HIV virus and we expect that about 5-10 percent -- probably between 10 and 20 individuals -- would test positive. Although no exclusion grounds apply to parolees, Justice would institute processing procedures similar to those mandated by U.S. worldwide guidelines for entry of HIV-positive refugees. Prior to permitting entry, Justice would seek to ensure that medical costs would be voluntarily covered by sponsoring organizations in the United States. This is also similar to the way we treated some 27 HIV-positive Haitian refugees who were processed for U.S. entry from Guantanamo (without controversy) several months ago.

RECOMMENDATION

That you approve the plan outlined above to resolve the status of the remaining Haitians at Guantanamo.

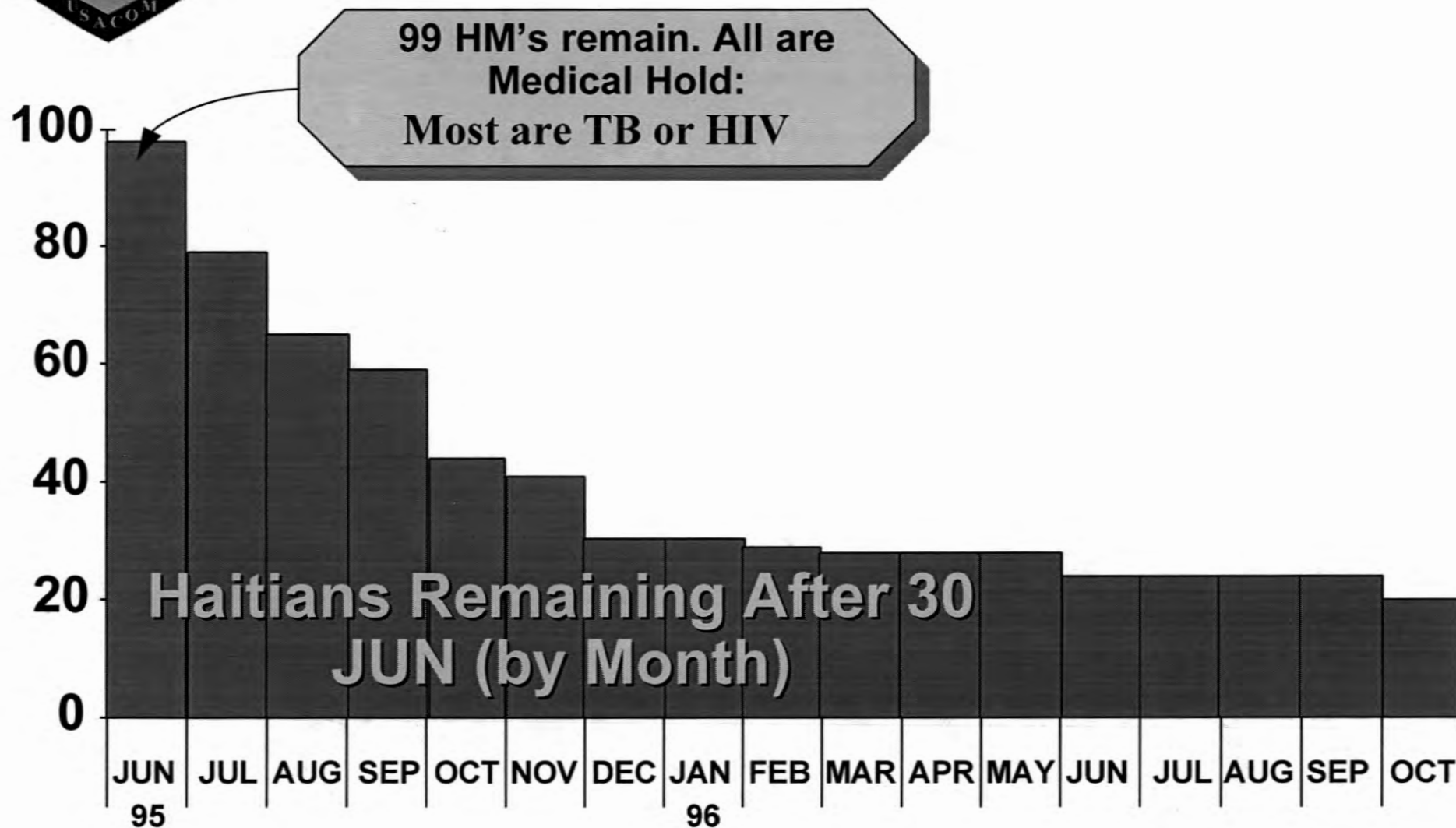
Approve _____ Disapprove _____



Haiti - safehaven.

~~Haiti~~ HIV

HAITIAN MIGRANT POPULATION



Hartman - ~~E~~
Safe haven

FACSIMILE TRANSMISSION COVER SHEET



U.S. DEPARTMENT OF JUSTICE
COMMUNITY RELATIONS SERVICE
HEADQUARTERS
5550 Friendship Boulevard
Chevy Chase, MD 20815

TEL: (301) 492-5995
FAX: (301) 492-5984 (Primary-HQS)
FAX: (301) 492-5704 (Secondary-HQS)
FAX: (301) 492-7501 (Primary-I&RA)

5/8/95
Date

11:40 a.m.
Time

NUMBER OF PAGES INCLUDING COVER SHEET: 3

TO: Eric Schwartz

FROM: Jeff Weiss

PHONE NO: ()

PHONE NO: ()

FAX NO: (202) 456-9360

SUBJECT: _____

☐ Please call upon receipt: _____

Operator: _____

C:\PAUL\TELEPHS\FAXCOVER.HQS

Memorandum

U.S. Department of Justice
Community Relations Service

SUBJECT

Haitian medical update

Date

May 8, 1995

To Eric Schwartz
NSC

From Jeffrey Weiss
Acting Director

Jeff Weiss

This update follows your phone call to me on May 5th.

According to the JTF medical team, there are currently 75 people on hold for TB treatment and 23 accompanying family members. The attached schedule outlines expected treatment end dates by month.

The number of individuals needing medical treatment not available at GTMO, but not requiring MEDEVAC, is expected to increase to 20.

Of this group, we have specific information about 5 cases:

- 1 leukemia
- 1 broken jaw that healed improperly
- 1 prostate cancer
- 2 cataracts

The remaining conditions are expected to be cataract cases. The JTF medical team is exploring the possibility of arranging for eye surgery at GTMO.

Prominent

suffered past trauma

→ MISTRESS of Mercy.
High profile people - targeted for revenge.
cc: Seth Waxman
Phyllis Coven

PAST TRAUMA
FEAR OF FUTURE PERSECUTION
COMBINATION OF 2

78 people.

5142220 True Feeley
5142895 Ramona McGee

As of May 75

TB Treatment Completions by Month

DATE	Number Completing TX
15 May	11
01 Jun	00
15 Jun	01
01 Jul	09
15 Jul	02
01 Aug	09
15 Aug	15
01 Sept	08
15 Sept	06
01 Oct	03
15 Oct	04
01 Nov	02
31 Dec	05
	75

23 family members who have completed treatment and are waiting for a family member to complete treatment.

DATE	Number Completing TX
15 May	03
01 Jun	00
15 Jun	00
01 Jul	04
15 Jul	02
01 Aug	04
15 Aug	04
01 Sept	03
15 Sept	00
01 Oct	00
15 Oct	01
01 Nov	00
31 Dec	02
	23

*Hart - safe haven*

United States Department of State

Washington, D.C. 20520

BUREAU OF POPULATION, REFUGEES, AND MIGRATION

FAX MESSAGE COVER SHEET

FAX TELEPHONE: (202)663-1061

DATE: 4/25/95

PLEASE DELIVER THE FOLLOWING PAGES TO:

Name:

Eric Schwartz

Office:

NSC

Fax Telephone:

456-9360

THIS MESSAGE IS FROM:

Name:

Terry Ruzich

Office:

PRM/A

Telephone:

NUMBER OF PAGES INCLUDING COVER SHEET:

5THIS IS AN ACTION REQUEST • ☐

• Warning: Anyone using the Fax to send action items

MUST ensure that all clearances have been received. DATE DUE: _____

FOR CLEARANCE: ☐FOR INFORMATION ONLY: ☐

NOTES:



United States Department of State

Washington, D.C. 20520

April 24, 1995

MEMORANDUM

TO: NSC - Eric Schwartz
DOJ - Seth Waxman

FROM: DOS - Terry Rusch *TR*

SUBJECT: Weekly Update on Haitian UAMs
Week of April 17

Current uam camp population is 251.

Save the Children (SCF) is at full staff for the uam project in Haiti. Mike Troje, the UNHCR child protection expert resident in Guantanamo, is spending April 20-27 in Haiti, meeting with the SCF staff in their Port au Prince and Jeremie offices to ensure that all SCF staff understand what UNHCR expects of the home assessment process.

SCF projected they would have 32 new home assessments to hand Troje during his Haiti visit. Their schedule for the week of April 24 projects 36 home assessments and for the week of May 1 20-30 home assessments. (In addition SCF is doing escort of minors to their homes and 30-day follow-up visits.)

The Coast Guard withdrew the cutter planned for April 24, citing conflicting scheduling demands. Port au Prince and JTF 160 will attempt an air movement on April 26, using a 7 seat C-12 supplied by the military. Port au Prince notes that cutters dock in a secured area where all personnel and vehicles needed for uam movements can be positioned; there are no customs or immigration formalities at the dock. Air movements lack these advantages. The movement April 26 will test whether some future movements can be done by aircraft rather than by cutter.

The Coast Guard has requested a minimum of 50 passengers on each cutter to Haiti. SCF can only handle 25 uams in one movement (other passengers can include aged-out uams, those released from medical holds, and those released from safe-haven status). Port au Prince prefers weekly movements.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. memo	Caroline Lavoie, HUM Manager, Save the Children Federation to Vivian Weiner, Desk Officer for Latin America, Save the Children Federation, re: Bi-Weekly Status Report on the Haitian Unaccompanied Minors (HUM) Project (3 pages)	04/20/1995	P6/b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral & Humanitarian Affairs (Schwartz, Eric)
OA/Box Number: 3416

FOLDER TITLE:

Haiti-Safe Haven, 1994-1995 [1]

2011-1045-F
ke1567

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Haiti - safe haven

MEMORANDUM OF CONVERSATION

SUBJECT: Memorandum of Non-Secure Telephone Conversation
Between President Clinton and Dominica Prime Minister Charles

PARTICIPANTS: Stephen Niemerski, James Pitman, and Tim McGeath in Sit Room
Sandy Berger, Eric Schwartz, and Jim Reed with President

DATE/TIME: 5 July 1994, 1244-1246 EDT

President Clinton: Hello.

Prime Minister Charles: Hello.

