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Folder Title:

Haiti-Safe Haven, 1994-1995 [4]

Staff Office-Individual:

Multilateral & Humanitarian Affairs-Schwartz, Eric

Original OA/ID Number:

3416

Row:	Section:	Shelf:	Position:	Stack:
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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. paper	Re: [Haiti] (1 page)	07/28/1994	P1/b(1)
002. letter	Harold Honju Koh to T. Alexander Aleinikoff, re: Conditions on Guantanamo [partial] (1 page)	07/29/1994	P6/b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Multilateral & Humanitarian Affairs (Schwartz, Eric)
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2011-1045-F
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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]
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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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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]

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

Hand *Safe* *have*
5490

August 8, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE *ES for MAC*
FROM: ERIC SCHWARTZ *ES*
SUBJECT: Letters from Members of Congress on Haitian
Migration Issues

I have attached a memorandum to the President and suggested responses on the subject issue.

Concurrence by: Larry Rossi *LR*

RECOMMENDATION

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

Attachments

Tab I Memorandum to the President
Tab A Letters to Appropriate Congressmen
Tab B Incoming Correspondence from Members of Congress

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Letters from Members of Congress on Haitian
Migration Issues

Purpose

To respond to letters from Members of Congress on Haiti.

Background

Prior to our adoption of the safe haven approach to Haitian boat people on July 6, a number of Members of Congress wrote to express concern about the upsurge in boat departures.

The attached replies -- geared to the orientation of the particular Senators or Congressmen -- describe the safe haven approach we adopted and note that it addresses most of the concerns raised by the Members.

RECOMMENDATION

That you sign the letter to members of Congress at Tab A.

Tab A Letters to Members of Congress
Tab B Incoming Correspondence

THE WHITE HOUSE

WASHINGTON

Dear Mr. Chairman:

Thank you for your letter regarding Haitian migration issues.

On July 6, we announced a number of modifications in our practices that addressed each of your concerns while maintaining the principle of protection of those Haitians who legitimately fear return to conditions of repression in Haiti.

The problem we faced at the time of your letter was complex and compelling: how to provide protection for people with legitimate fears of returning to Haiti while avoiding massive outflows of those leaving simply to obtain resettlement in the United States.

By ending US resettlement of Haitian boat people but directing the establishment of temporary safe havens for those who fear return, we have sought to accommodate both these concerns. As you may know, outflows have diminished considerably, and we have now negotiated safe haven agreements with three governments in the region and have offers from four others.

While this safe haven strategy is novel to the United States, we are hardly breaking ground internationally in adopting this approach. The international community has long recognized that third country resettlement can only be the answer for a very small percentage of the world's 20 million refugees. For most refugees, including Haitians, Cambodians, Burmese and many others, the best "durable solution" is the one that permits them to return to their countries of origin when political conditions so permit.

In taking this action with respect to migration from Haiti, we are recognizing that while we cannot resettle all of the world's refugees, we can and should maintain basic commitments to protect those fleeing persecution until the conditions permit their return. This approach is true to our values, our ideals and our interests.

Thanks again for offering me the benefits of your views on this important matter.

Best regards.

Sincerely,

The Honorable Robert C. Byrd
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE

WASHINGTON

Dear Representative Dickey:

Thank you for your letter of July 8 regarding Haiti.

I share many of the concerns you raised in your letter and, like you, do not believe we should seek to "control" Haiti. At the same time, I believe we have important interests at stake in Haiti, including the need to encourage a politically stable environment that limits the likelihood of large outflows of refugees.

For this reason, I have encouraged a vigorous multilateral approach toward restoring democratic government in Haiti.

At the same time, we have a strong interest both in avoiding massive outflows of those leaving simply to obtain US resettlement and providing protection for those who have legitimate fears of return due to political repression. By ending US resettlement of Haitian boat people but directing the establishment of temporary safe havens for those who fear return to Haiti, we have sought to accommodate both these concerns. And as you may know, outflows have diminished considerably since announcement of this safe haven approach on July 6, and we have now negotiated safe haven agreements with three governments in the region and have offers from four others.

In taking this action with respect to migration from Haiti, we are recognizing that while we cannot resettle all of the world's refugees, we can and should maintain basic commitments to protect those fleeing persecution until the conditions permit their return. This approach is true to our values, our ideals and our interests.

Thanks again for offering me the benefits of your views on this important matter.

Best regards.

Sincerely,

The Honorable Jay Dickey
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Representative Gingrich:

Thank you for your letter regarding processing of Haitians outside of Haiti.

I read with interest your comments supporting a "safe area" in Haiti. We both appear to agree that Haitians in need of protection ought not to be returned to the jurisdiction of the defacto regime, and the safe haven approach announced by Bill Gray last month is designed to accomplish this goal.

While we share the goal of protection for those in fear of return to Haiti, I have a number of concerns about the specific proposal you have advocated: safe haven on Haitian territory.

First, the military and other U.S. Government resources that might have to be deployed in a workable Haiti safe area operation might far exceed the levels at Guantanamo and third country safe havens we are considering. Moreover, while I appreciate that the location you suggested -- Ile de la Gonave - - was selected with a view toward minimizing the use of force necessary to secure it, the fact remains that your suggested action would constitute a use of force. By implying that a use of U.S. or multinational force should be limited to such a narrow objective, we would be sending misleading signals to the Haitian military. Similarly, I do not believe it useful to imply that the establishment of a safe haven would constitute even an interim solution to the Haitian crisis. Our objective is the restoration of democracy in all of Haiti.

While we have not pursued the option you suggested, I appreciate receiving the benefits of your views and am gratified that you share my concerns about the need to protect vulnerable Haitians.

Sincerely,

The Honorable Newt Gingrich
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Senator Mack:

Thank you for your letter regarding Haitian migration issues.

On July 6, we announced a number of modifications in our practices that addressed each of your concerns while maintaining the principle of protection of those Haitians who legitimately fear return to the conditions of repression in Haiti.

The problem we faced at the time of your letter was complex and compelling: how to provide broad protection for people with legitimate fears of returning to Haiti while avoiding massive outflows of those leaving simply to obtain resettlement in the United States.

By ending US resettlement of Haitian boat people but directing the establishment of temporary safe havens for those who fear return to Haiti, we have sought to accommodate both these concerns. As you may know, outflows have diminished considerably, and we have now negotiated safe haven agreements with three governments in the region and have offers from four others.

In taking this action with respect to migration from Haiti, we are recognizing that while we cannot resettle all of the world's refugees, we can and should maintain basic commitments to protect those fleeing persecution until the conditions permit their return. This approach is true to our values, our ideals and our interests.

Thanks again for offering me the benefits of your views on this important matter.

Best regards.

Sincerely,

The Honorable Connie Mack
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE

WASHINGTON

Dear Representative Roth:

Thank you for your recent letter concerning Haiti.

The safe haven approach to Haitian boat people that we adopted last month addresses many of the concerns raised in your letter. In particular, it discourages large outflows of those leaving simply to obtain resettlement in the United States. At the same time, it continues to provide protection for Haitians who fear return under current circumstances.

I am, however, reluctant to consider reinstituting direct return as you recommend in your letter. Under current conditions in Haiti, direct return has dire human rights and humanitarian implications. Since the end of last year, human rights abuses have increased substantially, with hundreds of politically motivated killings. Our policy of protection helps to ensure that we do not return those at serious risk of death, torture or imprisonment due to their political beliefs and activities.

Thanks again for offering me your views on this important issue.

Best regards.

Sincerely,

The Honorable Toby Roth
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Representative Shaw:

Thank you for your recent letter concerning Haiti.

The safe haven approach to Haitian boat people that we adopted last month addresses many of the concerns raised in your letter. In particular, it avoids large outflows of those leaving simply to obtain resettlement in the United States. At the same time, it continues to provide protection for Haitians who fear return under current circumstances.

I am, however, reluctant to consider reinstituting direct return as you recommend in your letter. Under current conditions in Haiti, direct return has dire human rights and humanitarian implications. Since the end of last year, human rights abuses have increased substantially, with hundreds of politically motivated killings. Our policy of protection helps to ensure that we do not return those at serious risk of death, torture or imprisonment due to their political beliefs and activities.

Thanks again for offering me your views on this important issue.

Best regards.

Sincerely,

The Honorable E. Clay Shaw
House of Representatives
Washington, D.C. 20515-0922

Byrd

ROBERT C. BYRD, WEST VIRGINIA, CHAIRMAN

DANIEL K. INOUE, HAWAII
ERNEST F. HOLLINGS, SOUTH CAROLINA
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SLADE GORTON, WASHINGTON
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CONNIE MACK, FLORIDA
CONRAD BURNS, MONTANA

JAMES H. ENGLISH, STAFF DIRECTOR
J. KEITH KENNEDY, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20519-6028 4:48

July 1, 1994

The President
The White House
Washington, D.C.

Dear Mr. President:

I am disturbed by reports that Haitians in steeply growing numbers are being encouraged to flee Haiti in dangerously unseaworthy boats in the expectation of a good chance at gaining refugee status and entrance into the United States. The New York Times reported on June 28, 1994, that over 1,800 Haitians had been picked up in four days (June 24-27, 1994), a number exceeding the total picked up in the first four months of this year combined. The Washington Post of June 29, 1994, reported that 1,486 Haitians were intercepted at sea on Monday, June 27th, alone. This flood tide must be immediately discouraged so as not to overwhelm our processing ships, and to deter further thousands of Haitians from believing they can acquire easy refugee status in the United States.

I am puzzled as to the immediate present cause of this tremendous upsurge in Haitians seeking refugee status in the U.S. Further, I am surprised to read in the same New York Times article that "one in three Haitians processed have been granted refugee status" and that that "compares with an acceptance rate of one in 20 for Haitians who sought refugee status in the 12 previous months." While this may be only one ingredient causing the upsurge of Haitians taking to the sea, surely this high rate of granting refugee status must be considered as an important factor. I urge you to review the rate of granting refugee status and to ensure that it is lowered to a percentage that does not encourage emigration.

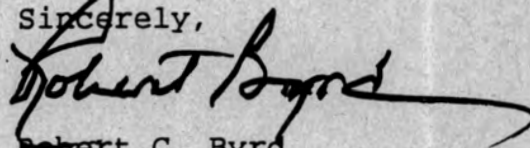
I also note reports that you have decided to reopen the Haitian refugee center on Guantanamo Bay, Cuba. While it is understandable that you need increased processing facilities, it would seem highly advisable to find every way to dampen the expectations of Haitians for gaining refugee status by returning them rapidly and visibly to Haiti.

All of this effort on our part, including additional maritime and onshore processing centers, adds substantial costs to our already-overburdened discretionary spending budget. Furthermore, those increasing numbers of Haitians granted refugee status will compete for jobs with American citizens, and have an effect on both unemployment in our southern states and the demand for unemployment compensation and other social programs. At a time when our budget resources are under severe constraints, we can ill afford these incremental strains such as are caused by the Haitian migration today.

During our meeting at the White House on March 16, 1993, I was impressed with your policy toward Haiti, and encouraged you to hold firm to it. As I wrote to you at that time, I still believe that a strong and visible Coast Guard presence is needed to deter a flood of Haitians from fleeing to the U.S. Your revised policy is not working, and I believe that it will ultimately prove to be disastrous.

Thank you for your consideration of my views on this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert C. Byrd", with a long, sweeping flourish extending to the right.

Robert C. Byrd
Chairman

RCB:dd

Dickey

TO: PRESIDENT

FROM: DICKLEY, JAY

DOC DATE: 08 JUL 94
SOURCE REF:KEYWORDS: HAITI
CO

IMMIGRATION

PERSONS:

SUBJECT: URGE PRES TO REFRAIN FM INVADING HAITI & REQUEST STRICTER
IMMIGRATION POLICIES

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 21 JUL 94 STATUS: S

STAFF OFFICER: ROSSIN

LOGREF:

FILES: WH

NSCP:

CODES:

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SCHWARTZFOR INFO
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Transfer action
to Eric Schwartz**↳ Rossin 7/19*

COMMENTS:

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DOC 1 OF 1

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JAY DICKEY

4TH DISTRICT, ARKANSAS

COMMITTEES:

AGRICULTURE

SUBCOMMITTEES

GENERAL FARM COMMODITIES

SPECIALTY CROPS AND NATURAL RESOURCES

ENVIRONMENT, CREDIT, AND
RURAL DEVELOPMENT

NATURAL RESOURCES

SUBCOMMITTEES

NATIONAL PARKS, FORESTS, AND
PUBLIC LANDS

OVERSIGHT AND INVESTIGATIONS

SMALL BUSINESS

SUBCOMMITTEES

REGULATION, BUSINESS
OPPORTUNITIES, AND TECHNOLOGY

MINORITY ENTERPRISE, FINANCE
AND URBAN DEVELOPMENT



Congress of the United States

House of Representatives

1338 Longworth Building

Washington, DC 20515

(202) 225-3772

July 8, 1994

DISTRICT OFFICES

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100 EAST EIGHTH AVE.
ROOM 2521
PINE BLUFF, AR 71601
(501) 536-3376
(800) 223-2220

HOT SPRINGS

100 RESERVE
SUITE 201
HOT SPRINGS, AR 71901
(501) 623-9800

EL DORADO

101 S. JACKSON, SUITE 201
EL DORADO, AR 71730
(501) 862-0236

94 JUL 15 PM 5:26

President Bill Clinton
1600 Pennsylvania Avenue N. W.
Washington, D. C. 20500

Dear Mr. President:

The United States is a land of "liberty and justice for all." An open door to "all" of the world will worsen an already hemorrhaging U. S. domestic problem. Every ounce of energy the U. S. government possesses should be expended to strengthening the United States. What price must the United States pay to control the Haitian crisis?

Many refugees already in our nation are receiving shelter and safety, food and care. By rescuing the hundreds, our U. S. personnel placed their lives in danger by overcrowding their own ships. We've given enough. As far as military intervention is concerned, to sacrifice any American life for any one of theirs is asking too much. Under what authority do we have to interfere with their government, no matter how wrong or devious it is? Enough is enough.

To divert our energies and resources to control Haiti is an exercise in futility. Its political philosophy will not be changed by the intervention of the United States. The United States needs buffers to protect her borders. We should increase the size of our own border patrols, as well as strengthen our Immigration and Naturalization policies. These, Mr. President, are not my sole perceptions. These

views reflect an overwhelming representation of the people in the Fourth District of Arkansas.

