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Haiti-Safe Haven, 1994-1995 [8]

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RESTRICTION CODES

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

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*Handi - safe haven*

Washington, D.C. 20520

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

DATE: 7/27/94

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Name: Eric SchwartzOffice: NSCFax Telephone: 456 9360

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NOTES:

As promised, here are the NSC releases on
Gimo trip

(DRAFT) FIRST IMPRESSIONS, SITE VISIT, JULY 27, 1994**Guantánamo (GTMO) Naval Base--Safe Haven for Haitian Refugees****Bill Frelick****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), some 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 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.

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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 27, 1994****HAITI: INTERDICTION OF HAITIAN BOAT PEOPLE**

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

A. INTERDICTIONS

-- **24 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 21,000.**

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 27, 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. -- 18,067 HAITIANS HAVE ALREADY BEEN PROCESSED FOR EITHER VOLUNTARY REPATRIATION OR FOR TEMPORARY PROTECTION.

-- 14,536 HAVE BEEN APPROVED FOR TEMPORARY PROTECTION.

-- 3,531 HAVE VOLUNTEERED TO RETURN TO HAITI. 3,410 OF THESE HAVE ALREADY BEEN REPATRIATED.

Q. How many Haitians are presently at Guantanamo?

A. -- APPROXIMATELY 16,150 HAITIANS ARE PRESENTLY AT GUANTANAMO. THESE INCLUDE:

14,536 WHO HAVE BEEN APPROVED FOR SAFEHAVEN; SOME 1,210 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 121 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 JULY 25.

-- 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.

- 3 -

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

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

-- THESE SERVICES WILL INCLUDE COUNSELLING SERVICES, BASIC LITERACY SKILLS, EDUCATIONAL AND RECREATIONAL PROGRAMS FOR CHILDREN, THE DISTRIBUTION OF DONATED CLOTHING AND OTHER ESSENTIALS.

-- THE USG IS ALSO FACILITATING A VISIT TO GUANTANAMO TODAY BY VARIOUS NGO'S, INCLUDING LAWYERS GROUPS, HUMAN RIGHTS GROUP, RELIEF AND RESETTLEMENT AGENCIES.

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
Pending Safehaven/Vol Repat Processing (GTM)		560
Repatriated		1,138
Medical Evacuations to U.S.		4

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

Processed		18,067
Approved		14,536
Requested Voluntary Repatriation		3,531
Pending Voluntary Repatriation		121
En Route to Port au Prince		0
Voluntarily Repatriated		3,410
Pending Processing		1,207
Ashore at Guantanamo Naval Base		1,207
En Route to Guantanamo Naval Base		0

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

HAITIAN MIGRANT POPULATIONS
As of July 27, 1994

Total Population at Guantanamo Naval Base		16,152
Approved Refugees pending transport to U.S.	288	
Granted Safehaven Status	14,536	
Pending Voluntary Repatriation	121	
Pending Processing	1,207	
Aboard USCG and USN Vessels		0
En Route to GTMO for Initial Screening	0	
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		21,001

PRM:HTI-201

Status as of: 07/27/94

08:56

PRM PRESS GUIDANCE

July 27, 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 (domin-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.

Q. Where is the USNS Comfort?

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

PRM PRESS GUIDANCE
July 27, 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. THIS BRINGS THE NUMBER OF REFUGEES WHO HAVE COMPLETED THEIR PROCESSING AND HAVE ARRIVED IN THE UNITED STATES TO 3,277.

-- ANOTHER GROUP OF SOME 65 IS SCHEDULED TO LEAVE PORT AU PRINCE TODAY.

-- 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 ON JULY 31.

-- 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.

POINTS TO MAKE ON HAITIAN MIGRATION

ON SAFE HAVEN

We are providing safe haven to all Haitian boat people who express fear of return to Haiti.

Our policy has the strong support of the UNHCR and most non-governmental organizations concerned about the welfare of refugees.

Three countries have agreed to establish safe havens on their territories (Dominica, St. Lucia and Suriname) and we have offers from four others.

We are now considering which alternatives to pursue in the short term, based on factors such as capacity.

ON WHETHER WE ARE BEING UNFAIR TO HAITIAN BOAT PEOPLE BY NOT PROVIDING THEM WITH U.S. RESETTLEMENT

Our fundamental obligation to those who are fleeing conditions in Haiti is to rescue and protect them until conditions in Haiti permit their safe return -- that is what we are doing.