Clinton: How are you? I wanted to thank you for your agreement for safehavens for the Haitian refugees. It will help with trying to deal with this problem. The problems in Haiti are getting much worse and are requiring firm responses.

Charles: I want to help. It seems to be getting worse and worse.

Clinton: This will help. I assure you it will be of limited duration and that your government will bear none of the costs.

Charles: Thank you very much. We are glad to help in any way we can.

Clinton: Terrific. We now have five governments, including yours, willing to help: Panama, Turks and Caicos, Antigua, and Jamaica.****

Charles: Hopfully, it'll give Haitians a little hope. The whole of Haiti's population can't come to the United States.

Clinton: That's right. We have to change Haiti ultimately. Thank you so much for your help.

Charles: Thanks for calling. I'm glad to help. If you send someone to assist with the paperwork; I'm not an expert in this.

Charles: Thanks for calling.

Clinton: Okay. Thanks and goodbye.

MEMORANDUM OF CONVERSATION

SUBJECT: Memorandum of Non-Secure Telephone Conversation
Between President Clinton and Antiguan Prime Minister Bird

PARTICIPANTS: Stephen Niemerski, James Pitman, and Tim McGeath in Sit Room
Sandy Berger, Eric Schwartz, and Jim Reed with President

DATE/TIME: 5 July 1994, 1249-1251 EDT

President Clinton: Hello.

Prime Minister Bird: Hello. How are you?

Clinton: Nice to hear your voice. I wanted to thank you personally for agreeing to provide safehavens for the Haitian refugees.

Bird: We think we have some obligation in the matter, as we are a Caribbean nation, too. We'll try to do whatever we can.

Clinton: You can certainly help. I assure you it will be of limited duration and that your government will bear no financial burden. This will help ensure prompt return of democracy to Haiti.

Bird: The only answer is the return of democracy to Haiti. Whatever must be done. We appreciate that there will be no cost to our government.

Clinton: We'll take care of it. We also have received positive responses from four other countries: Panama, Turks and Caicos, Dominica, and Jamaica. We have a regional effort which will be very well received. We'll resolve this thing positively.

Bird: Thanks for calling.

Clinton: You have been very helpful, and I won't forget it. We'll work very closely together on this.

UNCLASSIFIED

Hand - safe haven

~~1~~ 1

June 3:57

FAX TRANSMITTAL SHEET

THE NATIONAL SECURITY COUNCIL

GLOBAL ISSUES AND MULTILATERAL AFFAIRS

FROM:

PHONE:

(202) 456-9351

FAX:

(202) 456-9360

DATE SENT:

TO

FAX

PHONE

*Tony Busch /
Nancy Jackson*

663-1061

~~663~~ - ? 663-1047

MESSAGE:

*Tony/
Nancy - Letter I received. Would you follow-up
on the case mentioned. It wasn't
among the others I had given you
before. Thanks.*

NUMBER OF PAGES INCLUDING COVER SHEET:

Eric

UNCLASSIFIED



Harold Hongju Koh, Director • Ronald C. Slye, Associate Director • Renee DeMatteo, Senior Administrative Assistant

FAX TRANSMISSION

DATE: April 20, 1995

TO: Eric Schwartz

**FAX
NUMBER:** 202-456-9360

FROM: RONALD C. SLYE

NUMBER OF PAGES (including cover): 4

PLEASE CALL IF FAX IS ILLEGIBLE: 203-432-7480 (Renee)
203-432-1729 (Ron)

RE: Eric -- Please call me to discuss this when you get a chance.
Many thanks -- Ron Slye

THIS FACSIMILE TRANSMISSION IS INTENDED ONLY FOR THE ADDRESSEE SHOWN ABOVE AND OTHERS WHO ARE SPECIFICALLY AUTHORIZED TO RECEIVE IT. IT MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, OR OTHERWISE PROTECTED FROM DISCLOSURE. ANY REVIEW, DISSEMINATION, OR USE OF THIS TRANSMISSION OR ITS CONTENTS BY ANY PERSON OTHER THAN THE ADDRESSEE OR OTHER AUTHORIZED PERSONS IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US IMMEDIATELY AT THE ABOVE TELEPHONE NUMBERS AND MAIL THE ORIGINAL TO US AT THE ADDRESS BELOW.

4/21 -
left message
w/ Slye -
invited
him to
call me -
told
him I
wouldn't
send him
a response
but suggested
he call
Bryson's
and
do's
point of
contact
on cases.



Harold Hongju Koh, Director • Ronald C. Slye, Associate Director • Renee DeMatteo, Senior Administrative Assistant

19 April 1995

BY FACSIMILE

Eric Schwartz
Assistant to the National Security Council
for Refugee Affairs and Human Rights

Dear Eric:

We have recently received disturbing reports concerning the current treatment and future plans for the close to 300 Haitian children being detained at the U.S. naval base at Guantanamo Bay, Cuba. As you know, many of these children have lost their parents and many of their immediate relatives to political violence in Haiti over the last few years. Many of them have either close family relatives or friends in the United States who are willing to sponsor them. We are sure that you agree with us that it is unconscionable to return a child to a society where there is no longer a familial home -- much less a supportive home -- when such a home does exist in the United States. Many of these children lost parents to violence arising from political persecution; as the children of political dissidents, some still have legitimate fears for their safety in Haiti. We would like to enlist your support in convincing the U.S. Government to treat with compassion these children, and to urge the Attorney General to use her parole powers to allow entry to those children who either have close relatives living in the United States or for whom sponsoring families have been identified.

We have been grateful for the administration's recent decisions to allow both unaccompanied and even accompanied children at Guantanamo into the U.S. for humanitarian reasons. The plight of these children is even more compelling. Many of the children being detained at Guantanamo witnessed the torture and death of their parents or close relatives while in Haiti. Some do not know whether or not their parents are still alive. We have received reports of children who have been returned to Haiti, only to discover that their parents are dead and that they have no place to live. While such experiences would be traumatic for any individual, they are especially so for young children. Child psychiatrists with whom we have consulted have stated that the loss of a child's parents can have a severe and long-lasting effect on their emotional and mental development. A child that witnesses the torture and death of one's parents has experienced an even more traumatic event that will require years of healing and medical attention. Combined with the fear created by the possibility that their parents' killers might target them if

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. letter	Harold Hongju Koh and Ronald Slye to Eric Schwartz [partial] (1 page)	04/19/1995	P6/b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral & Humanitarian Affairs (Schwartz, Eric)
OA/Box Number: 3416

FOLDER TITLE:

Haiti-Safe Haven, 1994-1995 [1]

2011-1045-F
ke1567

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
RR. Document will be reviewed upon request.

Eric Schwartz
19 April 1995
Page 2

they were to return to Haiti, with the trauma of fleeing their country in small, crowded, and dangerous vessels, and with their confinement at Guantanamo with no psychiatric attention and no foreseeable hope for a future life, this creates a situation that cries for immediate action. It is clearly in the best interests of these children that they be reunited with family members or, in the case where their immediate family members have been killed, those willing to care for them in a stable environment. Despite recent improvement in living conditions on Guantanamo, they still fall far short of providing an environment conducive to the best interests of children that have experienced the kind of trauma that these children have.

We are in possession of copies of affidavits of Haitian children being held at Guantanamo that were collected by Cheryl Little of Florida Rural Legal Services and other attorneys over the last few months. These affidavits have already been sent to the Department of Justice -- to both Attorney General Reno and Seth Waxman -- so we have not attached them. (Please let us know if you do not have them, and we will be happy to send them to you.)

P6/(b)(6)

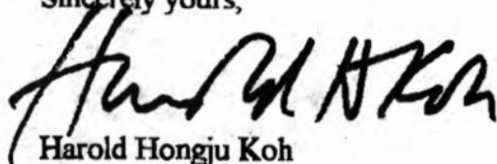
[003]

We cannot imagine any justification that would allow a mother to be separated from her daughter in this fashion.

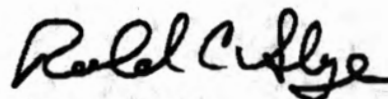
Eric Schwartz
19 April 1995
Page 3

We urge you to exert your influence on behalf of the fewer than 300 Haitian children remaining at Guantanamo. Given the number of children who have already been paroled in, we see no reason why they should not be reunited with friends and family who can care for them in this country.

Sincerely yours,



Harold Hongju Koh
Director



Ronald C. Slye
Associate Director

Haiti - safe haven
United States Department of State

Washington, D.C. 20520

March 31, 1995

MEMORANDUMTO: NSC - Eric Schwartz
DOJ - Seth Waxman

FROM: DOS - Terry Rusch

SUBJECT: Weekly Update on Haitian UAMs
Week of March 27

The March 28 repeat of 8 unaccompanied minors went smoothly. The uams were transported by truck, boat, donkey and on foot back to their homes. No further movements can occur until the lifting of the moratorium on April 10.

Save the Children has project managers in place and is hiring Haitian staff. Home assessment teams are already working in Port au Prince and Petit Goave. Mike Troje, the UNHCR child protection expert who has been resident in Guantanamo, will travel to Port au Prince on April 1 to meet with Save and UNHCR Port au Prince staff to ensure that all project participants have a clear understanding of his expectations. UNHCR has added a second child protection expert to their Guantanamo staff. At our request, Angie Brown, who has been overseeing the World Relief program in Guantanamo and who knows the uam population, is relinquishing her Guantanamo role to devote full time to the uam project in Port au Prince.

Please pass to Sandy Berger
and to Dick Clarke.

[Signature]

Haiti - safe haven

United States Department of State

Washington, D.C. 20520

March 24, 1995

MEMORANDUM

TO: NSC - Eric Schwartz
DOJ - Seth Waxman

FROM: DOS - Terry Rusch *TR*

SUBJECT: Weekly Update on Haitian UAMs
Week of March 20

Current uam population in Guantanamo is 291 (down from 324 at the beginning of uam returns).

The repatriation of 10 uams scheduled for March 22 was canceled because roads in the area where the minors live were washed out by heavy rains. The March 28 repatriation of 8 uams is expected to go forward as planned; those minors are from areas of Haiti where roads are still passable. Future movements must await the April 10 end of the moratorium imposed during the transition from MNF to UNMIH.

I have attached for your information a grid which illustrates the uam tracing, assessment, and return process. This chart shows 104 cases. Of these, in about 40 cases the ICRC has successfully traced the minor's family and UNHCR has decided that the minor can be queued to return to Haiti. In about 50 cases, the ICRC has located the minor's family but UNHCR requires a home study before deciding whether to recommend the minor's return to Haiti. (I have added some notes to the chart to reflect movements to date.)