Sincerely yours,

A handwritten signature in dark ink, appearing to be 'Jay Dickey', written over the typed name.

Jay Dickey

sg

Gingrich

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9403938
RECEIVED: 18 MAY 94 18

TO: PRESIDENT

FROM: GINGRICH, NEWT

DOC DATE: 18 MAY 94
SOURCE REF:

KEYWORDS: HAITI
CO

REFUGEES

PERSONS:

SUBJECT: LTR TO PRES FM REP GINGRICH RE HAITIAN REFUGEES PROCESSING

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 21 MAY 94 STATUS: S

STAFF OFFICER: ROSSIN

LOGREF:

FILES: WH

NSCP:

CODES:

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to ERIC Schwartz
for action.
Rossin 5/19*

COMMENTS:

Being combined w/5490- per Eric Schwartz

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DOC 1 OF 1

UNCLASSIFIED

NEWT GINGRICH
SIXTH DISTRICT, GEORGIA

THE REPUBLICAN WHIP

WASHINGTON OFFICE:
2426 RAYBURN HOUSE OFFICE BLDG.
WASHINGTON, DC 20515-1008
(202) 225-4501



3823 ROSWELL ROAD
SUITE 200
MARIETTA, GA 30062
(404) 565-8388

3938

Congress of the United States**House of Representatives**

May 18, 1994

President Bill Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President:

I am extremely concerned about the methods, cost, and safety of your Administration's plans to charter two Ukrainian passenger ships, the MV GRUZIYA and the MV IVAN FRANCO, for at sea processing ships for the Haitian refugees. Despite the charter of these foreign ships, we currently have no method of accommodating, at sea, the thousands of expected Haitian citizens who might attempt to travel to the United States. Additionally, the fulfillment of your pledge to allow each Haitian boat person a full hearing to determine if they are a political refugee places a potentially tremendous burden on the federal agencies involved, especially the Coast Guard and Navy.

However, my most significant concern involves the safety of both the Haitian citizens and American personnel. The boarding of the passenger ship from small boats, the interior security, and the significant health hazards that will be present in the cramped quarters of a vessel make this selection totally unsuitable for this mission. The requirement to provide fresh water in sufficient quantity may be an additional burden since these ships will not be able to manufacture their own should they be stationed at anchor in a harbor. I am especially concerned about the very real need to provide crowd control in a highly compartmented ship and the potentially explosive and tragic results of an unruly or uncooperative demonstration by the Haitian refugees who are not found to be fully qualified for political refugee status.

More disturbing is the overall effect that these long term commitments will have on the morale, military readiness, and deployability of U.S. Naval forces. As overseas commitments increase, defense budgets decline, and the time out of homeport rises dramatically, I believe that we risk seeing some of our most talented personnel depart in frustration, further hollowing out Naval forces.

Moreover, the amount of time needed to provide a full safety net of Naval vessels around the coast of Haiti will divert these

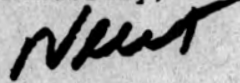
President Bill Clinton
May 18, 1994
Page 2

units from deployment preparations, joint training requirements, and necessary maintenance. The hidden costs of interdicting, providing for safety at sea, and assuming responsibility for the thousands of boat people who will see your "at sea" policy as an invitation to depart Haiti may be significant.

I strongly urge the Administration to consider the proposal put forth by Representative Porter Goss that would create a "safe haven" for political refugees on Haitian soil. The island of L'Ile de la Gonave could be utilized to provide a base for the Aristide government on Haitian soil and to provide a safe haven for refugees without endangering U.S. personnel.

I look forward to being of assistance. However, I hope that you will seriously reconsider your "at sea" processing policy.

Sincerely,



Newt Gingrich

NG:jkh

Mack

TO: PRESIDENT

FROM: MACK, CONNIE
ET AL

DOC DATE: 28 JUN 94
SOURCE REF:

KEYWORDS: HAITI
CO

IMMIGRATION

PERSONS:

SUBJECT: LTR TO PRES FM SEN MACK ET AL RE IMMIGRANTS LEAVING HAITI

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 11 JUL 94 STATUS: S

STAFF OFFICER: ROSSIN

LOGREF:

FILES: WH

NSCP:

CODES:

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FOR CONCURRENCE
CLARKE
DANVERS
HALPERIN
SCHWARTZ

FOR INFO
FEINBERG
KENNEY

COMMENTS:

*NSC/3-
P/s transfer
action to ERIC
Schwartz.
L Rossin 7/8
Being Combined w/3490 - per Eric Schwartz*

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DOC 1 OF 1

United States Senate

WASHINGTON, DC 20510-0904

June 28, 1994

34 JUL 6 4:56

The Honorable Bill Clinton
The White House
Washington, D.C. 20500

Dear Mr. President:

We want to express our deep concern over what appears to be an explosion of immigrants leaving Haiti. According to the Haiti Task Force, the number of Haitians intercepted at sea has skyrocketed over the last few days. In the last 24 hours, 1,139 Haitians have been picked up and are awaiting processing. Unconfirmed reports have indicated that as many as 27% of those processed over the last week have been accepted as refugees.

Mr. President, we believe current policy has exacerbated this dilemma and we ask that your administration respond to the following questions as soon as possible.

First, what is being done to ensure that those granted refugee status are being resettled in a variety of locations, not just the State of Florida?

Second, what other nations have agreed to help process and resettle refugees and what proportion of those intercepted are actually being processed and accepted by those countries?

Third, has the Administration relaxed its standards regarding the entry into the United States of Haitians carrying communicable diseases such as tuberculosis or HIV?

Fourth, if it is your policy to admit these people, who will pay for their health care costs?

Fifth, given that the USN Comfort is at or near its maximum capacity, what plan do you have in place to process Haitians once the Comfort is no longer available?

Sixth, what are you doing, in a proactive way, to head off what appears to be the beginning of a mass exodus from Haiti?

Seventh, at what point will you activate the Mass Immigration Emergency Plan?
Specifically, what do you consider to be the trigger point for activation of the Plan?

Sincerely,

Camie Marsh

~~[Signature]~~

Don Mills

Clay Shaw Jr.

Tom Kew

Ed McMahon

Cliff Sears

Portia Soss
De Wern

William K. Fander

Brief
Mike Bilirakis

Chas. T. Canady

THE WHITE HOUSE

WASHINGTON

July 6, 1994

MEMORANDUM FOR WILLIAM ITOH

FROM: SUSAN BROPHY *SB*
LEGISLATIVE AFFAIRS

SUBJECT: CONGRESSIONAL MAIL

Attached is a copy of the letter sent to the President from Senator Connie Mack (R-FL) and others, concerning Haiti. I would appreciate your assistance in drafting a response.

Thank you very much for your assistance. If you have any questions, please feel free to call LeeAnn Inadomi at x7500.

Enclosure

Stacy

THE WHITE HOUSE

WASHINGTON

June 29, 1994

MEMORANDUM FOR WILLIAM ITOH
NSC Executive Secretariat

FROM: SUSAN BROPHY *SB*
SUBJECT: Presidential Correspondence

Attached are copies of letters sent to the President from various members of Congress.

Since these letters address national security issues, we would appreciate your assistance in having drafts written.

Thank you very much for your assistance. If you have any questions, please feel free to call LeeAnn Inadomi at x7500.

The following is a brief description of the letters:

- 1) Connie Mack (R-FL) and others, concerning Haiti;
- 2) Dick Swett (D-NH), concerning SIVAM project in Brazil;
- 3) Bob Torricelli (D-NJ), concerning Haiti..

Attachments

Roth

TO: PRESIDENT

FROM: ROTH, TOBY

DOC DATE: 25 MAY 94
SOURCE REF:

KEYWORDS: HAITI
CO

REFUGEES

PERSONS:

SUBJECT: LTR TO PRES FM REP ROTH RE REINSTATING POLICY OF RETURNING HAITIAN
REFUGEES WHO UNLAWFULLY SEEK ASYLUM

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 13 JUN 94 STATUS: S

STAFF OFFICER: ROSSIN

LOGREF:

FILES: WH

NSCP:

CODES:

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COMMENTS:

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p/s transfer action to Eric
Schwartz -
C Rossin 6/9*

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TOBY ROTH
EIGHTH DISTRICT
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WASHINGTON, D.C. 20515

TRAVEL AND TOURISM CAUCUS
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RURAL CAUCUS
GRACE CAUCUS

CHAIRMAN, TASK FORCE ON
SOCIAL SECURITY



United States
House of Representatives

May 25, 1994

4587
FOREIGN AFFAIRS COMMITTEE
ECONOMIC POLICY, TRADE AND ENVIRONMENT
ASIAN AND PACIFIC AFFAIRS
BANKING, FINANCE AND
URBAN AFFAIRS COMMITTEE
GENERAL OVERSIGHT AND
INVESTIGATIONS
ECONOMIC GROWTH AND
CREDIT FORMATION

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I urge you to reinstate the policy of returning Haitian refugees who unlawfully seek asylum in this country.

The civil strife that now engulfs Haiti is unquestionably tragic and deplorable. However, we must not allow these events to determine our immigration and refugee policies. I strongly supported your stand to repatriate Haitians who sought American asylum illegally. However, you have now reversed course. Your latest decision to begin processing Haitian asylum claims constitutes a reversal of the firm but necessary stand you once took on this issue.

This new policy will open the floodgates to waves of Haitian refugees. By providing false hope for Haitians and encouraging them to risk the unsafe voyage to America, your new stance will exacerbate a very serious problem. The United States already takes in more immigrants than any other nation in the world. Haiti itself ranks fifth among all nations in terms of immigrants entering our country. The consequences of this openness to immigration have been considerable. This uncontrolled immigration has placed severe strains on this country and its taxpayers.

For this reason, we must stem the flow of Haitian refugees, not encourage it. If we allow them to enter the United States under special conditions, tens of thousands more will follow with hopes of gaining entry. Economically, the United States can no longer afford to grant asylum to each and every person seeking greater economic opportunity.

Our country was built by people who fled persecution and poverty to come to seek their economic and political freedom in America. As the freest, most prosperous nation on Earth, we have a special responsibility to be open to immigration. But this responsibility cannot be unlimited.

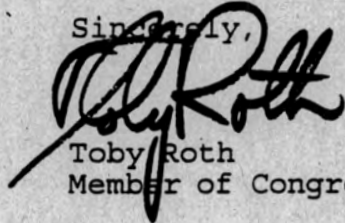
The United States must also be mindful of the increasingly limited resources we have to deal with our own pressing needs. Our immigration and refugee policies must be tempered by the realization that we must take care of our own people and our own problems first for a change.

34 MAY 26 1994
R12:09

The President
May 24, 1994
Page 2

Mr. President, I urge you to change your position regarding Haitian refugees. We cannot place further burdens on the American taxpayer by allowing this massive Haitian immigration to occur.

Sincerely,


Toby Roth
Member of Congress

TR:ipv

Shaw

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NSC/RMO PROFILE

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RECEIVED: 07 JUL 94 18

TO: PRESIDENT

FROM: SHAW, E CLAY

DOC DATE: 01 JUL 94
SOURCE REF:

KEYWORDS: HAITI
CO

REFUGEES

PERSONS:

SUBJECT: REQUEST ADMIN CHANGE POLICY RE HAITIAN REFUGEES

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 11 JUL 94 STATUS: S

STAFF OFFICER: SCHWARTZ

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COMMITTEE
WAYS AND MEANS
SUBCOMMITTEES
TRADE
HUMAN RESOURCES

Congress of the United States

House of Representatives

Washington, DC 20515-0922

July 1, 1994

Mr. Bill Clinton
The White House
Washington, D.C. 20500

Dear Mr. President:

As the events over the past week clearly illustrate, the Administration's new policy of processing Haitians at sea has put the United States on a collision course with a self-imposed disaster.

Processing Haitians at sea is not a realistic solution to a problem that requires a fundamental change in the Haitian government. Tightening sanctions has created a desperate situation in Haiti, and opening the doors of asylum has already lead to an overwhelming amount of Haitians fleeing Haiti.

It is time to reinstitute the policy of interdiction and repatriation, as it remains the only workable solution. Under this policy, Haitians are not encouraged to flee nor do they endanger themselves by doing so.

With one in three Haitians applying for asylum now being admitted to the U.S. to pursue their claim, your Administration sends a message to the people of Haiti to risk their lives at sea in hopes of being picked up by our Coast Guard. This policy recently caused the death of thirty Haitians who drowned when their overcrowded boat capsized.

Mr. President, I am gravely concerned that if the growing number of Haitians continue to flee, and I am confident they will, our resources will be quickly overwhelmed and you will be tempted to proceed with a U.S. military invasion of Haiti as your only available option. Please resist.

Internal opposition is growing in Haiti and now is not the time to risk the lives of young Americans to get embroiled in a situation from which the US cannot be extricated. I strongly encourage you to reinstitute the policy of repatriation because an invasion of Haiti will require a US commitment lasting years rather than months.

Sincerely,

E. Clay Shaw, Jr.

THE WHITE HOUSE

WASHINGTON

July 6, 1994

MEMORANDUM FOR WILLIAM ITOH

FROM: SUSAN BROPHY *SB*
LEGISLATIVE AFFAIRS

SUBJECT: CONGRESSIONAL MAIL

Attached are copies of letters sent to the White House from several members of Congress.

Since these letters address national security issues, I would appreciate your assistance in drafting a response. The letters are as follows:

- 1) Clay Shaw (R-FL), concerning Haiti; and
- 2) John Kerry (D-MA), concerning the United States' Generalized System of Preferences program.

Thank you for your assistance. If you have any questions, please feel free to call LeeAnn Inadomi at x7500.

Enclosure



Handi - safe have

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National Security Council - NSC

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**United States
Department of Justice**

Community Relations Service

Guantanamo Bay, Cuba

**Update to
Status Report of Operations
provided to
The Joint Operations Task Force**

August 9, 1994

Table of Contents

I.	Executive Summary	Page 2
II.	Role of CRS at GTMO	3
	A. Administration	3
	B. Programs	
	1. Family Reunification	3
	2. Recreational Programs	4
	3. Health Education	4
	4. Processing	4
	5. Camp Response Team	4
	6. Unaccompanied Minors	4
	7. Educational Activities by Camp	5
III.	Developing Roles and other CRS Activities	7
IV.	Coordination With Voluntary Agencies	7
V.	Quality of Life Improvements	8

I. Executive Summary / Overview of Current Operations at GTMO

The migrant processing operations are now largely completed. Migrant operations are stabilizing, and the situation has changed from a camp processing effort to a camp management operation. The JTF has continued its remarkable job in providing leadership, housing, and basic needs for a large population. Attention is now primarily focused on the nature and length of the migrants stay in Guantanamo. The surge in migrant interdictions has abated, and the camp population now stands at approximately 16,000. Recently there has been an uptick in voluntary repatriations. Of those granted asylum under the previous policy, there remains a population of approximately 168 screened-in migrants at Camp Bulkeley.