We have passed on to Save the Children your request for a weekly update on project implementation. Save has refused to provide informal weekly updates because they are not explicitly required by our Cooperative Agreement; we will continue to discuss this issue with Save. However, we understand informally from our embassy that the home assessment phase will begin March 30 under the direction of Save. Save has hired to date about a dozen Haitian social workers to do home assessments. Training for these workers will take place March 27 and 29 and they will assist in the repat on March 28. ICRC will continue their tracing process; latest reports from Port-au-Prince are that 120 cases have been traced.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. list	Haitian unaccompanied minors (2 pages)	03/24/1995	P6/b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral & Humanitarian Affairs (Schwartz, Eric)
OA/Box Number: 3416

FOLDER TITLE:

Haiti-Safe Haven, 1994-1995 [1]

2011-1045-F
ke1567

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
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Haiti safe haven United States Department of State
Washington, D.C. 20520

March 17, 1995

TO: NSC - Eric Schwartz
DOJ - Seth Waxman

FROM: STATE/PRM - Theresa Rusch *TR*

SUBJECT: Weekly Update on Haitian UAMs
Week of March 13

State signed the cooperative agreement with Save the Children (SCF) to provide reception, escort and home study services for Haitian unaccompanied minors on March 10. SCF has two weeks from this date to set up offices and hire and train staff. They then will begin home studies for minors for whom UNHCR requires a home study. The results will then be sent to GTMO where UNHCR will decide on a durable solution for each minor. During the week of March 13, SCF hired and sent to Jeremie a former CRS/GTMO employee to head their sub-office there. A Canadian who worked with Rwandan UAMs in Goma, Zaire has been hired to head up the entire operation. She is based in Port au Prince.

During the period that SCF is staffing up, State has arranged with IOM to provide reception and escort services for children whom UNHCR has decided may return to Haiti without home studies. During the week of March 13, eight such minors were returned to Haiti. This was the second movement of children, bringing the total number of repatriated minors to 16. Both repatriations went smoothly and Embassy Port au Prince reports that both children and families were very happy to be reunited. SCF monitored this week's repatriation in preparation for the 30-day follow-up they will perform for all minors.

Planning is underway for the repatriation of 10 minors on March 22. In addition, the group of minors identified by UNHCR as not requiring home studies has grown from a total of 32 to a total of 41. (This number includes the 16 minors already returned to Haiti and the 10 that will be returned next week.)

- 2 -

Some minors continue to "age out" and we continue to press that these individuals be screened for safehaven only and returned as soon as possible. The March 17 report from GTMO shows five aged-out minors pending repatriation. In both repatriations there were last minute changes to manifests as minors and/or adults were pulled off cutters at the request of various agencies.

Port au Prince is reporting that the MNF in Haiti has requested that there be a moratorium on all repatriation activities between March 28 - April 10 due to the transition from MNF to UNMIH. We have asked IOM to try to arrange for one additional UAM repatriation on March 27 prior to the moratorium. We will use this time to deploy all available SCF staff on home studies in anticipation of the lifting of the moratorium.



United States Department of State

Washington, D.C. 20520

BUREAU OF POPULATION, REFUGEES, AND MIGRATION

FAX MESSAGE COVER SHEET

FAX TELEPHONE: (202)663-1061

DATE: 5/5/95

PLEASE DELIVER THE FOLLOWING PAGES TO:

Name: Eric SchwartzOffice: 456 9360Fax Telephone: NSCHaiti - safe haven

THIS MESSAGE IS FROM:

Name: Terry RuschOffice: PRM/ATelephone: 663-1047

NUMBER OF PAGES INCLUDING COVER SHEET:

2THIS IS AN ACTION REQUEST * ☐

* Warning: Anyone using the Fax to send action items

MUST ensure that all clearances have been received. DATE DUE: _____

FOR CLEARANCE: ☐FOR INFORMATION ONLY: ☐

NOTES:



United States Department of State

Washington, D.C. 20520

May 5, 1995

MEMORANDUM

TO: NSC - Eric Schwartz
DOJ - Seth Waxman

FROM: DOS - Terry Rusch *TR*

SUBJECT: Weekly Update on Haitian UAMs
Weeks of April 24 and May 1

Current uam camp population is 235.

No movements took place during the week of April 24. As reported earlier, the Coast Guard cancelled the 4/24 cutter. On Tuesday evening (4/25), the airplane scheduled to depart Wednesday morning was also cancelled due to scheduling conflicts on the military side.

During the week of May 1, 14 unaccompanied minors and 2 aged out minors were returned to Haiti. In addition, the Embassy has turned over 3 vehicles for Save the Children's use.

Hand - Safe have

DEPARTMENT OF JUSTICE
OFFICE OF INTERNATIONAL AFFAIRS
CRIMINAL DIVISION
1400 NEW YORK AVENUE, NW
SUITE 5100 - BOND BLDG.
WASHINGTON, DC 20005



PHONE NUMBER: 202-514-0000
FAX NUMBER: 202-514-0080

DATE: 5-9-95

TO: Eric Swartz NSC 456-9360

FROM: Jim Freesey INS / OIA (4-2220)

SUBJECT: Haitian parolee medical care costs

MESSAGE: _____

Eric,

Initially all medicare cases
were sent to military hospitals such
as Bethesda or Walter Reed w/ the
military picking up the tab. Then
in the summer or fall of 1994, the policy
changed and, under the coordination of
the Public Health Service, the medicare's
were transported to Jackson Memorial Hosp
in Miami. I believe a Haitian VOLAG agreed
to pay the medical expenses. Now I understand
that as of 12/18 medicared pay.

GMHO is looking for the other info we discussed.

TOTAL NUMBER OF PAGES (INCLUDING THIS ONE): 1

TRANSMITTED BY: _____

Haiti -
Schulmer

NATIONAL COUNCIL OF THE CHURCHES OF CHRIST IN THE UNITED STATES OF AMERICA

Church World Service

475 RIVERSIDE DRIVE, ROOM 626, NEW YORK, NY 10115-0050

IMMIGRATION AND REFUGEE PROGRAM

Elizabeth Ferris, Director

Tel. (212) 870-3300

Room 664

May 11, 1995

The Honorable Janet Reno
US Attorney General
Department of Justice
Tenth Street and Constitution Ave., NW
Washington, DC

To the Honorable Janet Reno:

We write to you out of deep concern for the Haitian unaccompanied minors still held in Guantanamo. The news last week that some 21,000 Cubans would be paroled into the US from Guantanamo was welcomed by the refugee community. We also applauded the Attorney General for exercising a humanitarian response to individuals in desperate need. What we have found very difficult to understand has been the opposite response to the plight of unaccompanied minors being held on the base, Haitian unaccompanied minors. Some of these children will see their one year anniversary as a resident of the safe haven. Children who are the most vulnerable of the refugee population have languished with little understanding of their situation. According to The Miami Herald, Thursday, May 11, 1995 the children communicated to President Clinton on Monday:

We are happy when we learned that your administration had agreed to let 20,000 Cubans enter the US. In the meantime, we are sad to know that nothing has been said about our situation. We cannot hold on any longer.

We urge you to reconsider your policy position in regard to the children and exercise your discretion to parole them to the US immediately.

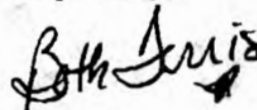
Bringing this relatively small group of children to the US represents no hardship or burden. Family members of several of the children testified during a hearing at City Hall in New York City this week that they would welcome the arrival of their young family members. We are sure that these sentiments are shared by many of the families. Our community of refugee providers have repeatedly offered and are prepared to receive and assist these children. Disturbing reports from Haiti indicate that at least some of the children who have been returned to Port au Prince have ended up on the streets. This

unintended result seems to contradict determinations that it is in the best interests of the children for them to be returned to Haiti.

We were disturbed to read reports that the children rioted on Wednesday. This can only be seen as an act of desperation after spending 9-11 months on Guantanamo and watching others treated in a much more humanitarian manner. Some 30 US military personnel in full riot gear carrying shields and batons went into the children's camp in order to calm the disturbance. Both children and military personnel were injured. Captain Jim Gray, one of the military spokespersons, was quoted in The Miami Herald, May 11, saying: "Things have calmed down for the moment, but it may not be over." We had received word that the children had begun a hunger strike two days before Wednesday's riot.

We ask that you act now before the children suffer anymore hardship. It would be tragic for these most vulnerable members of the refugee population who are in the care of the US government to further harm themselves or others out of frustration and desperation. Surely it is in our public interest and there are compelling humanitarian reasons to commence parole of the children.

Respectfully,



Dr. Elizabeth Ferris
Director
Church World Service
Immigration and Refugee Program

cc: Morton Halperin
Eric P. Schwartz
Phyllis Oakley
Doris M. Meissner
T. Alexander Aleinikoff
Rene van Rooyen

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. paper	Discussion Paper: Safe Haven Arrangement (2 pages)	12/06/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral & Humanitarian Affairs (Schwartz, Eric)
OA/Box Number: 3416

FOLDER TITLE:

Haiti-Safe Haven, 1994-1995 [1]

2011-1045-F
ke1567

RESTRICTION CODES

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2011-1045-F
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Ham - sfc ham

FAX TRANSMITTAL SHEET

THE NATIONAL SECURITY COUNCIL

Global Issues and Multilateral Affairs

FROM: ERIC SCHWARTZ/MARCIA NORMAN
PHONE: (202) 456-9351
FAX: (202) 456-9360

DATE SENT: 14 MARCH 1995

<u>TO</u>	<u>FAX</u>	<u>PHONE</u>
BRAD HITTLE, DOS	011 5399 5020	

MESSAGE:

NUMBER OF PAGES INCLUDING COVER SHEET: 1

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. memo	Eric Schwartz to Brad Hittle, re: [Haitian] (1 page)	03/14/1995	P6/b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral & Humanitarian Affairs (Schwartz, Eric)
OA/Box Number: 3416

FOLDER TITLE:

Haiti-Safe Haven, 1994-1995 [1]

2011-1045-F
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*** TX REPORT ***

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RESULT	OK	

UNCLASSIFIED**FAX TRANSMITTAL SHEET****THE NATIONAL SECURITY COUNCIL****Global Issues and Multilateral Affairs**

FROM: ERIC SCHWARTZ/MARCIA NORMAN
PHONE: **(202) 456-9351**
FAX: **(202) 456-9360**

DATE SENT: 14 MARCH 1995

TO **FAX** **PHONE**

BRAD HITTLE, DOS **011 5399 5020**

MESSAGE:



Sandy
United States Department of State

Washington, D.C. 20520

March 31, 1995

MEMORANDUM

TO: NSC - Eric Schwartz
DOJ - Seth Waxman

FROM: DOS - Terry Rusch *TR*

SUBJECT: Weekly Update on Haitian UAMs
Week of March 27

The March 28 repat of 8 unaccompanied minors went smoothly. The uams were transported by truck, boat, donkey and on foot back to their homes. No further movements can occur until the lifting of the moratorium on April 10.

Save the Children has project managers in place and is hiring Haitian staff. Home assessment teams are already working in Port au Prince and Petit Goave. Mike Troje, the UNHCR child protection expert who has been resident in Guantanamo, will travel to Port au Prince on April 1 to meet with Save and UNHCR Port au Prince staff to ensure that all project participants have a clear understanding of his expectations. UNHCR has added a second child protection expert to their Guantanamo staff. At our request, Angie Brown, who has been overseeing the World Relief program in Guantanamo and who knows the uam population, is relinquishing her Guantanamo role to devote full time to the uam project in Port au Prince.

→ Skali
→ Janet R.

I've asked for weekly updates on unaccompanied minors (HAITIAN) at 6:00 and will keep you informed. Sandy

*WIC -
→ what is op 10
moratorium?*

Guantanamo Watch

Haiti - safe have

127 West 24th Street
New York, NY 10011
tel/ 212-807-6800
fax/ 212-807-6830

FAX

to: Eric Schwartz, National Security Council date: 2/16/95
from: Guantanamo Watch fax: 202 456 9360
re: Haitian Children at Guantanamo pages (incl. cover): 4

Please find enclosed a copy of a letter we sent
to Attorney General Reno yesterday.

Guantanamo Watch

127 West 24th Street
New York, NY 10011
tel/ 212-807-6800
fax/ 212-807-6830

February 16, 1995

The Honorable Janet Reno
Attorney General
U.S. Department of Justice
Constitution Avenue & 10th St., N.W.
Washington, D.C. 20530

URGENT TELEFAX!
(202-514-4371/ THREE PGS.)

Dear Attorney General Reno,

We strongly urge that you allow the 308 unaccompanied Haitian minors currently detained at the U.S. Naval Base at Guantanamo, Cuba to be reunited with relatives in the United States.

Horrific circumstances have led these children to flee their home country. Many have seen their parents brutally murdered by representatives of the former illegal government of Haiti. Many saw family members drown in overcrowded dilapidated boats in which they sought safe haven into our country. Many of these children are themselves victims of torture and abuse by the former regime.

Recently there have been deeply disturbing allegations that many of these children have suffered further abuse and terror at the hands of U.S. military personnel charged with their supervision at Guantanamo.

Certainly these youngsters have been forced to live in an appalling climate of extreme neglect, deprivation and despair while under the supervision of our nation.

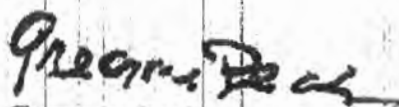
The Haitian American and Cuban American communities along with various private organizations are willing to support these children so that they are not a burden on the United States' social welfare system. Apparently many of these kids even have family members, in some cases their parents, waiting to care for them here. In the long run, allowing these children entry into our country will be less costly for the United States than to repatriate and maintain them in Haiti.

(MORE)

Your recent decision to allow entry to Cuban minors with their families (almost a third of the entire Cuban population at Guantanamo) was a humane and honorable act. Not to do so with these remaining unaccompanied Haitian minors is inevitably perceived as an institutionalized policy of cruel and unjust discrimination.

We passionately and respectfully appeal to your sense of fairness, justice, and compassion in urging you to parole these children into the custody of relatives and private sponsors in the United States.

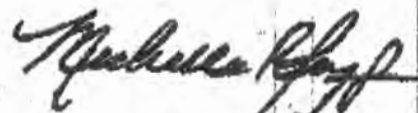
Sincerely,



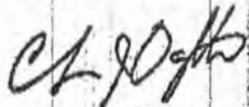
Gregory Peck



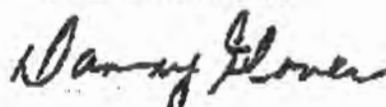
Randall Robinson



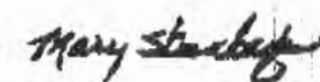
Michelle Pfeiffer



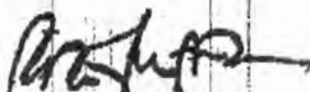
Charles Ogletree



Danny Glover



Mary Steenburgen



Robert Redford



Ted Danson



Jonathan Demme



Edward Saxon

cc:

President Bill Clinton

Michael Barnes, ESQ

Sandy Berger, Deputy National Security

Ambassador Jean Casimir

Secretary Warren Christopher

Congressman John Conyers

Richard Feinberg, National Security Council

Sister Mary Healy, Washington Office on Haiti

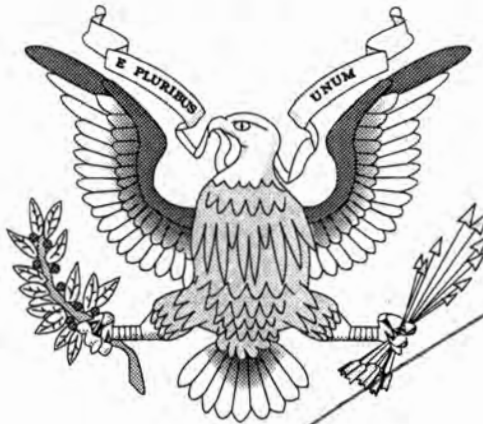
Hollywood Policy Center Foundation

(MORE)

Hollywood Women's Political Committee
Representative Joseph Kennedy
Senator Ted Kennedy
Anthony Lake, National Security Advisor
Senator Connie Mack
Jocelyn McCalla, National Coalition for Haitian Refugees
Congresswoman Carrie Meek
Congressman Kweisi Mfume
Congressman Major Owens
Michael Ratner, ESQ
Larry Rossin, Department of State
John Shattuck, Assistant Secretary of State for Human Rights
United Nations High Commission on Refugees
Senator Christopher Dodd
Steve Forrester, Haitian Refugee Center
Cheryl Little, Florida Rural Legal Services
Congressman Charles Rangel
Senator Tom Harkin
Maurice Belanger, National Immigration Forum
Ellen Braune, New Channels
Laura Burstein
Kathy Engel, Riptide
Leila McDowell, McKinney and McDowell Associates

Haiti: Safe haven

NATIONAL SECURITY COUNCIL



done
2/24/95

OFFICE OF GLOBAL AFFAIRS

**National
Security
Council**

**Global
Affairs**

OEOB Room 302
17th & Penn, N.W.
Washington, D.C.
20506

Did you get a complete,
clear, transmission?
If not, please call:
(202) 456-9351

To: <u>Gen Bates</u>	No. of pages to follow: <u>4</u>
Company:	Date: <u>2/24/95</u>
Fax Number: <u>703-614-1755</u>	Time:
Message: <u>From: Eric Schwartz</u>	
<u>Can you (or ACOM) shed light on these</u>	
<u>accusations of abuse?</u>	
☐ Please FAX your reply to (202) 456-9360	☐ Please call (202) 456-9351
☐ I will call you (date/time)	☐ No reply requested

N C H R

NATIONAL COALITION FOR HAITIAN REFUGEES

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Amy Wright

Roger Winter
American Civil Liberties Union

Quinn W. Kurban, Esq.

Joelyn McCalla
Executive Director

February 3, 1995

ACTION ALERT

UNACCOMPANIED MINORS AT GTMO SUFFER ABUSE BY GIs, FACE FORCED REPATRIATION; CUBANS TO PRIVATELY SPONSOR ENTRY FOR HAITIANS AND CUBANS; HAITIAN SUPPORT NEEDED NOW!

Most of the 5,000 Haitians at Guantanamo who still feared returning to Haiti have been forcibly returned by the United States. However, 308 unaccompanied minors have remained, afraid for their young lives and with no one to care for them. They have suffered psychological and physical abuse by U.S. soldiers for their refusal to voluntarily return to Haiti. Now these children are in danger of being forcibly returned by the end of this month unless they are granted humanitarian parole by the Attorney General and sponsored in the United States.

Situation of Haitian Minors

A group of attorneys traveled to Guantanamo on December 6-9, 1994 and again on January 17-20, 1995. They interviewed almost all the children and took affidavits from them. Since the unaccompanied minors camp has been off limits to attorneys and the media, they interviewed the minors in houses away from the camp.

The attorneys discovered that 200 of the children have family in the United States. Some have no family left in Haiti. About 30 are orphans. These children lost their parents in the struggle for democracy in Haiti.

Attorneys also uncovered a litany of abusive treatment by a number of U.S. soldiers in Guantanamo. Children were routinely beaten, handcuffed or tied to poles for lengthy periods, stepped on, and put in isolation for harmless behavior such as throwing an orange at another child or talking back to an officer. The level of depression among the minors is dangerously high, since none of them have received counseling for the traumas that were experienced in Haiti and on the high seas. In Haiti, some of the children were raped by Haitian soldiers.

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before seeing their parents murdered before their eyes. Some saw their parents drown. Some survived beatings and torture by soldiers. All are psychologically scarred.

Incidents of abuse by GIs at Guantanamo have not been reported because the media has been denied access to the camp where the minors are held. The minors are not allowed to speak to the media even when they so request.

Because of despair and isolation, many have attempted suicide in the camp, only to be put in solitary confinement for their trouble. They receive only cursory and often negligent medical attention.

U.S. Refuses to Parole

The Attorney General of the United States, Janet Reno, has the official discretion to grant humanitarian parole which allows individuals to enter the United States, whether or not they qualify for political asylum. Reno has already granted humanitarian parole to almost 10,000 Cuban minors *including their accompanying families* but refuses to grant parole to 308 unaccompanied Haitian minors, some of whom are orphaned and some of whom have family in the United States.

Instead, efforts are underway to send all the Haitian children back to Haiti to a temporary orphanage until something can be done with them. Given their current treatment and the many ills of the Haitian government, the children will undoubtedly be left to their own devices. Sources indicate that late February is the deadline for them to return, but repatriations could start earlier.

Cuban Sponsorship of Minors

An Ad Hoc Committee/ Family Reunification Project has been formed by Cuban American National Foundation and other Cuban organizations. The purpose of this Committee is to privately sponsor the resettlement of Cubans and Haitians at Guantanamo who would receive humanitarian parole by the Attorney General. Efforts are currently underway in Washington to seal an agreement for the private sponsorship of paroled Cubans and Haitians. Under this agreement, Cubans and Haitians who are paroled into the United States would be financially supported by private institutions and individuals, such that federal government would not have to provide social services for them.

Terms of the Proposal

1) **Individual Sponsorship:** The Committee would provide a primary individual sponsor for each applicant who would provide resettlement services and material support. The applicant would not qualify for public assistance. In the case of the Haitian orphans, sponsorship would likely include guardianship or adoption.

2) Processing Applications: Participating organizations would process and document applications.

3) Medical Care: Three (3) months health insurance would be pre-paid. Commitments have been secured by numerous South Florida hospitals and medical associations to provide medical care for up to one year or whenever permanent residence is obtained.

4) Transportation: United Airlines and Express Travel have committed to splitting the costs of transportation with the Ad Hoc Committee.