Now that operations have stabilized, the need for program activity within the camps is a high priority. Both the JTF and civilian organizations are looking ahead to the possibility of a longer stable migrant population. There remains a continuing need for ongoing conflict and tension reduction services. Conflicting reports concerning future safe haven sites and what these sites might entail filter into the camps, contributing to camp tension. Other tension creating factors include rumors; the lack of news about outside events, for which a newspaper is being published twice weekly and a radio station will shortly be on line; and in some instances, a concern about a sense of permanence at Guantanamo. Some migrants have indicated that they were led to believe that GTMO was not a safe haven but now see no movement beyond Guantanamo. To date, the JTF has provided excellent leadership, logistical support, and programmatic support to CRS and other civilian agencies. Such cooperation has resulted in the beginnings of camp-wide programs designed to help reduce camp tension, and improve the daily life of the Haitian migrants.

CRS, in order to better fulfill its humanitarian role in cooperation with the JTF, has expanded its staff to 27 and anticipates a future increase in personnel from various sources. Additionally, CRS is taking the lead role in coordinating Voluntary Agency (VOLAG) activities at GTMO. InterAction, a New York City based VOLAG consortium, has designated World Relief to represent national VOLAG interests and work with CRS and UNHCR in implementation of programs for the migrant population. Since their arrival just over a week ago, the VOLAGS, in coordination with CRS, UNHCR and JTF, have concentrated their efforts principally in three areas. These are:

- (1) Coordination of donated materials from CONUS;
- (2) Establishment of health education programs;
- (3) Providing social work efforts as needed for special cases.

II. Role of CRS at Guantanamo

The Community Relations Service of the Department of Justice is an integral part of the JTF and civilian migrant operations team. With support and leadership from the JTF, CRS has taken a major role in helping to forge programs for service delivery within the migrant camps. Current and future programs in education, recreation, family reunification and unaccompanied minors depend in large part on effective working relationships with JTF personnel. Communication and coordination between civilian agencies are all important components of CRS's role in helping the JTF to meet humanitarian needs through program activities. CRS will continue to work toward effective program implementation and coordination, acting as both a coordinating agency and humanitarian service provider.

A. Administration

CRS is working with a staff of 27 in cooperation with the JTF, INS, DOS, UNHCR, VOLACIS, and other civilian agencies. This number is supplemented by an additional 10 personnel detailed to CRS by IOM. Under the direction of the CRS management team, the staff is divided according to programming activities. The Deputy Director of Operations and Programs oversees the following programs: Education, Family Reunification, Recreation, Processing, Unaccompanied Minors, and Health Education. Each program, in turn, is staffed by teams who organize and implement the projects in coordination with the JTF and appropriate civilian agencies. The Deputy Director for the Training Program oversees program development and analysis, as well as cultural awareness and conflict resolution training activities. The four Camp Response Teams (CRT's) work in assigned camps under the direction of the Deputy Director for Camp Liaison. Overall CRS activities are coordinated by the Director. Daily staff meetings ensure a timely and smooth flow of information between program staff and contribute to ongoing program development.

B. Program Status

1. Family Reunification

The issue of reunifying families continues to be intensive and time sensitive and thus has necessitated breaking the task into three components. These include: maintaining a database to track individual cases and prioritizing them, maintaining a liaison with the chaplains, UNHCR and others who bring cases to the Family Reunification Team, and; maintaining a cadre of field staff to do the necessary leg work in finding separated family members and verifying relationships.

2. Recreational Programs

Recreational Activities are being established throughout the camps after the JTF's distribution in the past week of soccer balls, dominoes and other recreational equipment. Longer term plans include organized tournaments within the camps and between camps in the various activities.

3. Health Education

CRS is identifying trained personnel to assist in health education activities. With the arrival of the NGOs, it is anticipated that they will support, through the provision of public health nurses, the establishment of health education and monitoring systems which shall include: Immunization, Basic Curative Care, Endemic Disease Control and Epidemic Preparedness, Maternal and Child Health Care, Sexual Awareness Courses, among others.

4. Processing

With processing of the existing Guantanamo population now completed, the extent of CRS involvement in processing is limited to the remaining few being interdicted and brought to GTMO. Those who elect to be voluntarily repatriated are also being reprocessed. When processing is not being conducted, the processing team is assigned to the family reunification team.

5. Camp Response Teams (CRTs)

In close cooperation with the JTF, the CRTs have been actively engaged in monitoring tension levels throughout all camps and assisting as civilian mediators as the need arises. With some frequency, the CRTs have assisted in tension reduction. It is anticipated that this will continue as the migrant population remains subject to tension creating factors. These factors include rumors, conflicting reports concerning future safe haven sites and what those sites might entail and the need for additional information about outside events.

6. Unaccompanied Minors Program

CRS has identified twenty (20) House Families to supervise the identified 312 Unaccompanied Minors (UM). The House Families have been chosen for their skills and backgrounds as teachers, nurses, homemakers, etc. The House Family profiles are parents with children of their own, single females with children and single males with children. The JTF, with assistance from CRS, moved the families from Camp McCalla to Camp

Bulkeley Alpha on August 7, 1994. CRS will provide an orientation session for all House Families on August 7 and 8. The orientation session will cover the roles and responsibilities of the House Families which consist of providing structure and supervision of the minors' daily activities, i.e. daily chores, morning/nighttime activities, school participation, hygiene, etc.

The JTF, with assistance from CRS, expects to move approximately 312 Unaccompanied Minors from Camp McCalla to Camp Bulkeley Alpha on August 8 and 9, 1994. Of the 312 minors identified to date, 238 are males and 64 are females. Upon UM arrival at Camp Bulkeley, CRS will give an orientation to all minors to explain their duties, responsibilities, and expected behavior.

CRS believes the unique educational and developmental needs of the minors necessitates provision of services in the following areas: Literacy, Math, Writing, Science, Health/Nutrition, Recreation, Arts/Crafts. Counseling will also be provided as necessary. The minors will be grouped according to their ability, age and developmental needs. Program evaluation and assessment will be ongoing and adjustments will be made as necessary.

7. Educational Activities by Camp:

Camp 1 :

An informational and organizational meeting was held on 7/30/94. This meeting was organized and initiated by JTF personnel at Camp 1. A larger than expected crowd of approximately 400 people were in attendance. Due to the large number, the meeting took on a political tone and the subject of education in the camp was only addressed by those opposed to the program. After discussing the difficulties of conducting the meeting, it was mutually decided by CRS and the JTF personnel at Camp 1 to attempt to meet with the educational leaders separately and at a later date this week.

Camp 2 :

Camp 2 has only recently been fully processed. CRS has begun organizational efforts there and a meeting was held with potential teachers on 8/2/94. It is hoped that an already existing bible study can be expanded upon.

Camp 3 :

After a number of organizational meetings, and one basic health education session with the Camp 3 instructors, the camp was to begin class on 8/01/94. Due to the current tension level in the camp, CRS was requested by the camp commander to hold off on starting classes. This request is to be reevaluated day by day. A meeting was held 8/7/94 to discuss the education program. Leaders are scheduled to visit the existing program in

Camp 4 and it is expected that student registration will take place by 8/12/94. Classes are presently scheduled to take place Monday through Friday from 2pm until 4pm. Classes are open for ages 5 to 15. Curriculum will include math, language (Creole, French), health, hygiene, and nutrition.

Camp 4 :

After beginning with approximately 175 students just two weeks ago, classes in Camp 4 have grown to almost 225. With the cooperation of JTF, classrooms have expanded from an original 4 to a current 7. There are 31 teachers involved with a student population ranging in age from 4 to 16, teaching a variety of subjects including history, geography, math, language (Creole, French, English), and bible study. An English course is scheduled for Mondays, Wednesdays, and Fridays 4pm to 5pm. This course is for the instructors of Camp 4 and will be conducted by the chaplains. A weekly evaluation meeting is held every Thursday with CRS monitoring the meeting.

Camp 5 :

An informational and organizational meeting was held on 8/6/94 with camp leaders and potential teachers. Preliminary efforts to recruit students are underway and student registration began on 8/8/94.

Camp 6 :

Camp 6 was the last camp to be processed. CRS has begun organizational efforts there and will assist, support, and expand an already existing program. Classes will be held daily Monday through Friday.

Camp 7 :

After a number of organizational meetings, classes were set to begin 8/1/94 in Camp 7. Due to the tension level in the camp at that time, classes were unable to commence. CRS was able to meet with the principal leader of the education program in the camp. He expressed several concerns for himself and his fellow teachers. Among the primary concerns discussed were personal security and clothing for the instructors. These concerns have been shared with JTF personnel in the camp. A total of 20 teachers had been identified in the camp. That number dropped to 17 on Friday, 7/29 and to 5 by Monday, August 1. The JTF and CRTs have taken measures to address the teachers' concerns. Classes are to be held Monday through Friday from 9am until noon. Curriculum is to include: science, social studies, math, language (Creole, French), and health. Ages 5 to 15 are to be included. On 8/8/94 education leaders from Camp 7 will

be taken to Camp 4 where they will observe an education program already up and running. Student registration is set to begin on 8/9/94.

Camp Bulkeley

The education program at Bulkeley is winding down as the number of screened-ins decreases. This program has dealt primarily with English classes. With the movement of the UMs to Bulkeley, a separate curriculum program is being developed for the benefit of those UMs.

Materials

With the cooperation of the JTF, a host of educational materials have been acquired. Still in demand are chalkboards, chalk, notebooks, pens, pencils, and crayons. The JTF has been extremely helpful in this area, and continued efforts will ensure provision of needed items. However there is a compelling need for additional materials in Creole and French, such as dictionaries, bibles, textbooks, and books for pleasure reading as the education program expands to include young adults and older individuals.

III. Developing Roles and other Activities for CRS

Looking to the next seven to ten days, it is anticipated that CRS will accomplish the following activities in addition to maintaining and expanding upon all other programmatic activities.

- CRS will assist JTF by providing radio linguists for the camp radio station which should be on line within the next few days;
- CRS will seek to publish an article in the upcoming consecutive issues of the camp newspaper explaining and describing each time a different CRS program;
- Mediation and conciliation training will be provided by CRS Washington staff to on the ground staff at Guantanamo.
- CRS will be represented on the camp newspaper editorial board as it is established by the JTF.

IV. Coordination with Voluntary Agencies delivering services at GTMO through InterAction.

InterAction in New York City, an agency which represents the collective interests of the National Voluntary Agencies (VOLAGS), has designated World Relief to represent the interests of the National Voluntary Agencies and work with CRS and UNHCR in regard to program services. With the support of VOLAG activities in Guantanamo CRS shall

continue to take the lead in coordinating programmatic activities at the migrant camps. Meetings have been and will continue to be held principally by CRS, UNHCR and VOLAGs to coordinate efforts at providing services within the camps utilizing the strengths that each can bring to achieving the common objective of program delivery inside the camps. Principally, right now, it is expected that VOLAG priorities will be to provide coordination of contributions of goods (shoes, clothing, educational supplies, etc.) from CONUS, assist in the efforts to establish health education programs (see above) and assist with social services within the camps as needed. To date, there are eleven VOLAG staff at GTMO.

V. Quality of Life Improvements

As discussed and recognized by the JTF and civilian components, and as noted in the previous report, the following steps would result in diminished tensions and improved security:

- Continue to show respect for the migrants as individuals.
- Create 24 hour First Aid tents at all camps to provide medical services as needs arise.
- Expedite arrival and distribution of donated clothes.
- Provide a means of communication for those migrants who have families abroad. (In 1992, pre-written, stamped post cards were very effective.)
- Continue provision of educational and recreational materials such as chalkboards, writing materials, and sports equipment.
- The current diet should be supplemented with food to which the Haitians are accustomed (e.g. oil, gravies, and spices. Haitians associate food with respect.)
- Bring in donated toys for children.
- Begin entertainment activities similar to previous GTMO migrant operations. (In 1992 movies, dances, sports tournaments, and music were provided.)
- Continue camp newspaper and establish the planned radio station

The above measures are small, but it is the small gestures that have the biggest impact on camp morale and human dignity. As civilian partners in JTF's operation, we can build on recent successes and help continue to manage a difficult situation.