5) Education: Children between five (5) and twelve (12) will receive proof of acceptance to a private primary school. Day care centers, bilingual centers, and the Miami Archdiocese would also accept children into their schools.

Note: Some of these provisions concern Florida State requirements and might not be necessary in other states.

Funding

The Ad Hoc Committee has already secured \$100,000.00 from the Kiwanis of Little Havana. A number of other Cuban organizations and the Cuban media have also pledged assistance in fundraising efforts. The Committee is determined to cover all costs of resettlement.

Haitians, Where Are You?

The plight of these Haitian children has gone largely unnoticed in the Haitian community, thus perpetuating the belief that Haitians as a community do not take care of their own. While many debate the future of Haiti, our children are neglected, humiliated, and confined to misery, *right under our noses*. Until the Haitian community respects and cares for itself, no one will either respect or care for it. The Cuban community has come to our aid. Are we capable of aiding ourselves?

We Need Your Help!

While the Cuban minors and their families have been granted humanitarian parole, the Haitian unaccompanied minors still have not. *Janet Reno will not act unless she thinks somebody cares!* If we are able to obtain parole for some or all of the minors, they will need significant financial assistance. Commitments by medical and educational institutions will also be needed. Some children might have to be adopted in order to be allowed in.

Seventy-five (75) Haitians in the Florida area have stepped forward to sponsor some of the Haitian children. However, some of these volunteers may not qualify under federal guidelines. *We need more people to come forward and save a young life.*

Emergency Fund for Refugee Children

We need your donations! NCHR has established an *Emergency Fund for Refugee Children* to receive charitable donations towards resettling Haitian unaccompanied minors at GTMO. All donations are tax-deductible and will be placed in a separate account. Checks can be made to: **National Coalition for Haitian Refugees/EFRC**. Please send your donation to:

**National Coalition for Haitian Refugees
Emergency Fund for Refugee Children
275 Seventh Avenue, 25th Floor
New York, New York 10001**

We need your pledges! If you belong to a church, organization, firm, school, or any institution, please take donations on behalf of the children. Please pledge to raise funds for the children.

Contact the Attorney General to demand that the unaccompanied minors be paroled into the United States. Condemn the inhumane treatment that they have suffered and demand that they be reunified with relatives in the United States or given to concerned families who will care for them. Write to *Janet Reno, Attorney General, Constitution Avenue and 10th Street, NW, Washington DC 20530*. Tel: 202-514-2000.

Contact your local officials to demand that they complain to the Attorney General. Call the *U.S. Capitol Switchboard* at 202-224-3121 to find out who your district representative is. You should also call Rep. Benjamin Gilman at (202) 225-3776, Rep. Charles Rangel at 202-225-4365, or Rep. Major Owens at 202-225-5231.

For further information or to pledge fund-raising assistance: please contact Ahpaly Coradin at 212-337-0005 ext. 16.

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*Haiti - safe haven***artists for democracy in haiti**

127 west 24th street, 7th fl. new york, new york 10011
telephone 212-807-6800 fax 212-807-6830

February 15, 1995

SIX PAGE TELEFAX
703-302-7121

Attn. ~~Lawrence Ross~~
National Foreign Affairs Training Center
c/o Registrar's Office
State Department
4000 Arlington Blvd.
Arlington, VA 22204

Dear Larry:

We had the chance to be in Haiti recently and spend some time with President Aristide. Although the road from misery to poverty with dignity is long and hard - President Aristide was optimistic about the progress to date and hopeful for the future.

Everywhere we went we talked about the filter of justice. A subject that I imagine has been a large part of your work of late.

I am writing as a friend of Haiti regarding the current crisis that the unaccompanied Haitian minors in Guantanamo find themselves in. Attached is an Action Alert from the National Coalition for Haitian Refugees that lays out the problem as they see it. Artists for Democracy in Haiti are mobilizing as many friends as we can to try and help these desperate children avoid catastrophe in Haiti.

Do you have some thoughts or knowledge about our government's position that you could share with us? I don't know anyone at the Justice Department and am completely confused at our policy in regards to these kids.

I'll be at my office at (212) 807-6800 today and can also be reached at home at [REDACTED]

P6/(b)(6)

[008]

All the best.

Sincerely,

*Ed Saxon*Edward Saxon
ES/ms

cc: Jonathan Demme

301/754-1591



Haiti - safe haven

United States Department of State

Washington, D.C. 20520

March 9, 1995

MEMORANDUM

TO: Eric Schwartz - 456-9531
Phyllis Coven - 633-1068
Pat Irvin - 703 693-7588
Seth Waxman - 514-9368
Lavinia Limon - 401-5487
Jerry Bates - 703 614-1755
John Walsh - 703 614-1158

FROM: Terry Rusch - DOS

SUBJECT: Haitian Unaccompanied Minors at Guantanamo

In response to your request for an update on the situation of Haitian unaccompanied minors (uams) in Guantanamo, we offer the following information:

On Tuesday March 7 the first group of six uams to be repatriated left Guantanamo for Haiti. This began the final phase of a process, which while cumbersome, allows decisions to be made on a case-by-case basis as to what is in the best interests of the minor. This is what is required for UNHCR to endorse the process, and it has been our understanding that senior policy makers preferred a process which would meet with UNHCR approval.

Since the Children Federation (SCF) was not prepared to receive the first groups of minors returned to Haiti, DOS requested (on an urgent basis) that the International Organization for Migration (IOM), in cooperation with the Government of Haiti, provide escort and return for initial groups.

Embassy Port-au-Prince reports that the first repatriation went extremely well. Despite concerns in some quarters that the minors were reluctant to return and the families were reluctant to receive them, escort teams reported joyous reunions and tears of regret that the minors had not come home sooner. SCF was expected to participate in the process as an observer but did not. We are seeking information on the reasons.

The next repatriation cutter leaves Guantanamo March 13, taking primarily migrants who have completed TB treatment. More uams will be on that cutter. The group will probably consist of about a dozen minors from the Jeremie area, but we are awaiting final word from Port-au-Prince on exactly which minors they are ready to receive. IOM will continue to arrange their in-country transportation and escort in cooperation with the GOH.

The UNHCR child protection expert in Guantanamo has completed initial interviews of all the uams, including the "new" uams (those minors, numbering over 100, whose family members left them behind during the January repatriations). All files have been sent to the ICRC in Port au Prince and tracing is under way to locate the minors' families. To date, 64 families have been traced and the UNHCR expert, after reviewing the results of the ICRC tracing, has determined that 33 more minors (in addition to the 6 already returned) are ready to be returned to Haiti. The UNHCR expert has stated his belief that for about 80% of the uams return to Haiti will be the durable solution in the best interests of the minor.

On March 6, we received the final proposal from SCF outlining the process and timetable for determining the disposition of uams on Guantanamo. Funding has been approved by the Bureau but we will not sign the SCF agreement until the completion of this afternoon's meeting to ensure that all parties are agreed that this is the path to follow. The SCF program is expected to begin operating two weeks after a formal agreement with DOS is signed. All uams for whom return to Haiti is recommended by the UNHCR child protection specialist are to be out of Guantanamo three months after the project starts.

We continue to press UNHCF, SCF, and the Government of Haiti to allow this process to move forward as quickly as possible, although our implementing partners do not always share our sense of urgency.

All minors with parents known to be in the U.S. have already been paroled into the U.S. (with the exception of one case where the parent is in prison).

Minors who "age out" (become 18 years of age) are moved into the regular camp and are subject to regular Haitian repatriation procedures. We estimate that three dozen uams will fall into this category within the next three months.

There are a small number of sibling pairs in the uam camp with one sibling who has just turned 18. While normally the older sibling would be subject to regular return procedures, we recommend that these migrants be allowed to remain in the uam camp with their uam siblings until the ICRC tracing of the family in Haiti is completed.

We need to address the issue of uams with more than one birthdate. A number of the uams have claimed different birthdates at different times. We recommend a review of DMPITS, INS, CRS and UNHCR records and the use of whatever is the earliest birthdate in determining whether the individual is or is not a minor. Exceptions could be made to this general policy

if a review by INS indicates clear evidence that the earliest birthdate is in error.

DOS also recommends a census of the uam camp population. During the initial ICRC tracing, five minors whose families were being traced were already at home when the ICRC representative arrived. In addition, two migrants who were initially shown as uams in early 3/7 cutter manifests turned out to have aged out. As the families had been contacted about an escort home for the uams, these two received uam escort and return services. A complete and accurate roster of who is in the uam camp should prevent such issues from cropping up in future movements.

We expect that some minors (those claiming to be orphans, those whose families cannot be traced, those who are threatened with abuse or neglect if returned) will be recommended for third country resettlement (i.e. parole into the U.S.) by the UNHCR child protection specialist. Our position is that we will look at such recommendations, if and when made, on a case-by-case basis. Any public statement of a blanket commitment by the U.S. to take all remaining uams will encourage uams to insist that they are orphans or are victims of abuse or neglect.

Embassy Port-au-Prince reports that there are no orphanages or other public facilities in Haiti to which the uams could be returned, even for temporary holding while their families are being traced. Senator Kennedy has, however, recently provided us information about a facility that might be available. We are following up.

This process for return of uams, allowing for case-by-case decisions to be made in the best interests of the child, has been used in many other international mass migration crises (Vietnam, Mozambique, Rwanda, Bosnia).

Although some advocacy groups have recommended parole of the entire uam population into the U.S., this would lead to a number of adverse consequences for the USG. The U.S. would be criticized by UNHCR and other organizations for blocking the minors' reunification with their families. (Even if a minor states his preference is to go to the U.S., as a minor he cannot take such a decision without consent of parents/guardians.) We would be under intense pressure to reunite families by paroling into the U.S. the minors' family members in Haiti, when these individuals were located or became interested in reunification. In addition, placing a large number of Haitian uams into foster care in the U.S. has budgetary implications for the Office of Refugee Resettlement at HHS which would have to be explored. Finally, such a decision would encourage families in any future mass migration to send their children out unaccompanied, as this would be perceived as a guaranteed route to U.S. admission. (This was common practice among Vietnamese boat people in the 1980s.)

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Message: *From: Eric Schwartz*

*Can you shed light on these
accusations of abuse?*

*Haiti - safe haven*

U. S. Department of Justice
Office of the Attorney General

Associate Deputy Attorney General

Washington, D.C. 20530

DATE: March 1, 1995TO: Eric SchwartzTelephone No. () 456 - 9351 Fax No. () 456 - 9360FROM: Seth P. Waxman
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Haitian kids tell of harsh camp life

U.S. investigates reports of abuse

By **FABIOLA SANTIAGO**
Herald Staff Writer

Ghesline Percival last saw her 6-year-old son five months ago before she was airlifted from the U.S. Naval Base at Guantanamo to a Maryland hospital.

The military doctors told her she must leave Rolando behind because no one could care for the child while she was being treated at Bethesda Naval Hospital for a seriously injured arm.

"He cries all the time," Percival, 32, softly says. "I cry all the time, too."

Rolando is one of 308 Haitian children at Guantanamo without parents or guardians. The Justice Department had planned to send the children back to Haiti, but may reconsider now that some relatives have been located in the United States.

Only five Haitian children at Guantanamo are known to have won parole so far. They were reunited last week with their father in Boynton Beach, and made a public plea for the other children's release. The Deristiles — Jude, 19, Milange, 21, Anathael, 15, Esther, 14, and Bastiane, 10 — said living conditions at Guantanamo are too harsh for children.

"If they do something wrong, they are sent to 'Little Buckley,' the jail for kids," said Jude.

Their testimony supports affidavits compiled by U.S. lawyers who visited the Haitian children's camp in January and December, and are scheduled to return today. The children — most of them adolescents — recount horrors in Haiti, during their journey at sea, and in seven months at the military camp. They complain of being treated harshly by their caretakers — the military and Justice Department's Community Relations

Haitian kids tell of harsh treatment

U.S. military investigates reports of abuse

HAITIANS, FROM 1A

Service.

The military is investigating allegations of abuse, and at least one incident in which a camp guard allegedly broke a youth's arm. "We can't talk about it other than to say these are serious allegations and we are investigating," said military spokesman Petty Officer Greg Yor.

The military has repeatedly denied The Herald's request to interview the children and tour their camp. So has the Justice Department's Community Relations Service, which acts as the children's guardian.

"They are denying access regarding the accompanied Haitian minors while their investigation is pending of that incident. That's their decision. They control the access," said CRS spokesman Ron Tamalis.

In Miami, the children's cause is gaining champions. Cheryl Little, an attorney with Florida Rural Legal Services, has identified either a parent or a close relative living in the United States in most cases. There are 50 sponsors ready to take others. And last week, Cuban and African-American community activists promised to help pay the transportation, education and medical care costs of Haitian children who are given humanitarian parole.

"There are a lot of fair-minded people who think it's not humane to keep children locked up," said Miami lawyer H.T. Smith, a member of a multi-ethnic ad-hoc committee pushing to free the kids.

Harsh treatment

The affidavits paint a picture of camp life in which the children are often misunderstood by caretakers who don't speak Creole, live in unhealthy communal conditions, and are harshly disciplined by being sent to a detention facility.

"CRS makes us stay in the sun on our knees when they think we misbehave," says a 15-year-old boy. "Life is miserable and we are not treated well at all. CRS is constantly making us depressed. They tell us that we as minors are going to be sent back to Haiti."

The boy says he was put "in jail" for fighting with another kid. He describes it as "a boxed fence with a mesh placed on top." He was there 14 days.

The boy says he and his 12-year-old brother were abandoned by their parents. They got on a boat to go to the United States, but during the trip his brother fell overboard. "He didn't know how to swim. No one else on the boat would help him. He drowned. The journey was miserable and hard. A pregnant woman on the boat also died."

He says that despite the mistreatment, he would rather stay in Guantanamo than return to Haiti. "I struggled to get here. I'd rather die than go back."

Sister raped

A 14-year-old girl tells of the rape of her 16-year-old sister by three men at an adult camp. The sisters had been mistakenly placed there after arriving at Guantanamo last July. They fled Haiti after both parents were killed by the military.

After the rape, camp officials placed them in the minors camp.

"After this tragedy, my sister hasn't been the same," says the 14-year-old. "Before the rape, my sister was normal. She was just a happy teenager. Now she isn't coherent. She often spaces out... She just stares ahead and doesn't communicate with anyone. There have been instances where she has fits. When the last happened, she was hospitalized."

"It hurts me to see my sister this way. She cannot control herself. Nowadays, she wonders into other people's tents, taking their clothes. She also goes to the boys' tents and sleeps with them. One boy, after having sex with her, told her she was no better than a dog. I don't know what to do about her anymore. How people treat her hurts me."

The 14-year-old then describes what happened to her and the leader of the minor's camp, a Haitian man she describes as "a pleasant person whom we



REUNITED WITH FATHER: Esther Deristile, 14, and her four siblings are the only five Haitian children known to have won parole into the United States from the Guantanamo camps.

VOICES FROM CAMPS

These are excerpts from affidavits collected by Miami lawyers from Haitian children and their house parents in the Guantanamo refugee camps:

From a 13-year-old whose uncle in Miami is a U.S. citizen and is willing to take him:

"We have too much misery, too much sadness here. I can't eat a lot because of that. Several times they keep telling the kids we're going back to Haiti, and every time we hear that it drives us crazy. It's making us go insane."

An MP hit a child, he says, "put him on the floor and he put his knees on him. He was hurt bad."

"And when another child said he wouldn't pick up the garbage because his hand was hurting, an MP hit him too, and knocked him to the ground. He was bleeding."

"At times when the MPs tell us to go to bed and they don't want to because the kids aren't tired, the MPs handcuff them, with their hands behind their back, and cuff their legs and slam them on the cot or make them kneel on the floor."

From a 17-year-old: "I was

placed in jail for four days because I had an argument with another child. I spent four days on a cot with my arms and legs handcuffed. A camp leader came once a day to feed me. I was under the sun during the day and I got wet when it rained at night. I was handcuffed by a white MP in a green uniform. Sometimes the MPs call us names. They refuse to give me milk for my six-month-old baby. I'm very sad and depressed here. I cry all the time."

From a young woman whose father lives in Miami:

"My sister and I left Haiti because a major in the Haitian army threatened to shoot me. He subsequently sent four soldiers in olive green uniforms who tied up my sister and myself, forced our legs apart and raped us. They told us they would be back for more."

Their mother is dead. They fled

on a boat in July with some cousins to try to reach their father, but were interdicted and sent to Guantanamo.

From a 21-year-old woman who is a house parent. She talks of living through a tropical storm that hit Guantanamo in November:

"Our tent collapsed in the wind and rain on Saturday night. One of the heavy metal tent poles fell and hit me on the back of the neck. One of the children in our tent, approximately 14 years old, was trapped in the tent and was struck on the back with a tent pole. We were afraid the children were going to drown."

"We spent all night on the ground in the water in wet clothes and sheets. Sunday morning at about 9 a.m. the soldiers finally came back to the camp and brought us dry sheets, but we still had no dry clothing."

was having sex with her.

"I denied all of this," she says.

The female official "kept me at her house from 9 a.m. to 7 p.m. It was an interrogation. She would ask questions for one hour, give me a break then continue again. People were coming and going from her apartment."

When she continued to deny having sex with the man, the interviewer told her she would be taken to a doctor to prove there had been intercourse.

The following morning I was taken to see a doctor who conducted a painful examination on me.

'Life is miserable and we are not treated well at all. CRS is constantly making us depressed. They tell us that we as minors are going to be sent back to Haiti.'

15-YEAR-OLD HAT

He stuck three tubes inside of me... I told him stop because I was in excruciating pain. He ignored me. I tried to close my legs but the people around him held my legs open. After the exam I continued to be in pain. I could not sleep that night."

In another affidavit, a house parent says believes the allegations that the camp president having sex with the minor were true because man was often seen coming out of the girl's tent at night. But in another affidavit, the camp leader, who is a house parent, says her brother had to go to the tent late at night to calm down disturbed sister, who "cries and screams and fits."

Parents killed

Many of the children at Guantanamo fled after their parents and siblings were killed by military because they were supporters of Jean trand Aristide. In some cases, the older sibling charge of the younger ones and rushed them boat to escape the brutality. Some had their be burned down.

"The soldiers came to our house and shot killed our mother. We were not home that because our father had taken me and my brother and sisters to another town where we went school. My father had to go into hiding where heard of our mother's murder. We have not our father since that time," says a 21-year-old who is at Guantanamo with two younger brothers age 8 and 18 and two younger sisters, age 10 and 20.

The children's father has a friend in New York with whom they want to live.

Others, like little Rolando, have parents in country.

Sources said the Justice Department, which initially been trying to repatriate the children to orphanage or relatives in Haiti, is now more willing to study the children's cases one by one. The Department, however, is opposing the humanitarian paroles because it believes democracy is restored in Haiti.

Miamians working to gain the children's release are hoping public opinion will influence the administration into releasing the children to parents sponsors.

"In Haiti, it's fragile democracy at best," Little, who is hoping cases like Rolando's will get attention.

'Momma, are you all right?'

His mother lives in a Maryland house she shares with a Haitian woman who had a stroke and help with her three children. Members of a church active in Haiti are helping the women now lives.

"I think they thought that by keeping her at Guantanamo Ghesline would be forced to return there and be repatriated," said Pat Labour church volunteer helping Ghesline Percival.

Percival is afraid to return to Haiti. "She has incredibly strong asylum claim," Little says.

In 1986, the military set her house on fire. members of the family were burned, including Ghesline whose body is scarred. After the released from the hospital in Haiti, Percival's sister fled to the Dominican Republic. When tide was elected president, Percival returned was targeted as an Aristide supporter. After tide was ousted, Percival was badly beaten went into hiding and her injured arm untreated.

She fled with her son on a boat in June of year. They were picked up by the U.S. Coast Guard and brought to Guantanamo, where doctors ized the needed emergency medical care and ber to Maryland. Her arm was amputated.

She has been able to talk to her son long dis with the help of a social worker only a few ti "He always asks," Percival says, "mommy you all right? And he cries."

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DEPARTMENT OF DEFENSE

COMMANDER IN CHIEF
U.S. ATLANTIC COMMAND
1562 Mitscher Ave. STE 200
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*Haitian refugees**safe haven*

5800
J02L4 /3009
2 March 1995

MEMORANDUM

From: Director for Operations, U.S. Atlantic Command
To: Mr. Eric Schwartz, National Security Council
Via: Office of Secretary of Defense/Public Affairs

Subj: Allegations Regarding Unaccompanied Haitian Minors

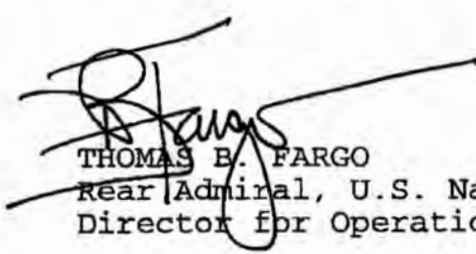
Ref: (a) Fax, dated 23 Feb 95, from NSC
(b) JAGMAN Investigation, dated 27 Feb 95

1. In response to allegations made by a group of visiting attorneys from the Haitian Refugee Committee (HRC) on 20 January 1995, the Commander of JTF 160 appointed an investigating officer to determine if there had been any physical or psychological abuse of unaccompanied Haitian minors in Camp 9 at Guantanamo Bay, Cuba.
2. A letter from HRC, as well as subsequent press releases, included in ref (a), contained allegations of physical assault, psychological mistreatment, being denied access to telephones, unfair use of administrative segregation, and medical neglect.
3. The investigation concluded on 15 February, but was returned to the investigating officer to obtain additional information, including statements from Military Policemen (MP's) who have since returned to their home station. The Commander approved modified findings and recommendations on 27 February, and has forwarded the investigation to USACOM and the commander of the MP's involved, for appropriate disposition.
4. The investigating officer found no evidence of systematic psychological or physical abuse. The medical care was determined to be appropriate and adequate, under the circumstances. Although the phones had been occasionally unavailable for use by the Haitian minors, it was due to mechanical failure and movement of camp facilities, rather than any intentional punishment of Haitians. Administrative segregation was determined to be appropriately applied in each circumstance reviewed by the investigating officer. There were no substantiated allegations of serious assaults on Haitian minors.
5. The overwhelming majority of the Military Policemen working in Camp 9 treated the Haitian minors with dignity and compassion. The factual findings did indicate, however, that two MP's may have used excessive force in subduing a number of adolescent Haitians, ranging from 14 to 17 years old. Many of the Haitians had frequently been involved in acts of misconduct, including

fighting with other adolescents, assault on MP's, and repeated violations of camp rules. The force used included flex-cuffs behind the back, forcing the adolescents to kneel on the ground for several hours, and pushing them against a fence. There were some instances of verbal abuse substantiated.