CRS Guantanamo Organizational Chart

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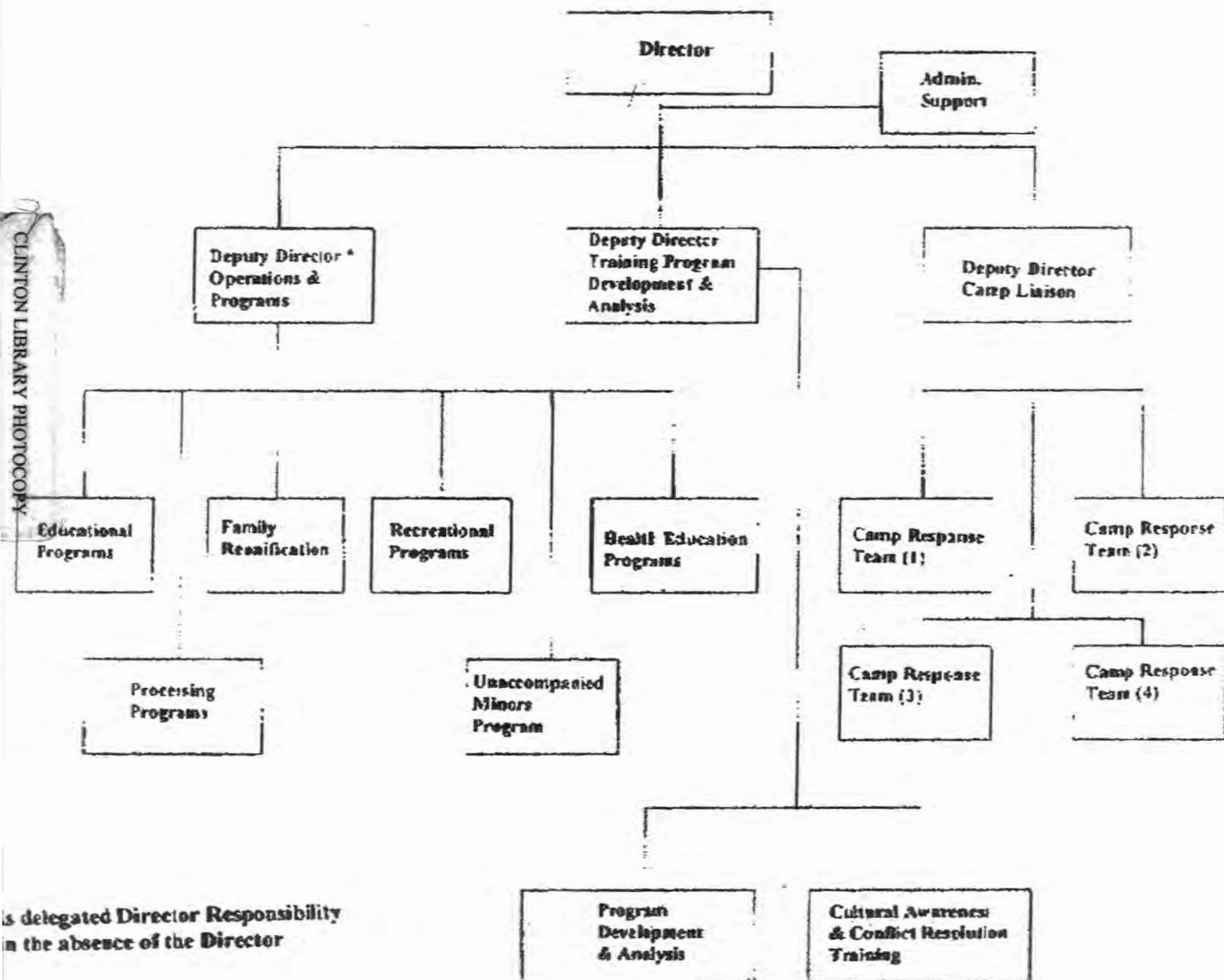


TABLE OF CONTENTS

I.	EXECUTIVE SUMMARY	Page 2
II.	ROLE OF CRS at GTMO	3
	A. ADMINISTRATION	3
	B. PROGRAMS	
	1. FAMILY REUNIFICATION	3
	2. RECREATIONAL PROGRAMS	4
	3. HEALTH EDUCATION	4
	4. PROCESSING	4
	5. CAMP RESPONSE TEAM	4
	6. UNACCOMPANIED MINORS	4
	7. EDUCATIONAL ACTIVITIES by CAMP	5
III.	DEVELOPING ROLES and OTHER CRS ACTIVITIES	6
IV.	COORDINATION WITH VOLUNTARY AGENCIES	8
V.	QUALITY OF LIFE IMPROVEMENTS	8

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United States Department of State

Washington, D.C. 20520

BUREAU OF POPULATION, REFUGEES, AND MIGRATION

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NOTES:

TODAY'S Press GUIDANCE FYI - FINAL Version

PRM PRESS GUIDANCE
July 26, 1994

HAITI: INTERDICTION OF HAITIAN BOAT PEOPLE

Q. Could you give us an update of interdictions and processing statistics?

A. INTERDICTIONS

-- **13 HAITIANS WERE INTERDICTED BY THE COAST GUARD YESTERDAY.**

-- **THIS BRINGS THE TOTAL NUMBER OF HAITIANS PICKED UP SINCE SHIP BOARD PROCESSING BEGAN ON JUNE 15 TO APPROXIMATELY 20,975.**

Q. Do you see this as the beginning of a downward trend in the outflow of boat people?

A. -- **THE NUMBERS HAVE BEEN MUCH LOWER FOR OVER TWO WEEKS.**

-- **WE ARE ENCOURAGED THAT FEWER HAITIANS FEEL THE NEED TO RISK THEIR LIVES BY TAKING TO SEA IN SMALL, UNSEAWORTHY BOATS.**

- 2 -

Q. To what do you attribute this decrease in the outflow?

- A. -- WEATHER NO LONGER SEEMS TO BE A FACTOR SINCE SEAS ARE REPORTED TO BE CALM.**
- THE MESSAGE MAY BE TAKING HOLD IN HAITI THAT THE OPTIONS FOR HAITIANS WHO LEAVE BY BOAT ARE EITHER TEMPORARY PROTECTION IN A SAFEHAVEN OR VOLUNTARY REPATRIATION, AND NOT REFUGEE STATUS IN THE U.S.**
- HOWEVER, WITH THE CONTINUING DETERIORATION OF THE HUMAN RIGHTS SITUATION, WE CANNOT DISCOUNT THE POSSIBILITY OF AN INCREASED OUTFLOW IN THE FUTURE.**
- WE CONTINUE TO APPEAL TO THOSE HAITIANS WHO FEAR PERSECUTION TO APPLY TO THE IN-COUNTRY REFUGEE PROCESSING PROGRAM.**

PRM PRESS GUIDANCE**July 26, 1994****HAITI: TEMPORARY PROTECTION FOR HAITIAN BOAT PEOPLE**

Q. Could you run through the numbers of those interviewed at Guantanamo for safehaven or voluntary repatriation?

A. -- SOME 16,875 HAITIANS HAVE ALREADY BEEN PROCESSED FOR EITHER VOLUNTARY REPATRIATION OR FOR TEMPORARY PROTECTION.

-- 13,404 HAVE BEEN APPROVED FOR TEMPORARY PROTECTION.

-- 3,469 HAVE VOLUNTEERED TO RETURN TO HAITI. 3,410 OF THESE HAVE ALREADY BEEN REPATRIATED.

Q. How many Haitians are presently at Guantanamo?

A. -- APPROXIMATELY 16,115 HAITIANS ARE PRESENTLY AT GUANTANAMO. THESE INCLUDE:

**13,404 WHO HAVE BEEN APPROVED FOR SAFEHAVEN;
SOME 2,365 WHO ARE AWAITING PROCESSING FOR
VOLUNTARY REPATRIATION OR FOR TEMPORARY
PROTECTION;
288 APPROVED REFUGEES FROM THE COMFORT WHO
ARE AWAITING DEPARTURE FOR THE U.S.; AND
59 PENDING VOLUNTARY REPATRIATION.**

- 2 -

IF ASKED

Q. Has anyone been returned to Haiti involuntarily since the new policy went into effect?

A. -- 8 HAITIANS, WHO HAVE BEEN FOUND TO BE INELIGIBLE FOR STATUS AS A REFUGEE OR FOR TEMPORARY SAFEHAVEN, WERE RETURNED TO HAITI YESTERDAY.

-- BASED UPON INVESTIGATION, IT WAS DETERMINED THAT THERE ARE REASONS TO BELIEVE THAT THESE PEOPLE HAVE PARTICIPATED IN A SERIOUS NON-POLITICAL CRIME.

-- THEY ARE REPORTED TO HAVE BEEN INVOLVED IN INCIDENTS OF PEOPLE BEING THROWN OVERBOARD FROM THE BOAT IN WHICH THEY LEFT HAITI.

-- U.S LAW AND INTERNATIONAL LAW PROVIDE THAT WHERE THERE ARE SERIOUS REASONS TO BELIEVE THAT A PERSON HAS COMMITTED A SERIOUS NON-POLITICAL CRIME, THAT PERSON IS NOT ELIGIBLE FOR STATUS AS A REFUGEE.

-- NO ONE ELSE HAS BEEN REPATRIATED INVOLUNTARILY SINCE THE NEW POLICY BEGAN ON JULY 5.

PRESS GUIDANCE**July 26, 1994****HAITIAN BOAT PEOPLE: NEGOTIATIONS WITH OTHER COUNTRIES**

Q. Where are you in the search for temporary protection sites with other countries in the region?

- A. -- A MEMORANDUM OF UNDERSTANDING WAS SIGNED ON JULY 15 WITH THE GOVERNMENT OF THE ISLAND OF ST. LUCIA (LU-sha) FOR SAFEHAVEN FACILITIES FOR UP TO 5,000 HAITIANS.**
- SURINAME HAS AGREED TO PROVIDE A SAFEHAVEN SITE FOR HAITIAN BOAT PEOPLE. A MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENTS OF THE U.S. AND SURINAME IS EXPECTED SHORTLY.**
- WE HAVE SIGNED A MEMORANDUM OF UNDERSTANDING WITH THE GOVERNMENT OF DOMINICA (domln-EE-ka) FOR THE TEMPORARY PROTECTION OF UP TO 2,500 HAITIANS.**
- WE HAVE AGREEMENTS IN PRINCIPLE WITH THE GOVERNMENTS OF ANTIGUA AND GRENADA FOR SAFEHAVEN SITES, BUT MEMORANDA OF UNDERSTANDING HAVE NOT BEEN SIGNED.**

- 2 -

- FIVE CENTRAL AMERICAN GOVERNMENTS (NICARAGUA, HONDURAS, COSTA RICA, GUATEMALA, EL SALVADOR) AND PANAMA PUBLISHED A DECLARATION ON JULY 23 INDICATING THEIR REGIONAL DETERMINATION TO EXPLORE SAFE HAVEN POSSIBILITIES ON THEIR TERRITORIES WHERE APPROPRIATE.
- WE ARE INITIATING DISCUSSIONS WITH THESE COUNTRIES.
- THE INCOMING GOVERNMENT OF PANAMA HAS EXPRESSED ITS WILLINGNESS TO OFFER A SAFE HAVEN FOR HAITIAN BOAT PEOPLE AFTER SEPTEMBER 1.
- THE U.S. GOVERNMENT AND OUR PARTNER IN THE SAFE HAVEN POLICY - THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) - GREATLY APPRECIATE THE COOPERATION OF THESE COUNTRIES IN THIS REGIONAL HUMANITARIAN EFFORT.
- DECISIONS ON OPENING SAFE HAVENS WILL BE MADE IN THE NEAR FUTURE. THE REDUCED RATE OF DEPARTURE BY BOAT PEOPLE IS A FACTOR IN THE CALCULATION OF HOW MANY SITES TO OPEN AND WHEN.

- 3 -

Q. Is it true that Honduras has offered to take up to 40,000 Haitians?

A. -- WE HAVE HAD NO OFFICIAL COMMUNICATION FROM THE GOVERNMENT OF HONDURAS REGARDING A SPECIFIC OFFER. WE ARE JUST NOW BEGINNING DISCUSSIONS WITH HONDURAS ON A POSSIBLE SAFE HAVEN SITE.

Q. What are the plans for the Turks and Caicos Islands given the new policy change?

A. -- THE CONSTRUCTION OF THE GRAND TURK SITE IS COMPLETED.

-- WE MAY USE THE GRAND TURK FACILITY AS THE INITIAL PROCESSING SITE WHERE HAITIAN BOAT PEOPLE WILL BE INTERVIEWED FOR TEMPORARY SAFEHAVEN OR FOR VOUNTARY REPATRIATION. NO ONE WILL BE INTERVIEWED FOR ADMISSION TO THE U.S.

-- THE MEMORANDUM OF UNDERSTANDING BETWEEN THE U.S. AND TCI HAS BEEN REVISED TO REFLECT THE CHANGED NATURE OF THE OPERATION.

- 4 -

- WITH THE DECLINE IN THE NUMBER OF HAITIANS LEAVING BY BOAT, A DECISION ON WHEN TO OPEN THE PROCESSING OPERATION ON TCI HAS NOT YET BEEN MADE.

- IN THE MEANTIME, THE FACILITY ON GRAND TURK ISLAND WILL REMAIN ON 48-HOUR STANDBY STATUS.

PRM PRESS GUIDANCE
July 26, 1994

HAITI: IN-COUNTRY REFUGEE PROCESSING

Q. How are you getting approved refugees out of Haiti?

A. -- 176 APPROVED REFUGEES LEFT PORT AU PRINCE ON AIR FRANCE LAST WEEK. ANOTHER GROUP IS SCHEDULED TO LEAVE THIS WEEK. THIS BRINGS THE NUMBER OF REFUGEES WHO HAVE COMPLETED THEIR PROCESSING AND HAVE ARRIVED IN THE UNITED STATES TO 3,277.

-- MANY OF THOSE REMAINING ARE NOT YET TRAVEL READY. THE MAJORITY ARE FAMILY MEMBERS OF APPROVED REFUGEES. IN MANY CASES THEY DID NOT APPEAR AT THE INTERVIEW WITH THE PRINCIPAL APPLICANT AND INS MUST NOW VERIFY THE FAMILY RELATIONSHIPS BEFORE THEY CAN TRAVEL.

-- THE INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM), WHICH IS RESPONSIBLE FOR MAKING TRAVEL ARRANGEMENTS FOR APPROVED REFUGEES AND THEIR FAMILIES, WILL SEND THEM ON AIR FRANCE UNTIL IT CEASES OPERATING.

-- IOM IS ALSO SEEKING TO ORGANIZE CHARTER FLIGHTS. IF NECESSARY USE OF OTHER MODES OF TRANSPORT WILL BE EXPLORED.

- 2 -

Q. Could you provide an update on the In-country refugee processing program?

A. -- AS OF JULY 22, OVER 60,500 PRELIMINARY QUESTIONNAIRES HAVE BEEN RECEIVED SINCE THE BEGINNING OF THE IN-COUNTRY PROGRAM IN FEBRUARY 1992.

-- MANY OF THESE APPLICANTS DO NOT MEET THE ELIGIBILITY REQUIREMENTS OF THE PROGRAM AND ARE NOT PROCESSED FURTHER.

-- INS OFFICERS HAVE INTERVIEWED SOME 17,700 PEOPLE AT THE THREE IN-COUNTRY REFUGEE PROCESSING CENTERS.

-- OF THIS NUMBER, 4,460 (25 PERCENT) HAVE BEEN APPROVED BY INS FOR ADMISSION TO THE UNITED STATES AS REFUGEES AND SOME 13,200 HAVE BEEN DETERMINED NOT TO BE REFUGEES.