6. Some of the alleged mistreatment had been observed by the military chain of command, who immediately directed that use of flex-cuffs behind the back and kneeling be stopped. Upon completion of the investigation, the Commander of JTF-160 issued a policy letter prohibiting the use of flex-cuffs and kneeling for disciplinary purposes under all circumstances.

7. The information which indicates misconduct on the part of any DoD personnel will be forwarded to their current commander for appropriate disposition. Further disclosure or discussion of individual disciplinary cases would be inappropriate at this time. Copies of the investigation will be maintained at USACOM, should any further action be required in this matter.



THOMAS B. FARGO
Rear Admiral, U.S. Navy
Director for Operations



Washington, D.C. 20520

BUREAU OF POPULATION, REFUGEES, AND MIGRATION
FAX MESSAGE COVER SHEET
FAX TELEPHONE: (202)663-1061

*Haitian
refugees -
safe haven*

PLEASE DELIVER THE FOLLOWING PAGES TO:

Name: Richard Clark
Office: NSC
Fax Telephone: 456-9360

THIS MESSAGE IS FROM:

Name: Terry Busch
Office: _____
Telephone: 663-1047

*ERIC
BM.*

NUMBER OF PAGES INCLUDING COVER SHEET:

4 MAZ

THIS IS AN ACTION REQUEST • ☐

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MUST ensure that all clearances have been received. DATE DUE: _____

FOR CLEARANCE: ☐FOR INFORMATION ONLY: ☐

NOTES:

As discussed - memo on Haitian names

URGENT



United States Department of State

Washington, D.C. 20520

March 6, 1995

MEMORANDUM

TO: Eric Schwartz - NSC

FROM: Terry Rusch - DOS *TR*

SUBJECT: Haitian Unaccompanied Minors at Guantanamo

In response to your request for an update on the situation of Haitian unaccompanied minors (uams) in Guantanamo, we offer the following information:

We expect that on Tuesday March 7 the first group of uams to be repatriated will leave Guantanamo for Haiti. This begins the final phase of a process, which while cumbersome, allows decisions to be made on a case-by-case basis as to what is in the best interests of the minor. This is what is required for UNHCR to endorse the process, and it has been our understanding that senior policy makers preferred a process which would meet with UNHCR approval.

The UNHCR child protection expert in Guantanamo has completed initial interviews of all the uams, including the "new" uams (those minors, numbering over 100, whose family members left them behind during the January repatriations). All files have been sent to the ICRC in Port au Prince and tracing is under way to locate the minors' families. To date, 64 families have been traced and the UNHCR expert, after reviewing the results of the ICRC tracing, has determined that 33 minors are ready to be returned to Haiti. The first group of seven uams to be returned to Haiti is scheduled to leave Guantanamo March 7. The UNHCR expert has stated his belief that for about 80% of the uams return to Haiti will be the durable solution in the best interests of the minor.

Save the Children Federation (SCF), under a cooperative agreement with DOS, will undertake the reception and return of the majority of the minors as well as providing additional tracing and home studies as required. However, as SCF is not yet ready to begin receiving the uams in Haiti, as an interim measure the International Organization for Migration will be providing escort and return for initial groups. We expect that the first returnees, a small group from the Les Cayes area, will depart tomorrow on a cutter from Guantanamo. Assuming there are no problems with the initial return, the next group (from the Jeremie area) can be scheduled for return as early as Thursday.

We have a proposal from SCF outlining the process and timetable

- 2 -

for determining the disposition of uams on Guantanamo. The SCF program is expected to begin operating two weeks after a formal agreement with DOS is signed (our comptroller is completing the paperwork for the formal agreement). All uams for whom return to Haiti is recommended by the UNHCR child protection specialist are to be out of Guantanamo three months after the project starts. We continue to press UNHCF, SCF, and the Government of Haiti to allow this process to move forward as quickly as possible, although our implementing partners do not always share our sense of urgency.

All minors with parents known to be in the U.S. have already been paroled into the U.S. (with the exception of one case where the parent is in prison).

Minors who "age out" (become 18 years of age) are moved into the regular camp and are subject to regular Haitian repatriation procedures. We estimate that three dozen uams will fall into this category within the next three months. A number of the uams have claimed different birthdates at different times. We are examining DMPITS, INS, CRS and UNHCR records and will use whatever is the earliest birthdate in determining whether the individual is or is not a minor.

We expect that some minors (those claiming to be orphans, those whose families cannot be traced, those who are threatened with abuse or neglect if returned) will be recommended for third country resettlement (i.e. parole into the U.S.) by the UNHCR child protection specialist. Our position is that we will look at such recommendations, if and when made, on a case-by-case basis. Any public statement of a blanket commitment by the U.S. to take all remaining uams will encourage uams to insist that they are orphans or are victims of abuse or neglect.

Embassy Port-au-Prince reports that there are no orphanages or other public facilities in Haiti to which the uams could be returned, even for temporary holding while their families are being traced.

This process for return of uams, allowing for case-by-case decisions to be made in the best interests of the child, has been used in many other international mass migration crises (Vietnam, Mozambique, Rwanda, Bosnia).

Although some advocacy groups have recommended parole of the entire uam population into the U.S., this would lead to a number of adverse consequences for the USG. The U.S. would be criticized by UNHCR and other organizations for blocking the minors' reunification with their families. (Even if a minor

- 3 -

states his preference is to go to the U.S., as a minor he cannot take such a decision without consent of parents/guardians.) We would be under intense pressure to reunite families by paroling into the U.S. the minors' family members in Haiti, when these individuals were located or became interested in reunification. In addition, placing a large number of Haitian uams into foster care in the U.S. has budgetary implications for the Office of Refugee Resettlement at HHS which would have to be explored. Finally, such a decision would encourage families in any future mass migration to send their children out unaccompanied, as this would be perceived as a guaranteed route to U.S. admission. (This was common practice among Vietnamese boat people in the 1980s.)

~~CONFIDENTIAL~~
NSC/RMO PROFILE

RECORD ID: 9501423
RECEIVED: 22 FEB 95 15

TO: VENETIAAN, RONALD

FROM: PRESIDENT

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By ~~KDE~~ NARA, Date 05/08/12
2011-1045-F

DOC DATE: 10 MAR 95
SOURCE REF:

KEYWORDS: HAITI
HS

SURINAME

PERSONS: VENETIAAN, RONALD

SUBJECT: SURINAME ASSISTANCE DURING HAITIAN CRISIS

ACTION: FOR DISPATCH

DUE DATE: 25 FEB 95 STATUS: C

STAFF OFFICER: SCHWARTZ

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

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CLARKE
NSC CHRON
SCHWARTZ
WHITEHOUSE

COMMENTS: _____

DISPATCHED BY DPG

DATE 3-10-95

BY HAND

W/ATTCH

OPENED BY: NSGP

CLOSED BY: NSDRS

DOC 4 OF 4

~~CONFIDENTIAL~~

Haiti - Schwartz

~~CONFIDENTIAL~~
ACTION DATA SUMMARY REPORT

RECORD ID: 9501423

DOC ACTION OFFICER

001 LAKE
001 WHITEHOUSE
002 LAKE
003 PRESIDENT
004
004 STATE

CAO ASSIGNED ACTION REQUIRED

Z 95030221 FWD TO PRESIDENT FOR SIG
Z 95030412 FOR REDO
Z 95030621 FWD TO PRESIDENT FOR SIG
Z 95030919 FOR SIGNATURE
X 95031019 PRESIDENT SGD LTR
X 95031019 FOR DISPATCH

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

003 950309
003 950309
004 950310 VENETIAAN, RONALD
004 950310 STATE

DISPATCH FOR INFO

VICE PRESIDENT
WH CHIEF OF STAFF

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By XX NARA, Date 05/08/12
2011-1045-F

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NATIONAL SECURITY COUNCIL
DISTRIBUTION RECEIPT

LOG 9501423
DATE 10 MAR 95

SUBJECT: SURINAME ASSISTANCE DURING HAITIAN CRISIS
DOCUMENT CLASSIFICATION: ~~CONFIDENTIAL~~

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E.O. 13526
White House Guidelines, September 11, 2006
By YDE NARA, Date 05/08/12
2011-1045-F

NATIONAL SECURITY COUNCIL

ID 9501423

REFERRAL

DATE: 10 MAR 95

MEMORANDUM FOR: STATE SECRETARIAT

DOCUMENT DESCRIPTION: TO: VENETIAAN, RONALD

SOURCE: PRESIDENT

DATE: 10 MAR 95

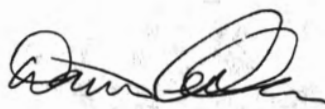
SUBJ: SURINAME ASSISTANCE DURING HAITIAN CRISIS

REQUIRED ACTION: FOR DISPATCH

DUE DATE: 14 MAR 95

COMMENT:

FOR


JOHN W. FICKLIN

NSC RECORDS MANAGEMENT OFFICE

**National Security Council
The White House**

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 URGENT NOT PROOFED: _____ SYSTEM PRS NSC INT
 BYPASSED WW DESK: _____ DOCLOG MBW A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
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Sens	_____	_____	_____
Soderberg	_____	_____	_____
Berger	_____	_____	_____
Lake	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>2</u>	<u>MBW 3/10</u>	<u>D</u>
NSC Secretariat	<u>3</u>	<u>MBW 3/10</u>	<u>D</u>
_____	_____	_____	_____
_____	_____	_____	_____

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: _____

COMMENTS: Date March 10, 95 ?