U.S. Department of State
Bureau of Population, Refugees, and Migration

HAITIAN MIGRANT POPULATIONS**As of July 26, 1994**

Total Population at Guantanamo Naval Base		16,115
Approved Refugees pending transport to U.S.	288	
Granted Safehaven Status	13,404	
Pending Voluntary Repatriation	59	
Pending Processing	2,364	
Aboard USCG and USN Vessels		13
En Route to GTMO for Initial Screening	13	
En Route to Port au Prince from GTMO	0	
Admitted to U.S. (Approved Refugees)		297
Medical Evacuations to U.S.		4
Repatriated		4,548
Repatriated from USNS Comfort	1,138	
Voluntarily Repatriated from GTMO	3,410	
TOTAL INTERDICTIONS		20,977

PRM:HTI-201

Status as of: 07/26/94

09:30

U.S. Department of State
Bureau of Population, Refugees, and Migration

STATUS OF HAITIAN BOAT PEOPLE

Cumulative Screening Report

June 15 - July 26, 1994

Processed for Refugee Status aboard USNS Comfort

Total Interviewed			2,283
Approved	26%	585	
Pending Final Processing/Transport		288	
Admitted to U.S.		297	
Denied	74%	1,698	
At GTMO for Safehaven/Vol Repat Processing		560	
Repatriated		1,138	
Medical Evacuations to U.S.			4

Processed for Safehaven Status at Guantanamo Naval Base (7/6/94-present)

Processed		16,873
Approved		13,404
Requested Voluntary Repatriation		3,469
Pending Voluntary Repatriation	59	
En Route to Port au Prince	0	
Voluntarily Repatriated	3,410	
Pending Processing		2,377
Ashore at Guantanamo Naval Base		2,364
En Route to Guantanamo Naval Base		13

PRM:HTI-202

Status as of: 07/26/94

09:22

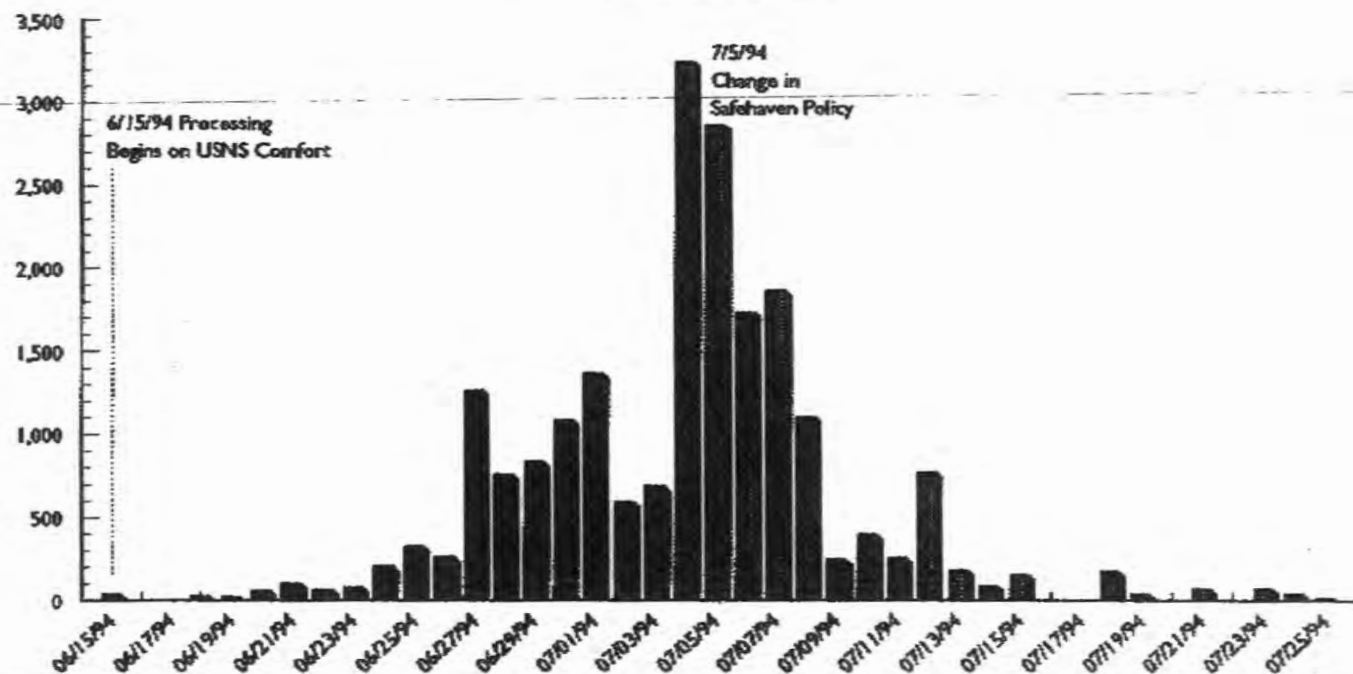


U.S. Department of State
Bureau of Population, Refugees, and Migration

DAILY INTERDICTIONS OF HAITIAN BOAT PEOPLE

by U.S. Coast Guard and U.S. Navy

6/15/94 - 7/25/94



PRM-H-TT-103
07/26/94

Plati - safe haven

DEPARTMENT OF DEFENSE

COMMANDER IN CHIEF
U. S. ATLANTIC COMMAND
1502 MITSCHER AVENUE SUITE 200
NORFOLK, VA. 23561-2400

26 July 1994

U. S. ATLANTIC COMMAND J3 MEMORANDUM

To: Distribution

Subj: Itinerary for NGO visit to Guantanamo Bay on 27 July 1994

1. The following itinerary is provided for the NGO visit to Guantanamo Bay CU on 27 July 1994:

Time	Event
0930	NGO aircraft arrive Leeward Point, GTMO
0930 - 0950	NGOs deplane and proceed to ferry
0950 - 1020	NGOs transit to Windward Point via ferry
1020 - 1030	NGOs transported to JTF-160 HQ
1030 - 1100	Orientation Brief
1100 - 1115	NGOs depart for Phillips Park windshield tour
1115 - 1200	Lunch at Phillips Park or tour Camp Bulkeley (optional)
1200 - 1300	NGOs tour Air Transportable Hospital (ATH)
1300 - 1410	Tour Blue Caribe/Hangar processing facility
1410 - 1515	Tour Camp McCalla
1515 - 1530	Depart for JTF-160 HQ
1530 - 1550	Office Visit with BGEN Williams
1550 - 1630	Transit to Leeward Point for departure
1630 - 1650	Flight manifesting and boarding
1700	Depart GTMO

T. B. Fargo
T. B. FARGO
RADM U.S. Navy
Director for Operations

Dist:

Ambassador McKinley
Eric Schwartz
Betsy Fitzgerald
MGEN Bates
BGEN Williams

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages 1

To: *Eric Schwartz*
Dept / Agency

From: *RADM FARGO*Phone #: *CINCPACFLT 53*Fax #: *202-395-1129*

Fax #

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TO :
FROM : HAROLD KOH

PHONE NO. : 180095011110202395119928395179

JUL. 25. 1994 7:27PM P 1

PHONE NO. : 2038658817

Haite-Same-Haven

PROFESSOR HAROLD KOH
87 OGDEN STREET
NEW HAVEN, CT 06511

PHONE: (203) 865-8817
FAX: (203) 865-8817
BITNET: Schell@Yalevm

FAX TRANSMISSION

DATE:

7/25/94

TO:

Betsy Fitzgerald
ERIC SCHWATZ - USC

URGENT

FROM:

HAROLD HONGJU KOH

NUMBER OF PAGES (Including cover):

4

PLEASE CALL IF FAX IS ILLEGIBLE:

(203) 865-8817

RE:

TO :
FROM : HAROLD KOH

PHONE NO. : 180095011110202395119928395179

JUL. 25, 1994 7:28PM P 2

PHONE NO. : 2038658817



YALE LAW SCHOOL
401A Yale Station
New Haven, Connecticut 06520

HAROLD HONGJU KOH
Gerard C. and Bernice Latrobe
Smith Professor
of International Law

203 432 4932
203 432 8260 FAX

BY FAX
July 25, 1994

Betsy Fitzgerald
PRM--United States Department of State
Washington, D.C.
Fax: 202-663-1062

RE: Guantanamo Trip of Nongovernmental
Organizations, July 27, 1994

Dear Ms. Fitzgerald:

Along with other representatives of nongovernmental organizations (NGOs) concerned about Haitian refugees, I will be traveling to Guantanamo Naval Base (GTMO) on July 27, 1994. I understand that we will be on the ground in Guantanamo from about 9:30 A.M.-5:30 P.M. that day. Because our time on the ground will be so limited, Mr. Eric Schwartz of the National Security Council has asked that we write to you with suggestions as to how our visit might be most efficiently scheduled. I would be grateful if you would pass the following instructions along to Joint Task Force personnel on GTMO so that they may make the necessary arrangements.

1. Please arrange for us to be met by bus upon arrival at the airport and transported immediately across the bay, by a nonscheduled ferry, to the main part of the base. We should be met there by three mini-vans, each with a walkie-talkie connected to JTF headquarters and a driver who is authorized to give us access to the various locations we will need to see during the course of the day. We will organize ourselves into three teams, each of which will board one mini-van. Many of the visitors have already been to GTMO a number of times, and so we do not feel the need for general briefings. If we are to receive any briefings, we would appreciate it if they could be conducted on-site, rather than at a distance from the sites that we would like to visit. We will not need a lunch break, and can eat while we travel if we can stop to pick up food and drink.

2. One team would visit the following sites:
- a. the Base Hospital
 - b. the Clinic at Camp Bulkeley (if it is operating)

2

- c. Camp Bulkeley (if it is operating)
- d. the portable hospital that has been brought in for emergency purposes and any other similar sites;
- e. any other site where Haitian refugees are receiving medical counseling, medical treatment, medication, or the like.

Members of this team would like to speak freely with

- a. the Chief Medical Officer tasked with addressing the Haitians' medical needs
- b. the commander of Camp Bulkeley and the head of its medical clinic

c. medical personnel at those sites about the efforts that are being made to provide the Haitians with adequate medical care. We are particularly interested in learning about the treatment of minors, pregnant women, medical screening procedures for HIV, tuberculosis and other infectious diseases, any medical quarantine procedures, psychiatric counseling, procedures for treating refugees whose illnesses cannot be adequately treated with existing medical facilities, and the like; and

- d. Haitian detainees who are receiving medical care at any of these facilities.

3. Another team would visit

- a. as many of the remaining camps as can be visited during the day

b. be allowed to visit the brig or any other camps in which Haitians may be held in detention, administrative segregation, or similar conditions.

Members of this team would like to speak freely with

- a. U.S. government personnel at those sites about
 - i. sanitation
 - ii. food and water
 - iii. shelter
 - iv. efforts to prevent family separation
 - v. special efforts to provide for unaccompanied minors
 - vi. various social services that are being provided at the camps (e.g., education, religion, etc.)
 - vii. disciplinary procedures (if any)
 - viii. facilities for detainees to communicate with the outside world and to convey grievances to JTF personnel (mail, telephone, newsletters, etc.)
- b. the JTF Commandant (if available)
- c. any commanders of individual camps who may be available
- d. the Base Officer Responsible for administering disciplinary action
- e. NGO personnel working in the camps who are dealing with any of these issues; and
- e. Haitian detainees being held in the camps.

4. The third team would visit

- a. any and all locations where safe-haven processing is being

TO :
FROM : HAROLD KOH

PHONE NO. : 180095011110202395119928395179

JUL. 25. 1994 7:29PM P 4

PHONE NO. : 2038658817

3

conducted. This team would like to observe safe-haven processing being conducted.

Members of this team would like to speak freely with

a. INS personnel at those sites (interviewers, form fillers, etc.) about each step of the interviewing process, including:

i. how safe-haven processing is being conducted

ii. what questions are being asked

iii. what kind of counseling is being given to detainees before they undergo safe haven interviews;

b. UNHCR and NGO personnel working at these sites who are dealing with any of these issues.

c. the head UNHCR officials at GTMO

d. Haitian detainees who have undergone safe-haven processing and who are about to undergo safe-haven processing. In particular, we would like to speak to any Haitians designated for voluntary repatriation.

5. Finally, we would appreciate it if the JTF would designate a liaison person for us on GTMO, preferably an officer in the JTF Commandant's office, whom we could communicate with by walkie-talkie to facilitate access for us to the various sites mentioned above during the day.

We are grateful to you for responding promptly to these requests, which we believe are necessary to ensuring a productive visit.

Sincerely,



Harold Hongju Koh
Lowenstein International
Human Rights Clinic

cc: Eric Schwartz
National Security Council

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. paper	Re: [Haiti] (1 page)	07/28/1994	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 [4]

2011-1045-F
ke1570

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]
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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]
- 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]

UNCLASSIFIEDFAX TRANSMITTAL SHEETTHE NATIONAL SECURITY COUNCILHuman Rights, Refugees and Humanitarian Affairs

FROM: ERIC SCHWARTZ
PHONE: (202) 395-3736/37
FAX: (202) 395-1199

Hart
Safehouse
URGENT

DATE SENT: 27 July 1994

TOFAXPHONEAlex Aleinikoff514-8044514-1207MESSAGE:

Alex,

COMMENTS BY NOON PLEASE.

PLEASE CALL MARCIA ON 202 456-9351 TO CONFIRM RECEIPT.

NUMBER OF PAGES INCLUDING COVER SHEET:

6

Early this month, President Clinton took a tough decision that expanded our nation's commitment to refugee protection and reaffirmed US leadership on international humanitarian issues. The decision -- to provide temporary safe haven outside of Haiti for boat people who fear return -- provides a humane ~~response~~ and reasonable response to a dilemma that has bedeviled three US Administrations since 1980.

Faced with very large numbers of boat people fleeing Haiti in early July, the Administration had a number of options. First, we could have ~~resumed~~ ^{continued} the practice of summary repatriation of all Haitians begun in May 1992. This was the option chosen by the Bush Administration in May 1992, when it faced large-scale outflows following the military coup.

The direct repatriation solution is both cheap and effective. Confronted with the prospect of immediate return to Haiti aboard US ships, Haitians with the need or inclination to ^{depart} ~~leave~~ soon realize that boat departure is not a viable means of emigration from Haiti. ^{or entry to US} ~~And as we saw in the~~ ^{months following} ~~imposition of direct return in 1992, the number of boat departures quickly plummeted with direct return, thereby eliminating the need and cost of a large US maritime interdiction deployment.~~

Under current conditions in Haiti, however, direct return has dire human rights and humanitarian implications. Since the end of last year, human rights abuses have increased substantially, with hundreds of politically motivated killings. In fact, it was this stepped-up pattern of abuse that the President cited on May 8 when he announced a modification of direct return, the institution of

refugee interviews for all interdicted Haitians, and the promise of refuge for those who feared persecution.