Exec Sec Office has diskette _____

reel 318 7a
National Security Council
The White House

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 URGENT NOT PROOFED: _____ SYSTEM PRS NSC INT
 BYPASSED WW DESK: _____ DOCLOG MB AVO _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
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Soderberg	<u>4</u>	<u>COPY</u>	
Berger	<u>5</u>	<u>AW</u>	
Lake	<u>6</u>	Natl Sec Advisor has seen	
Situation Room			
West Wing Desk	<u>7</u>	<u>NSW 3/9</u>	<u>DPres</u>
NSC Secretariat			

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: _____

COMMENTS:

Exec Sec Office has diskette yes

National Security Council
The White House

PROOFED BY: _____

LOG # 1423

URGENT NOT PROOFED: _____

SYSTEM PRS NSC INT

BYPASSED WW DESK: _____

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Berger			
Lake			
Situation Room			
West Wing Desk			
NSC Secretariat			
<u>WHITEHOUSE</u>	<u>2</u>		<u>FFA</u>

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: _____

COMMENTS:

① Edits at Tabs I + A.

② Letter at Tab A
needs to be coordinated
with LATAM directorate.

Exec Sec Office has diskette WJS

JUR

THE WHITE HOUSE

WASHINGTON

March 10, 1995

Dear Mr. President:

As the extraordinary joint United States-Suriname effort to provide a humanitarian safe haven for Haitian refugees draws to a close, I want to thank you for Suriname's participation in this undertaking, which exemplified the spirit of cooperation between our two countries. The generosity of the people of Suriname helped to resolve the crisis in Haiti.

Suriname's involvement in Haiti's recovery through participation in the United Nations Mission in Haiti (UNMIH) is a strong signal of your continued commitment to the restoration of democracy in Haiti.

Surinamese civilian and military personnel deserve praise for their professionalism, dedication and cooperation. Suriname and the United States have both benefited from this effort and I believe this collaboration will pave the way for greater cooperation in the future.

Sincerely,

A handwritten signature in black ink, reading "Bill Clinton". The signature is fluid and cursive, with the first name "Bill" and last name "Clinton" clearly distinguishable.

His Excellency
Ronald Venetiaan
President of the Republic of Suriname
Paramaribo

THE WHITE HOUSE

WASHINGTON

March 9, 1995 95 MAR 9 P9:22

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ✓

SUBJECT: Republic of Suriname's Assistance During the
Haitian Crisis

Purpose

To recognize the Republic of Suriname and its people for their assistance during the Haitian crisis.

Background

During the height of the Haitian crisis, Suriname agreed to offer a safe haven for Haitian migrants and Suriname's President, Mr. Runaldo Ronald Venetiaan, worked with us to identify and construct a camp. Although never used, the camp's potential as an overflow facility for our Guantanamo site enhanced our protection options and may have helped to discourage the flow of migrants seeking to leave Haiti solely for economic reasons.

Also, Suriname will continue to assist in Haiti by providing a 36-man infantry platoon to the United Nations Mission in Haiti (UNMIH).

RECOMMENDATION

That you sign the attached letter to President Venetiaan at Tab A.

Attachment

Tab A Letter to the President of the Republic of Suriname

cc: Vice President
Chief of Staff

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

1423

February 22, 1995

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE *RC*
FROM: JOHN W. WHITEHOUSE *JW*
SUBJECT: Republic of Suriname's Assistance During the
Haitian Crisis

As you will recall, the Republic of Suriname stepped forward as one country willing to provide a "safe haven" for Haitian migrants last summer. Working in conjunction with United States personnel, they identified a site and constructed a camp. Fortunately, the Guantanamo camp sufficiently met our needs and the Suriname site was never utilized. Suriname has now deactivated their site.

The attached memorandum recommends that the President sign a letter thanking the President of the Republic of Suriname for his gracious assistance.

Concurrences by: Rand Beers; Eric Schwartz; Bob Bell *RB*

RECOMMENDATION

That you sign the attached to the President at Tab I.

Attachments

Tab I Action Memo to the President

Tab A Draft letter to the President of the Republic of
Suriname

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

1423REDO

March 6, 1995

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE *RAC*
FROM: JOHN W. WHITEHOUSE *WJH*
SUBJECT: Republic of Suriname's Assistance During the
Haitian Crisis

As you will recall, the Republic of Suriname stepped forward as one country willing to provide a "safe haven" for Haitian migrants last summer. Working in conjunction with United States personnel, they identified a site and constructed a camp. Fortunately, the Guantanamo camp sufficiently met our needs and the Suriname site was never utilized. Suriname has now deactivated their site.

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Concurrences by: Rand Beers; Eric Schwartz, Bob Bell *RAC*

RECOMMENDATION

That you sign the attached to the President at Tab I.

Attachments

Tab I Action Memo to the President

Tab A Draft letter to the President of the Republic of
Suriname

Haiti - safe haven

3/16 Dick -
I'd like a
weekly report
of progress to
me and Janet
Thanks. (P)

SUMMARY OF CONCLUSIONS
UNACCOMPANIED MINORS
Interagency Working Group Meeting
March 9, 1995

1. The "best interests of the child" determination remains the most appropriate means to resolve the issue of disposition of unaccompanied minors at Guantanamo, but the process needs to be accelerated to ensure disposition of cases without any unnecessary delays.
2. State/PRM will, on March 10, sign its cooperative agreement with Save the Children. The agreement anticipates a process that will result in continual movement of children out of Guantanamo over a three month period. It also assumes the continued cooperation and involvement of UNHCR, whose participation lends credibility to the exercise.
3. Agencies and NSC staff, at high levels, will make contact with senior officials at Save the Children to emphasize the importance of committing resources and attention to this issue to ensure disposition of cases without any unnecessary delays. State will provide, by noon Monday, March 13, names of Save officials to call and talkers for the conversations.
4. On or about April 15, we will evaluate progress in this arrangement to ensure that, by that time, a significant percentage of cases have been completed and that the process is on track. If it is not, we will consider other alternatives to meet our humanitarian goals.
5. We will use the following guidance, subject to interagency comment:
 - The restoration of democracy in Haiti has permitted the repatriation of many thousands of Haitian migrants from Guantanamo.
 - However, the disposition of some 300 unaccompanied children at Guantanamo presents sensitive issues that we are seeking to resolve in a humane manner consistent with established international practice.
 - With this in mind, we have sought the assistance of specialists from the UNHCR and other organizations, and we are conducting case-by-case evaluations to determine the disposition that serves the "best interests of the child."

- In some cases, especially where the child's parents or close relatives are in Haiti, this may mean that the child will be repatriated.
- In other cases, resettlement, in third countries or in the U.S., may better meet the child's needs.
- Where U.S. resettlement would best meet those needs, the Attorney General would be very willing to consider expeditiously requests for parole and U.S. entry.
- This is a complex procedure involving time-consuming tracing of families, home-site visits and interviews with family members.
- But we are undertaking it diligently and with a commitment to the needs of these children.

6. In determining dates of birth where conflicting information has been provided, we will generally rely on the information provided to the UNHCR.

 *** TX REPORT ***

TX/RX NO	0221	
CONNECTION TEL		95149368
CONNECTION ID	ODAG	
ST. TIME	03/17	20:00
USAGE T	00'27	
PGS.	1	
RESULT	OK	

Handi- safe haven

Murch - please fax to Seth

**WHITE HOUSE
SITUATION ROOM**

PRECEDENCE: IMMEDIATE
PRIORITY
ROUTINE

BTCL

[illegible]

TIME OF TRANSMISSION

Marcia - please fax to Seth.

TIME OF RECEIPT

**WHITE HOUSE
SITUATION ROOM**

PRECEDENCE: IMMEDIATE
PRIORITY
ROUTINE

RELEASED: _____

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MESSAGE NO. _____		CLASSIFICATION UNCLASSIFIED		PAGES _____	
FROM _____		_____		_____	
(NAME)		(PHONE NUMBER)		(ROOM NO.)	
MESSAGE DESCRIPTION _____					
TO (AGENCY)		DELIVER TO		DEPT/ROOM NO.	
Justice /		Seth. Waxman		514-9368	
_____		_____		_____	
_____		_____		_____	
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_____		_____		_____	
REMARKS: SETH- WHEN SANDY saw the Summary of Conclusions on the UAMS, he asked for a weekly report, which he said should go to him and to the AG. State has promised they will send one copy directly to your office. From my lips to					

God's ears, as you would say. C.

SENT BY:

4-20-95 ; 8:52AM ;

United States Department of State 202 456 9360:# 1/ 3



Washington, D.C. 20520

BUREAU OF POPULATION, REFUGEES, AND MIGRATION
FAX MESSAGE COVER SHEET
FAX TELEPHONE: (202)663-1061

Handwritten: Hunt - Safe haven

DATE: 4/20/95

PLEASE DELIVER THE FOLLOWING PAGES TO:

Name: ERIC Schwartz

Office: NSC

Fax Telephone: 9-456-9360

THIS MESSAGE IS FROM:

NANCY JACKSON

Name: _____

Office: PRM/A/O

Telephone: 202-663-1055

NUMBER OF PAGES INCLUDING COVER SHEET:

3

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DATE DUE: _____

FOR CLEARANCE: ☐

FOR INFORMATION ONLY: ☒

NOTES:

ERIC -- Re UAMS

PER your request we asked GIMO to check
out the cases in the WP article. Here's
what we found out.

Nancy

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009. paper	Re: unaccompanied minors (2 pages)	04/20/1995	P6/b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral & Humanitarian Affairs (Schwartz, Eric)
OA/Box Number: 3416

FOLDER TITLE:

Haiti-Safe Haven, 1994-1995 [1]

2011-1045-F
ke1567

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



United States Department of State

Washington, D.C. 20520

*Haiti -
Seth Waxman*

April 7, 1995

MEMORANDUM

TO: NSC - Eric Schwartz
DOJ - Seth Waxman

FROM: DOS - Anita Betti (Acting) *AB*

SUBJECT: Weekly Update on Haitian UAMs
Week of April 3

No repatriations occurred this week due to the moratorium imposed during the transition from MNF to UNMIH.

The next cutter will arrive in Port au Prince on April 11 carrying 18 uams. Population in the uam camp will then be 259 (down from 327 at the start of the operation).

ICRC has completed over half of the family tracings. Once a minor's family is traced, results are sent to UNHCR child protection experts in Guantanamo, who decide whether a home assessment by social workers is required before a decision can be made as to a durable solution. To date, UNHCR is requiring home assessments for most of the uams. Save the Children has teams of social workers in the field doing these home assessments, the results of which are transmitted back to Guantanamo so that UNHCR can make a durable solution recommendation.

In addition to home assessments, Save will be escorting home minors returned on April 11 and will shortly begin required 30 day follow up visits for minors already back in Haiti.