Search
~~As initially planned~~ *OK*
~~Instead of resuming direct return, we could have sought to continue~~ *refugee interviews for US*
resettlement, a process that began on a US hospital ship in Jamaican waters shortly after the President's May 8 announcement. These interviews were coordinated closely with the United Nations High Commissioner for Refugees to ensure fairness, and, as it turned out, ~~some~~ *nearly* 30% of all applicants were approved for refugee status and resettlement. While protecting bonafide refugees, however, these approval rates seemed to encourage massive outflows that reached a weekly total of more than 10,000 in early July. At that point, it seemed that many of those leaving Haiti were doing so not to obtain protection -- the objective of the President's May 8 announcement -- but rather to obtain resettlement in the United States. Moreover, we faced the prospect of a massive and unmanaged movement of boat people that would threaten the lives of many thousand of Haitians.

and overwhelmed processing capability
Refugee resettlement interviews were becoming problematic for another reason. Despite a generous process designed to give claimants the benefit of the doubt during their interviews, successful claimants still had to meet the rather narrow criteria linked to Refugee Convention and Protocol to qualify for US resettlement. *ee* ~~This~~ criteria provides protection for those who have a well-founded fear of persecution on account of race, religion, nationality, membership in a social group or political opinion. *The Convention* ~~It~~ does not, however, provide protection for those who fear being victimized by indiscriminate violence that can often accompany political repression. This factor

became more important as the regime responded to the stepped up sanctions by limiting access and imposing other obstacles on US and UN diplomats monitoring human rights in Haiti.

The problem we faced in early July was complex and compelling: how to provide broad protection for people with legitimate fears of returning to the wretched political conditions in Haiti while avoiding massive outflows of those leaving simply to obtain resettlement in the United States.

The President's safe haven response was both principled and visionary, and maintained the essence of his May 8 commitment to protection. By ending US resettlement of Haitian boat people but directing the establishment of such temporary safe havens all those who fear return to Haiti, the President accommodated both these concerns and broadened our nation's commitment to refugee protection.

To be sure, this decision was not without risk and will require substantial commitment of American resources. For one thing, many specialists within the Administration argued that the safe haven strategy would not stem large-scale outflows. While this did not alter the President's commitment to protection, it did result in a Presidential directive that the military urgently and substantially increase capacity at our military facility at Guantanamo Bay, and that the State Department negotiate safe haven agreements with countries in Latin America and the Caribbean that would be willing to accept Haitians. The President has been personally engaged in this

diplomacy, which has resulted in safe haven agreements with no less than four countries in the region.

While this safe haven strategy is novel to the United States, we are hardly breaking ground internationally in adopting this approach. The UNHCR has long argued that protection is the most important refugee objective of the international community and that third country resettlement can only be the answer for a very small percentage of the world's 20 million refugees. For most refugees, including Haitians, Cambodians, Burmese and many others, the best "durable solution" is the one that permits them to return to their countries of origin when political conditions so permit.

In adopting this safe haven approach to the Haitian boat person crisis, the United States is not abandoning its commitment to refugee resettlement. Resettlement remains an appropriate alternative in many cases, in particular those where other durable solutions are not feasible or where resettlement serves important US policy goals. Indeed, we expect to resettle about 110,000 refugees this year, more than any other country in the world.

Moreover, although we are not resettling Haitians who leave Haiti by boat, we will continue to provide refugee resettlement opportunities for Haitians through our "in-country" processing program in Haiti. This program, designed to provide an escape route for Haitians that does not require a dangerous sea voyage, has admitted some 4000 persons since the beginning of the Clinton Administration. Haiti is one of only four countries in the world where we operate in-

country programs and the program has recently been augmented to accommodate greater numbers of applicants.

Most importantly, we are recognizing that while we cannot resettle all of the world's refugees, we can and should maintain basic commitments to protect those fleeing persecution until the conditions permit their return. This approach is true to our values, our ideals and our interests.

~~persecution~~

and

few

term of
art }

~~business~~

TO :
FROM : HAROLD KOH

PHONE NO. : 180095011110202395119928395179

JUL. 29. 1994 5:20PM P 1

PHONE NO. : 2038658817

Harold Koh

PROFESSOR HAROLD KOH
87 OGDEN STREET
NEW HAVEN, CT 06511

PHONE: (203) 865-8817
FAX: (203) 865-8817
BITNET: Schell@Yalevm

FAX TRANSMISSION

DATE:

7/29/94

TO:

ERIC SCHWARTZ, MSC

FROM:

HAROLD HONGJU KOH

NUMBER OF PAGES (Including cover):

7

PLEASE CALL IF FAX IS ILLEGIBLE:

(203) 865-8817

RE:

FYI

TO :
FROM : HAROLD KOH

PHONE NO. : 180095011110202395119928395179

JUL 29, 1994 5:21PM P 2

PHONE NO. : 2038658817



THE ORVILLE H. SCHELL, JR. CENTER
FOR INTERNATIONAL HUMAN RIGHTS
AT YALE LAW SCHOOL

HAROLD HONGJU KOH
Director

DIANA VINCENT-DAVISS
Deputy Director

RONALD C. SLYE
Associate Director

RENEE DEMATTEO
Senior Administrative Assistant

BY FAX
July 29, 1994

Mr. T. Alexander Aleinikoff
General Counsel
Immigration and Naturalization Service
425 I St. N.W. Room #7100
Washington, D.C. 20536

Re: Conditions on Guantanamo

Dear Alex:

I write to follow up on our meeting with you and Paul Virtue yesterday about conditions on Guantanamo, based upon my visit there with other nongovernmental organization (NGO) representatives on July 27, 1994.

At the outset, let me say again how much I appreciate your willingness to meet with us and to listen to our comments and criticisms. At the same time, however, I came away even more convinced of the need for a longer three-day NGO trip, preferably within the next week to ten days, during which a more careful investigation of camp conditions can be conducted. Lucas Guttentag and Robert Rubin will be in touch with you and Paul Virtue to discuss this matter further. As you know, after briefing and debriefing on the 27th, we had only 3-1/2 hours for investigation, all of it accompanied by INS and military officials. Furthermore, as I mentioned, our conversations with Haitian detainees were overheard and videotaped, which almost certainly had a chilling effect on what was communicated. I do not believe free and open conversations can be had under such circumstances and I hope that you will take the necessary steps to ensure that private conversations are respected on future visits.

My specific recommendations fall under the following headings:

1. Processing

The environment for processing was noisy and uncondusive to careful comprehension. Some detainees were held six or seven days before having interviews. The IOM interviews that we observed went into much greater depth even than "credible fear" interviews, and

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002. letter	Harold Honju Koh to T. Alexander Aleinikoff, re: Conditions on Guantanamo [partial] (1 page)	07/29/1994	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 [4]

2011-1045-F
ke1570

RESTRICTION CODES

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

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TO :
FROM : HAROLD KOH

PHONE NO. : 180095011110202395119928395179

JUL. 29. 1994 5:21PM P 3
PHONE NO. : 2038658817

2

seemed to be overkill, unnecessarily intimidating refugees about what should have been straightforward claims for safe haven. The IOM form-fillers often do not follow the questions on the form or even write down answers. We were told by Haitians that IOM asked questions that they viewed as threatening: e.g., "If you belong to the Lavalas party, did you necklace anyone?"

Comprehension is a major problem. Although the English language briefings themselves seemed clear enough, the Haitians clearly did not get through to many Haitians, either because the translation was poor or inaudible, they did not trust the translators, and/or because the presentations are done in a non-interactive way that is not conducive to questions. We found that many Haitians did not understand whether Guantanamo is a transit point to the safe haven or a final destination. Most troubling, the Haitians with whom we spoke deeply mistrust the IOM interpreters, several of whom were alleged to be associated with the Duvalier regime, allegedly including:

P6/(b)(6)

[002]

Recommendation: I would urge INS to:

1. initiate retraining of IOM officials. Clear instructions should be given to IOM formfillers to simply read the questions on the form, and to stop questioning once a fear has been plainly articulated.
2. closely scrutinize IOM's choice of interpreters and press for removal of interpreters with dubious backgrounds.
3. explore more interactive methods of presentation as means of improving listener comprehension.

2. Treatment of Voluntary Repatriates ("Volreps")

Although the JTF denied exerting such pressure, the Haitians with whom we spoke felt significant pressure to voluntarily repatriate. On weekdays, they said, soldiers and interpreters walk through the camps, reminding Haitians of the option of voluntary repatriation. Others claimed that soldiers will occasionally mention returning to Haiti, saying "Move or we will send you back," "If you think there is nothing serious to do here, why not go home?," and similar comments. General Williams acknowledged that soldiers will regularly raise the voluntary repatriation option, but denied that any "haranguing" is going on.

At least as serious a problem is informed consent. Many Haitians have gone for days without information or news from the outside world, creating the danger that they will decide to

repatriate knowing little of what is actually going on. Other factors contribute to make voluntary repatriation the path of least resistance:

1. frequent notices around camp and in the camp newspaper raising the option to repatriate;
2. segregation of Haitians who have opted to volrep from the general population, reducing incentives to reconsider;
3. strong group pressure at the "Volrep camp" not to change one's mind;
4. UNHCR's apparently limited visibility at the volrep camp;
5. absence of individual counseling sessions in which volreps may reconsider their change of heart. Indeed, several designated "volreps" changed their mind after talking to one of the attorneys on our trip, and were jeered and pelted with food by their colleagues for leaving the volrep camp.
7. the fact that few, if any individuals, go to the volrep camp expressly to ask if people want to change their mind and stay.

Recommendation: INS should instruct the military to adopt the following ground rules:

1. once a Haitian opts for safe haven, that decision should be respected and the Haitian left alone;
2. those who announce they want to voluntarily repatriate should be given
 - a. individual counseling about the decision by UNHCR and their own counsel with full information on the conditions in Haiti and opportunity to ask questions;
 - b. undergo a mandatory waiting period before return in which to reconsider the decision;
 - c. have another interview, in private, before they board the cutter to ascertain that the decision is in fact irrevocable. As I pointed out, if INS' role at GTMO is indeed winding down, evaluation of the voluntariness of voluntary repatriation decisions is a role for which INS has a significant comparative advantage.

3. Discipline ("Administrative Segregation")

We were deeply concerned by the informality and harshness of the disciplinary procedures. Specific problems include:

- a. Potential abuse of those procedures to punish legitimate political expression;
- b. Lack of transparent, published disciplinary procedures;
- c. abominable conditions of detention, with detainees being held five at a time in 8x9x10-foot steel cages with bright lights perennally on, and without visitors, except at feeding time, or more than 1/2 an hour a day outside.

Recommendation:

The disciplinary policies currently being pursued clearly violate Judge Johnson's decision in Haitian Centers Council v. Sale, which required "written notice, a hearing, an opportunity to

call witnesses, access to counsel, and guarantee of an impartial decisionmaker" before imposition of punitive administrative segregation on Guantanamo. 823 F. Supp. at 1045. That opinion also clearly stated that the informal JTF disciplinary procedures did not provide the necessary procedural safeguards for such punishment. The JTF should be instructed to comply with those terms, and to make its disciplinary code publicly known and widely available.

4. Camp Conditions

While I appreciate the major efforts the Government has undertaken to establish the Guantanamo site on such short notice, it is now time for everyone involved to accept that GTMO is not simply a transit point, but will be a safe haven site for at least some of the refugees, for perhaps as long as six to eight months. Facilities and social services should be expanded accordingly. Arrangements that were made to establish the camp in a hurry should not become entrenched as the most desirable arrangements for the medium or long-term.

The current level of social activities--education, religion, books, recreation, and others--must be greatly expanded in order to maintain morale and reduce tensions and frustration. In particular, communication is a huge problem. Camp-to-camp communication is virtually nonexistent. Detainees have little or no news of the outside world. There is no rumor control or regular place to confirm or deny information. I saw no televisions, radios, and the promised radio station may not be in place for some time. No mail or telephone access to either Haiti or the United States exists, despite General Williams' willingness to provide refugees with use of the post office, papers, pencils, envelopes, etc. Medical and public health counseling are sadly lacking--for example, condoms are apparently now available at each camp aid center, but the refugees we met were unaware of that fact.

Recommendation:

1. Steps should be immediately taken to make the camps more livable: Camps 1-7 should be spread out (and perhaps located on grassy sites near Camp Bulkeley), population density in each tent should be reduced, tents should be spaced farther apart, and efforts should be made to provide minimal privacy. Efforts should be made to build community buildings, with real flooring, and to create genuine common spaces. The internal barbed wire within residential camps is unnecessary, demoralizing, dangerous to children, and should be removed.

2. Efforts should be made to address general lack of NGO presence. In particular, CRS' role as a coordinator of NGOs should be clarified and strengthened, and UNHCR should be encouraged to perform more standard "protection officer" functions than it is

5

currently performing.

3. Mail and telephone access to the United States should be provided immediately.

4. Refugees should be provided with HIV- and other kinds of public health counseling.

5. Refugees should be given a role in developing the content of the newspaper and radio station programming to avoid the appearance of slanted programming.

6. The diet should be varied, and more meat, juices, fruits and vegetables provided.

7. Port-a-toilets should be cleaned at least twice a day.

5. Lawyer Access

Both NGO's and lawyers need much broader access to the camps than is currently available to address the information gap before it reaches crisis proportions. At the moment, there is a clear need for volunteer lawyers at the camps to: (1) answer questions re legal status; (2) give information about current developments and prospects for resettlement; (3) represent disciplined Haitians at disciplinary hearings; (4) speak to and counsel voluntary repatriates regarding their repatriation decision; and (5) play a general ombudsman function, serving as a mediating force between the refugees and the JTF.

During the course of the previous Guantanamo litigation, the JTF came to understand that lawyers served a useful mediating role with the refugees and thus permitted us continuous presence on the base throughout the spring of 1993. General Williams conceded at our debriefing that the current inclination to restrict the access of lawyers is not based on space or logistical considerations; there is room for lawyers to stay overnight, even indefinitely, in tents in existing camps.

Recommendation:

Volunteer lawyers should be allowed in the camps on a rotating bases, providing services at camp aid centers and serving clients on a walk-in basis in same way as doctors currently do sick call.

7. Medical Care

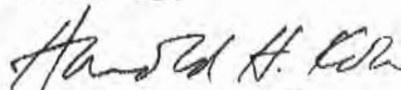
I understand that INS does not have direct responsibility for medical care on GTMO. The doctor who accompanied us on our trip did, however, make the following recommendations, which I would ask you to pass along to the proper authorities.

Recommendations:

1. A pediatrician should be provided immediately.
2. There is a serious need for prenatal and well-baby care.
3. There is a need for an orthopedic surgeon.
4. The psychiatric staff is too small, given the size of the population.
5. Family planning counseling should be given.
6. The vaccination schedules should be set quickly, and implemented based upon a realistic medium-term assessment of how long the camp will be in existence.
7. The active-tuberculosis ward in Camp Bulkeley is grossly overcrowded (27 patients in one cinder-block house, although other houses stand empty nearby).
8. Patient education is sadly lacking, and doctor-patient trust is weak. Cultural misunderstanding is prevalent, creating a feeling within the patient population that the military is unresponsive to their medical needs. Patients need more education from Creole speakers. Now that the early crisis period has passed, much more attention should be paid to education, disease prevention, and counseling. Steps should be taken immediately to address both the lack of dissemination and lack of comprehension of medical information.

Thank you for your prompt attention to these concerns, which we hope can be swiftly corrected. I would appreciate hearing from you as you implement reparative measures and will stay in touch with you and Paul Virtue with regard to the progress on each of these issues. Lucas Guttentag or Robert Rubin will be in touch with you about arranging the next Guantanamo visit.

Sincerely,



Harold Hongju Koh
Lowenstein International
Human Rights Clinic

cc: Eric Schwartz, Esq.
National Security Council



Washington, D.C. 20520

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

Hahn
Safe haven

DATE: 7/27/94

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NOTES:

As promised, here are the NGO releases on
Gimo trip

(DRAFT) FIRST IMPRESSIONS, SITE VISIT, JULY 27, 1994**Guantánamo (GTMO) Naval Base--Safe Haven for Haitian Refugees****Bill Frellick****Senior Policy Analyst, U.S. Committee for Refugees**

THIS ACCOUNT REPRESENTS ONLY THE VIEWS OF BILL FRELICK, AND DOES NOT REPRESENT THAT OF ANY OTHER NONGOVERNMENTAL REPRESENTATIVE OR ORGANIZATION THAT VISITED GTMO ON JULY 27, 1994. THE ACCOUNT IS BASED ON A LIMITED VISIT OF 4.5 HOURS IN WHICH PRIVATE MEETINGS WITH REFUGEES WAS NOT PERMITTED. CONCLUSIONS, THEREFORE, MUST BE CONSIDERED PRELIMINARY AND POSSIBLY COMPROMISED BY THE CONDITIONS OF THE VISIT.

I. Access**A. Positive**

1. The group was accorded full access to every location we requested to visit.
2. The military were professional and courteous in their treatment of the NGO representatives.

B. Negative

1. The NGO monitors arrived at GTMO at 1:00 pm, although we had been scheduled to arrive at 9:30 am.
2. We had a total of 4.5 hours to visit the refugee camp/facilities, and another half hour to meet with the commanding officer of the Joint Task Force (JTF), Brig. Gen. Michael J. Williams.
3. We were not able to speak privately with the refugees. INS, State Department, and military personnel monitored all interviews, and in some cases had separate interpreters interpreting our interviews as they took notes and videotaped the interviews.
4. Several key camp leaders were detained in Administrative Segregation the day before the NGO visit, including the elected president of Camp Two.

II. Observations of Camp Conditions

A. Positive

1. The camp was clean and orderly. The residents and their clothing were neat and clean. There were no allegations (among those who interviewed) of vermin.
2. Residents said they were treated respectfully and with dignity by the military.
3. Camp security was described as good by residents. People (including women) said that they felt safe and secure at night and in the daytime.
4. The military do not carry weapons. When they have intervened in the cases of altercations, their intervention was described as "civilized."
5. Movement within each camp is free (except for women going into the single men's area).
6. Each camp has an elected leadership, as well as tent leaders. Camp leaders said they were able to voice their complaints to the camp authorities.
7. Certain camp cooking and cleaning functions are being organized and performed by the camp residents themselves, and in one camp (Six), come education efforts have been started by the refugees themselves.
8. Water in the camp has improved, both quality and quantity. At first, it was reported as being red and smelly. Now it is clear, and there is enough to shower and clean.
9. No problems with sanitation were reported.
10. BF did not visit camp hospital, but an NGO rep. who did said that the set up there appeared to be appropriate.

B. Negative

1. Residents are held incommunicado. They have no means of communicating with the outside world, or even between camps at GTMO. Some of the refugees who still claim a fear of persecution upon return are opting for voluntary repatriation (volrep) in order to let their families in Haiti know that they are still alive.
2. Lack of clear information (or understanding of information).
 - a. Do not understand "safe haven," especially as opposed to "transit"--which GTMO is still described to them as being.
 - b. On health issues. Refugees do not know, for example, that condoms are available.
 - c. Rumors are rife. Especially when sick people are taken to the hospital and family are not allowed to visit and sometimes the sick are not returned to the original camp, residents draw the conclusion

that they have died. Camp authorities say there have been 4 deaths in the camp. Some residents believe that the number of deaths is 10 times that number.

3. Pressure to voluntarily repatriate. The extent to which this is a problem is not entirely certain. Conflicting accounts were given by refugees. In camp seven, refugees said that the army comes in with megaphones "every day, around the clock" asking for people who want to return to Haiti, and refugees said they felt pressure. In camp 2, some refugees said this occurred and others denied that it occurred. Gen. Williams said, "We don't harangue them to voluntarily repatriate. Every morning, we do ask, 'Does anyone want to go home?'" We were told by refugees that the military asks this at 6 am as well as coming through the camp at night with flashlights asking the same thing.

4. There were common complaints about medical treatment. Residents said that regardless of the nature of the health complaint, the treatment was always, "Drink water and take a white tablet." They said they were not told what the tablet was. Communication with the medical personnel seems to be poor.

5. There is not enough soap for personal use or for clothing.

6. There were frequent complaints about the quality of the food. the "humanitarian" MREs (yellow color) were called inedible, and the cause of diarrhea. (Camp medical staff said that diarrhea was not a common complaint.) There is a lack of salt. Cooked meals are not prepared in ways Haitians are used to (ex., the main meals have a bean/rice base, which are served dry, rather than in the Haitian style, which is wet/gravy).

7. There is an almost total lack of camp activities. "We have nothing to keep us occupied," said one camp leader. Among the activities that are not present:

- a) classes for adults or children--literacy classes would be particularly welcome and useful;
- b) organizing of self-help groups based on sharing of skills, talents among refugees themselves;
- c) organized sports/game activities, especially for children;
- d) small-scale food preparation to allow families to prepare own meals;
- e) allowing residents to tend small garden plots
- f) provide music (instruments, radios)

8. The camps are built mostly are entirely on tarmacs, concrete. There is little or no grass.

9. Inadequate space for recreation, walking.

10. There are no books. Refugees requested books in Creole, English, or French. Also newspapers, particularly Haitian papers available in Miami.

11. Refugees requested donated clothing and shoes, but said that they would need to be evenly distributed. They complained that on one occasion when

an inadequate number of shirts were distributed, that it caused conflict.

12. There is a lack of community structures where people can meet, socialize, learn, worship.

13. Paper and pencils are completely absent. Also envelopes (and stamps).

THE FOLLOWING NEGATIVES WERE MENTIONED TO FRELICK BY OTHER NGO REPRESENTATIVES BASED ON THEIR OBSERVATIONS:

14. Camp Hunt, where people awaiting volrep. are held was described as being in worse condition than the other camps, no sheets, worn tents, overgrown area.

15. Conditions at the "brig" where administrative segregation occurs were described as deplorable, and due process appeared to be lacking. Persons in admin. seg. are kept in a small cage with high-powered lights shining on them; among other problems noted by those who visited the brig, the detainees are not informed of the charges under which they are being held nor are they told how long they will be detained.

16. The TB isolation unit at Camp Bulkeley was described as overcrowded.

17. There is a lack of pre-natal and well-baby care.

III. Processing Observations

A. Positive

1. In initial orientation, refugees are no longer told that In-country processing is available for them should they return to Haiti and wish to be resettled in the United States.

2. UNHCR personnel said that they were satisfied that repatriation has been voluntary.

3. People choosing volrep are allowed to change their mind up to the last minute (although there were mixed accounts about what would happen if someone had a change of heart aboard a cutter going back to Haiti).

4. Almost everyone who requests safe haven gets it. There are about 85-90 cases "on hold" where there is a question whether they have articulated a fear of return or if they may have persecuted others or been involved in criminal activity.

5. No persons "on hold" have yet been forcibly repatriated. (A group of 8 accused of murdering people on the boats have been involuntarily returned.)

6. "On hold" people are not segregated in the camps.

7. Persons opting for volrep are given 24 hours in the Hunt camp before being placed on a cutter.

B. Negative

1. Many questions/allegations were raised about IOM interpreters:
 - a) Allegations were made that specific interpreters were involved with the junta/FRAPH
 - b) Interpreters were said to ask provocative and intimidating questions, leading the applicants to believe that they were pro-military.
 - c) Interpreters were said to make inappropriate, even threatening remarks, during interviews.
 - d) Questioning by interpreters was considered overly detailed, as would be expected in a full-scale refugee determination hearing. They did not stick to the questionnaire.
 - e) Some refugees said that they did not believe that the IOM interpreters wrote down the responses to the questions as they were given by the applicants.

2. The initial orientation briefings describing the safe haven/voluntary repatriation options are conducted in groups of 30 in a large, noisy hanger, where many other activities, including the IOM interviews, are taking place. It is hard for people to hear what is being said. Some clearly were not paying attention. (Having smaller groups, in a separate tent, with more opportunity for personal counseling is a critical need).

FROM OTHER NGO REPS:

3. Persons in the Hunt camp for volrep. who change their mind are not removed immediately from the camp.



International Human Rights LAW GROUP

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FOR IMMEDIATE RELEASE
July 28, 1994

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LAWYERS' GROUP CAUTIONS U.S. ON TREATMENT OF HAITIAN REFUGEES AFTER VISIT TO GUANTANAMO

WASHINGTON DC -- The treatment of 16,000 Haitians detained on a US naval base at Guantanamo Bay, Cuba, constitutes inhumane detention, according to an international lawyers' group which visited the detention camp yesterday.

Representatives of the Washington-based International Human Rights Law Group - who visited the detention centre in a one-day tour for non-governmental organizations -- said today that they witnessed overcrowding, intimidation by government interpreters, critical failures in communication between refugees and camp officials, the use of wire cages for disciplinary measures, and the lack of any mail system for refugees to communicate with their families outside Guantanamo Bay.

Although the Law Group welcomed the Clinton Administration's change in policy to allow temporary refuge to all Haitians who fear return to Haiti, the group criticized the persistence of substandard living conditions in detention at a time when "safe haven" sites outside the US remain undetermined.

"As it now stands, the separate treatment of Haitians to allow a broadly-based temporary refuge outside the United States is insufficient to meet the government's obligations to either welcome genuine refugees into the US or provide a civilized safe have alternative," said Law Group Legal Director Janelle Diller upon her return from Guantanamo.

Diller noted that the refugees reported daily efforts by US military administrators to recruit volunteers to return to Haiti. "The stepped-up campaign to return refugees, coupled with no means to communicate with loved ones outside Guantanamo and inadequate information about one's future, amounts to undue coercion," Diller said.

The Law Group observers also reported that at least one of four deaths in the camp occurred after repeated attempts by family members of the deceased to obtain adequate medical care for the sick member.

-2-

According to Diller, even government officials expressed concern that government interpreters suffered from incompetence and insufficient training. Repeated complaints from refugees reported intimidation by interpreters who, in some cases, are alleged to be loosely associated with pro-Haitian military forces. The Law Group also witnessed 8 x 9 foot cages holding five persons each used for disciplinary segregation following inadequate procedures to hear the accuseds' defenses. Evidence exists that the 10 persons seen in the cages were camp leaders attempting to organize literary education activities.

The Law Group's attempts to speak freely with detainees were constantly interrupted by the over-powering and visibly intimidating presence of US government officers, who refused the Law Group's requests to leave to allow private discussion.

"Such fettered access, under unreasonable time constraints, breaches the refugees' right to legal counseling and defeats the government's own needs for effective conflict resolution mechanisms," said Diller.

Diller and a second Law Group observer, Angela Moore, visited Guantanamo with representatives from 18 other nongovernmental organizations, including the American Civil Liberties Union (ACLU), Amnesty International, Doctors of the World, the Schell Center at Yale University and several church-based groups. Diller stressed that the views of the Law Group are not necessarily the views of other nongovernmental organizations that participated in the July 27 visit to Guantanamo.

###



*Hark - Soft
how*

United States Department of State

Washington, D.C. 20520

**BUREAU OF POPULATION, REFUGEES, AND MIGRATION
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TODAY'S PRESS GUIDANCE F-1 - FINAL VERSION

PRM PRESS GUIDANCE
August 1, 1994

HAITI: INTERDICTION OF HAITIAN BOAT PEOPLE

Q. Could you give us an update of interdictions and processing statistics?

A. INTERDICTIONS

- **SINCE LAST FRIDAY, THE COAST GUARD HAS INTERDICTED 2 BOATS WITH 64 HAITIANS ON BOARD.**
- **1 BOAT WITH 29 HAITIANS ON FRIDAY, JULY 29; AND**
- **1 BOAT WITH 35 HAITIANS ON SUNDAY, JULY 31.**
- **THIS BRINGS THE TOTAL NUMBER OF HAITIANS PICKED UP SINCE SHIP BOARD PROCESSING BEGAN ON JUNE 15 TO APPROXIMATELY 21,150.**

Q. Do you see this as a downward trend in the outflow of boat people?

- A. -- THE NUMBERS HAVE BEEN MUCH LOWER FOR ALMOST THREE WEEKS NOW.**
- **WE ARE ENCOURAGED THAT FEWER HAITIANS FEEL THE NEED TO RISK THEIR LIVES BY TAKING TO SEA IN SMALL, UNSEAWORTHY BOATS.**

- 2 -

Q. To what do you attribute this decrease in the outflow?

A. -- I DO NOT WANT TO SPECULATE BUT THE MESSAGE MAY BE TAKING HOLD IN HAITI THAT THE OPTIONS FOR HAITIANS WHO LEAVE BY BOAT ARE EITHER TEMPORARY PROTECTION IN A SAFEHAVEN OR VOLUNTARY REPATRIATION, AND NOT REFUGEE STATUS IN THE U.S.

-- HOWEVER, WITH THE CONTINUING DETERIORATION OF THE HUMAN RIGHTS SITUATION, WE CANNOT DISCOUNT THE POSSIBILITY OF AN INCREASED OUTFLOW IN THE FUTURE.

-- WE CONTINUE TO APPEAL TO THOSE HAITIANS WHO FEAR PERSECUTION TO APPLY TO THE IN-COUNTRY REFUGEE PROCESSING PROGRAM.

PRM PRESS GUIDANCE**July 29, 1994****HAITI: TEMPORARY PROTECTION FOR HAITIAN BOAT PEOPLE**

Q. Could you run through the numbers of those interviewed at Guantanamo for safehaven or voluntary repatriation?

- A. -- ALL THE HAITIAN BOAT PEOPLE AT GUANTANAMO EXCEPT FOR THE 35 PICKED UP YESTERDAY HAVE BEEN PROCESSED FOR EITHER VOLUNTARY REPATRIATION OR FOR TEMPORARY PROTECTION.**
- NEARLY 15,700 HAVE BEEN APPROVED FOR TEMPORARY PROTECTION.**
- 3,708 HAVE VOLUNTEERED TO RETURN TO HAITI. 3,577 OF THESE HAVE ALREADY BEEN REPATRIATED AND A FURTHER 131 ARE SCHEDULED TO BE REPATRIATED LATER THIS WEEK.**

(Note: 2,283 of the total number interdicted since June 15 were processed aboard the USNS Comfort for refugee status in the U.S. Of these 585 were approved for admission to the U.S., 1,138 were repatriated to Haiti, and 560 were transferred to Guantanamo to apply for safehaven).

- 2 -

Q. How many Haitians are presently at Guantanamo?

A. -- APPROXIMATELY 16,100 HAITIANS ARE PRESENTLY AT GUANTANAMO. THESE INCLUDE:

**15,681 WHO HAVE BEEN APPROVED FOR SAFEHAVEN;
288 APPROVED REFUGEES FROM THE COMFORT WHO
ARE AWAITING DEPARTURE FOR THE U.S.**

Q. Are U.S. NGO's present at Guantanamo?

A. -- THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) SIGNED AN AGREEMENT ON JULY 26 WITH A CONSORTIUM OF U.S. NON-GOVERNMENTAL ORGANIZATIONS (NGOS), LED BY WORLD RELIEF, TO PROVIDE SERVICES FOR THOSE HAITIANS GRANTED TEMPORARY PROTECTION.

A TEAM REPRESENTING CHURCH WORLD SERVICE, THE HEBREW IMMIGRATION AID SOCIETY, THE INTERNATIONAL RESCUE COMMITTEE, THE LUTHERAN IMMIGRATION AND REFUGEE SERVICE, THE U.S. CATHOLIC CONFERENCE, AND WORLD RELIEF ARRIVED AT GUANTANAMO ON FRIDAY, JULY 29.

- 3 -

- **THE TEAM IS COMPOSED OF REFUGEE, COMMUNITY HEALTH, EDUCATION AND CREOLE SPECIALISTS WHO WILL WORK IN COOPERATION WITH UNHCR, THE U.S. MILITARY AND OTHER AGENCIES TO PROVIDE FAMILY COUNSELING, FAMILY LOCATION, COMMUNITY HEALTH AND EDUCATIONAL SERVICES, AND OTHER SERVICES.**

- **THE USG ALSO FACILITATED A VISIT TO GUANTANAMO ON JULY 27 BY VARIOUS NGO'S, INCLUDING LAWYERS GROUPS, HUMAN RIGHTS GROUPS, REFUGEE ORGANIZATIONS, RELIEF AND RESETTLEMENT AGENCIES.**

PRM PRESS GUIDANCE**July 29, 1994****HAITIAN BOAT PEOPLE: NEGOTIATIONS WITH OTHER COUNTRIES**

Q. Where are you in the search for temporary protection sites with other countries in the region?

- A. -- A MEMORANDUM OF UNDERSTANDING WAS SIGNED ON JULY 15 WITH THE GOVERNMENT OF THE ISLAND OF ST. LUCIA (LU-sha) FOR SAFEHAVEN FACILITIES FOR UP TO 5,000 HAITIANS.**
- SURINAME HAS AGREED TO PROVIDE A SAFEHAVEN SITE FOR HAITIAN BOAT PEOPLE. A MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENTS OF THE U.S. AND SURINAME IS EXPECTED SHORTLY.**
- WE HAVE SIGNED A MEMORANDUM OF UNDERSTANDING WITH THE GOVERNMENT OF DOMINICA (domln-EE-ka) FOR THE TEMPORARY PROTECTION OF UP TO 2,500 HAITIANS.**
- WE HAVE AGREEMENTS IN PRINCIPLE WITH THE GOVERNMENTS OF ANTIGUA AND GRENADA FOR SAFEHAVEN SITES, BUT MEMORANDA OF UNDERSTANDING HAVE NOT BEEN SIGNED.**

- 2 -

- FIVE CENTRAL AMERICAN GOVERNMENTS (NICARAGUA, HONDURAS, COSTA RICA, GUATEMALA, EL SALVADOR) AND PANAMA PUBLISHED A DECLARATION ON JULY 23 INDICATING THEIR REGIONAL DETERMINATION TO EXPLORE SAFE HAVEN POSSIBILITIES ON THEIR TERRITORIES WHERE APPROPRIATE.
- WE ARE INITIATING DISCUSSIONS WITH THESE COUNTRIES THROUGH OUR EMBASSIES.
- THE INCOMING GOVERNMENT OF PANAMA HAS EXPRESSED ITS WILLINGNESS TO OFFER A SAFE HAVEN FOR HAITIAN BOAT PEOPLE AFTER SEPTEMBER 1.
- THE U.S. GOVERNMENT AND OUR PARTNER IN THE SAFE HAVEN POLICY - THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) - GREATLY APPRECIATE THE COOPERATION OF THESE COUNTRIES IN THIS REGIONAL HUMANITARIAN EFFORT.
- DECISIONS ON OPENING SAFE HAVENS WILL BE MADE AT A LATER DATE. THE REDUCED RATE OF DEPARTURE BY BOAT PEOPLE IS A FACTOR IN THE CALCULATION OF HOW MANY SITES TO OPEN AND WHEN.

- 3 -

Q. What are the plans for the Turks and Calcos Islands given the new policy change?

A. -- THE CONSTRUCTION OF THE GRAND TURK SITE IS COMPLETED.

-- WE MAY USE THE GRAND TURK FACILITY AS THE INITIAL PROCESSING SITE WHERE HAITIAN BOAT PEOPLE WILL BE INTERVIEWED FOR TEMPORARY SAFEHAVEN OR FOR VOLUNTARY REPATRIATION. NO ONE WILL BE INTERVIEWED FOR ADMISSION TO THE U.S.

-- THE MEMORANDUM OF UNDERSTANDING BETWEEN THE U.S. AND TCI HAS BEEN REVISED TO REFLECT THE CHANGED NATURE OF THE OPERATION.

-- WITH THE DECLINE IN THE NUMBER OF HAITIANS LEAVING BY BOAT, A DECISION ON WHEN TO OPEN THE PROCESSING OPERATION ON TCI HAS NOT YET BEEN MADE.

-- IN THE MEANTIME, THE FACILITY ON GRAND TURK ISLAND WILL REMAIN ON 48-HOUR STANDBY STATUS.

- 4 -

Q. Where is the USNS Comfort?

**A. -- THE USNS COMFORT HAS LEFT GUANTANAMO FOR
MAYPORT, FLORIDA.**

PRM PRESS GUIDANCE
July 29, 1994

HAITI: IN-COUNTRY REFUGEE PROCESSING

Q. Could you provide an update on the In-country refugee processing program?

- A. -- AS OF JULY 22, OVER 60,500 PRELIMINARY QUESTIONNAIRES HAVE BEEN RECEIVED SINCE THE BEGINNING OF THE IN-COUNTRY PROGRAM IN FEBRUARY 1992.**
- MANY OF THESE APPLICANTS DO NOT MEET THE ELIGIBILITY REQUIREMENTS OF THE PROGRAM AND ARE NOT PROCESSED FURTHER.**
- INS OFFICERS HAVE INTERVIEWED SOME 17,700 PEOPLE AT THE THREE IN-COUNTRY REFUGEE PROCESSING CENTERS.**
- OF THIS NUMBER, 4,460 (25 PERCENT) HAVE BEEN APPROVED BY INS FOR ADMISSION TO THE UNITED STATES AS REFUGEES AND SOME 13,200 HAVE BEEN DETERMINED NOT TO BE REFUGEES.**

- 2 -

Q. How are you getting approved refugees out of Haiti?

A. -- 60 APPROVED REFUGEES LEFT PORT AU PRINCE ON AIR FRANCE LAST WEEK. THIS BRINGS THE NUMBER OF REFUGEES WHO HAVE COMPLETED THEIR PROCESSING AND HAVE ARRIVED IN THE UNITED STATES TO 3,337.

-- MANY OF THOSE REMAINING ARE NOT YET TRAVEL READY. THE MAJORITY ARE FAMILY MEMBERS OF APPROVED REFUGEES. IN MANY CASES THEY DID NOT APPEAR AT THE INTERVIEW WITH THE PRINCIPAL APPLICANT AND INS MUST NOW VERIFY THE FAMILY RELATIONSHIPS BEFORE THEY CAN TRAVEL.

-- THE INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM), WHICH IS RESPONSIBLE FOR MAKING TRAVEL ARRANGEMENTS FOR APPROVED REFUGEES AND THEIR FAMILIES, IS SEEKING TO ORGANIZE CHARTER FLIGHTS TO MOVE APPROVED REFUGEES IN THE FUTURE. IF NECESSARY USE OF OTHER MODES OF TRANSPORT WILL BE EXPLORED.

Q. Were any U.S.-approved refugees bumped from the last Air France flight out of Haiti?

A. -- NO. NO U.S.-APPROVED HAITIAN REFUGEES WERE SCHEDULED TO DEPART ON THE LAST AIR FRANCE FLIGHT.

-3-

IF ASKED

Q. Has there been an increase in the number of applicants at the Incountry processing program?

A. -- YES. THERE HAS BEEN AN INCREASE IN THE NUMBER OF APPLICANTS FOR REFUGEE PROCESSING.

-- IN ORDER TO DEAL WITH THIS INCREASE AND TO SPEED UP THE INTERVIEW PROCESS, INS HAS SENT 6 MORE INTERVIEWERS TO PORT AU PRINCE.

-4-

IF ASKED ONLY

Q. It has been reported that early today Haitians refugee applicants were attacked outside the U.S. refugee processing site in Port au Prince. Do you have any information about this incident?

A. -- EMBASSY PERSONNEL HAVE REPORTED THAT AT APPROXIMATELY 5:00 A.M THIS MORNING (AUG. 1) MEMBERS OF THE DE FACTO GOVERNMENT'S ANTI-GANG UNIT APPEARED AT THE U.S. REFUGEE PROGRAM PROCESSING SITE AND BEAT SOME 40 HAITIANS WHO WERE WAITING FOR THE PROCESSING SITE TO OPEN. IT WAS ALSO REPORTED THAT 3 HAITIANS WERE ARRESTED.

-- EMBASSY PERSONNEL LEARNED OF THE INCIDENT WHEN THEY WENT TO THE PROCESSING OFFICE AT 6:30 A.M.

-- WE ARE DEEPLY CONCERNED ABOUT THIS REPORT AND ARE SEEKING ADDITIONAL INFORMATION ABOUT THE INCIDENT.

-- WE DEPLORE THIS ACTION BY THE DE FACTO GOVERNMENT. THIS IS JUST ANOTHER EXAMPLE OF THE DECLINING HUMAN RIGHTS SITUATION IN HAITI.

-- WE CALL ON THE DE FACTO REGIME TO PERMIT HAITIAN REFUGEE APPLICANTS UNIMPEDED ACCESS TO THE THREE REFUGEE PROCESSING SITES.

U.S. Department of State
Bureau of Population, Refugees, and Migration

HAITIAN MIGRANT POPULATIONS
As of August 1, 1994

Total Population at Guantanamo Naval Base		16,100
Approved Refugees pending transport to U.S.	288	
Granted Safehaven Status	15,681	
Pending Voluntary Repatriation	131 *	
Pending Processing	0	
Aboard USCG and USN Vessels		35
En Route to GTMO for Initial Screening	35	
En Route to Port au Prince from GTMO	0	
Admitted to U.S. (Approved Refugees)		297
Medical Evacuations to U.S.		4
Repatriated		4,715
Repatriated from USNS Comfort	1,138	
Voluntarily Repatriated from GTMO	3,577	
TOTAL INTERDICTIONS		21,151

* 88 migrants previously requesting safehaven requested voluntary repatriation.

PRM:HTI-201

Status as of: 08/01/94
08:32

U.S. Department of State
Bureau of Population, Refugees, and Migration

STATUS OF HAITIAN BOAT PEOPLE

Cumulative Processing Report

June 15 - July 31, 1994

Processed for Safehaven Status at Guantanamo Naval Base (7/6/94-present)

Processed		19,389
Approved	81%	15,681
Requested Voluntary Repatriation	19%	3,708
Pending Voluntary Repatriation		131 *
En Route to Port au Prince		0
Voluntarily Repatriated		3,577
Pending Processing		35
Ashore at Guantanamo Naval Base		0
En Route to Guantanamo Naval Base		35

Processed for Refugee Status aboard USNS Comfort (6/15/94-7/15/94)

Total Interviewed		2,283
Approved	26%	585
Pending Final Processing/Transport at GTMO		288
Admitted to U.S.		297
Denied	74%	1,698
Transferred to GTMO		560
Repatriated		1,138
Medical Evacuations to U.S.		4

* 88 migrants previously requested safehaven requested voluntary repatriation.



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DAILY INTERDICTIONS OF HAITIAN BOAT PEOPLE

by U.S. Coast Guard and U.S. Navy
6/15/94 - 7/30/94