We suspended processing last month as we faced the prospect of a massive and unmanaged movement of boat people that threatened the lives of many thousands of Haitians.

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: while ending US resettlement of Haitian boat people we also broadened our level of protection by providing safe haven to all those who fear return to Haiti.

WHY NOT JUST LET ALL HAITIAN BOAT PEOPLE COME DIRECTLY TO THE UNITED STATES?

As it was (i.e., with the processing center in Jamaica), we had some 10,000 departures in one week, severely testing the Coast Guard's search and rescue capabilities.

A policy of entry for all Haitians would have been the greatest of magnets and prompted a huge exodus that would have jeopardized the lives of thousands.

ON WHETHER OUR POLICY TOWARD HAITIANS IS DISCRIMINATORY

It is not.

To be sure, specific acts of Congress provide special benefits for some specified groups of migrants, and this does result in differing treatment in some cases.

However, our admissions policy toward Haitians is fair and generous.

For instance, Haiti is only one of four countries around the world in which we operate in-country processing programs that provide those who fear persecution the chance for US resettlement without first having to flee their country of origin.

In the first year of this Administration, we doubled the rate of approval in the in-country program, and some 4000 persons have been approved since January of last year.

Moreover, Haitians who enter the US without documents and are out of status are entitled to special social service benefits under the Fascell-Stone amendment enacted by Congress.

ON THE WASHINGTON POST REPORT THAT HAITIANS WHO HAVE BEEN CLEARED FOR TRAVEL TO THE U.S. THROUGH OUT IN-COUNTRY PROGRAM ARE STRANDED IN HAITI

We have made all the necessary arrangements to charter flights out of Haiti for refugees and we await approval from the defacto authorities, which has not yet been forthcoming.

This issue is of serious concern to us and must be resolved speedily.

We are also looking for other ways we might move refugees out of Haiti through land or sea.

The problem here is not the cut-off of commercial flights, but rather the regime's failure thus far to authorize charters for approved refugees.

Moreover, the commercial flight ban is an essential component of the overall political effort to bring pressure on the regime to exit.

ON WHETHER WE SHOULD CONTINUE THE IN-COUNTRY PROCESSING PROGRAM IN VIEW OF THE DETERIORATING SECURITY SITUATION IN THE COUNTRY:

We are constantly monitoring the security situation to determine whether continued operations are feasible and, if so, whether there are ways to improve security.

To be sure, the in-country processing program is not without risks, but it has also served as a critical life-line for thousands of Haitians.

Moreover, for high risk cases, we have developed measures to consider applicants without having them visit the processing center.

ON WHAT WE WILL DO WITH APPROVED REFUGEES WHO TEST POSITIVE FOR HIV (THERE ARE 29 IN GUANTANAMO WHO WERE PROCESSED IN JAMAICA AND ABOUT 70 IN HAITI)

There are procedures in place for these applicants to file waivers of excludability on a case-by-case basis.

This is a procedure that exists worldwide.

We are currently examining ways that we might facilitate this waiver application process.

ON THE NY TIMES REPORT THAT WE HAVE "SHELVED" PLANS TO CREATE THIRD COUNTRY SAFE HAVENS AND PLAN INSTEAD TO USE GUANTANAMO EXCLUSIVELY

The Times report is wrong.

We have reached written agreements with three countries (Suriname, Dominica and St. Lucia) and have offers from four others.

We are now considering which alternatives to pursue in the short-term, based on factors such as capacity, cost of construction and operations and other factors.



Bureau of Population, Refugees, and Migration
Room 5824
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Washington, D. C. 20520

fax: (202) 647-8162

*Hard-soft havers*DATE: 14 Sept

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DATE DUE: _____

FOR CLEARANCE: ☐FOR INFORMATION ONLY: ☒

NOTES:

Eric,

*Just for your background, here's
the paper we did for Strobe's use at
a DC this afternoon.*

Breck

Withdrawal/Redaction Marker

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001. paper	Safe Haven for Haitian Boat People (1 page)	09/14/1995	P5

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Haiti-Safe Haven, 1994-1995 [8]

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]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Mark - safe here

U. S. IMMIGRATION & NATURALIZATION SERVICE
OFFICE OF INTERNATIONAL AFFAIRS (HQIAO)
VOICE: (202) 633-1100 - FAX: (202) 633-1068

- - FAX TRANSMITTAL SHEET - -

111 Massachusetts Avenue, N.W.
Union Labor Life Building - Third Floor
Washington, DC 20536

DATE: 1/27

TO:

Eric Schwartz

FROM:

D. Coven

FAX NUMBER:

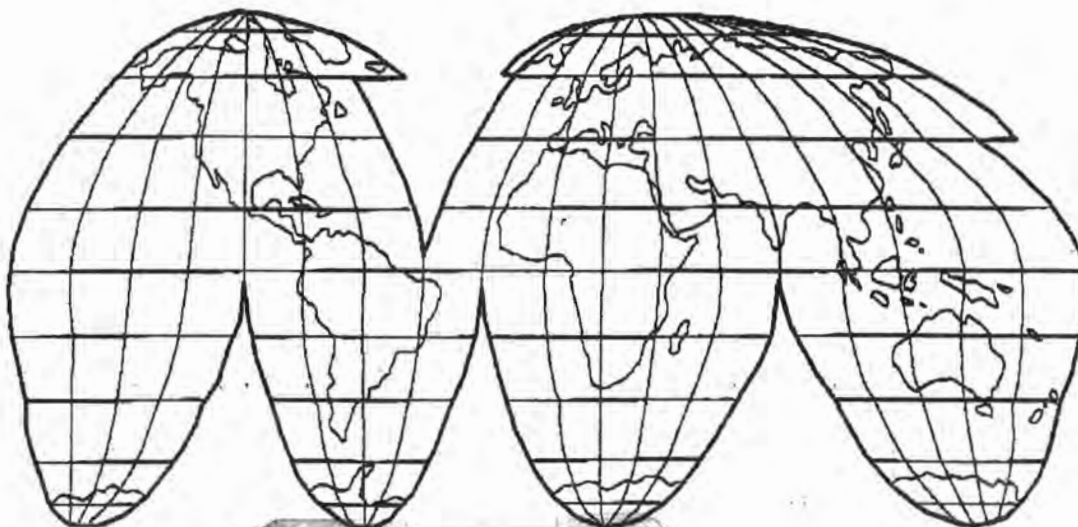
456-9360 or 9340

NUMBER OF PAGES FOLLOWING:

13

REMARKS:

Please Pass to Marcia



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PROCESSING FOR TERMINATION OF SAFE HAVEN TRAINING OUTLINE

Background

In June of 1994, the United States ended its policy of direct return of Haitians interdicted at sea. Instead, a refugee processing operation was established aboard a United States naval hospital ship in Kingston Harbor, Jamaica. Resettlement in the U.S. was offered to those recognized as refugees. Those without a well-founded fear of persecution were returned to Haiti. As the number of persons fleeing Haiti reached record proportions, the United States began a program of safe haven open to virtually all Haitians picked up at sea. Individual refugee status determinations were no longer made, nor U.S. resettlement offered.

With the multinational force now in Haiti and the elected government restored, the United States has determined that most Haitians now in safe haven can return to Haiti in safety. While all Haitians in Guantanamo have had the choice up to now to remain in safe haven, most should now return, even if they would have opted to continue to stay in safe haven. The United States, however, will hear the claims of those who express a fear of return and for whom safe haven might continue to be appropriate.

Note: This does not include

- unaccompanied minors, for whom a UNHCR child protection specialist is in the midst of making arrangements, or
- the small group of recognized refugees who are excludable because they have a communicable disease of public health significance, for whom the waiver process is underway.

Process under the Protocol

- 1) An announcement has been read to the camps repeatedly since December 28th of the U.S.'s assessment that safe return to Haiti is now generally possible for those in safe haven. (See handout.)
- 2) An enhanced benefits package was offered to Haitians willing to go back. Those who agreed before January 5th to return would receive a cash grant of 200 Haitian dollars and could join job programs already underway throughout Haiti.
- 3) Approximately 500 people accepted the offer.
- 4) As of January 5th, safe haven will be generally discontinued, and a process for return instituted. As was announced to the Haitians, however, "anyone who believes that he or she cannot return to Haiti in safety will be heard and we will determine if that person needs to remain

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in safe haven longer." This is where you come in, and the protocol sets out a process:

- INS officer interview and recommendation either to repatriate or to remain in safe haven pending a request for information from the Department of State;
- review of recommendation and notes by a Quality Assurance officer;
- determination by QA to return those not in need of continued protection and to keep others in safe haven pending request for information from the State Department; and
- for those kept in safe haven pending investigation by Department of State, final determination by QA based on results of that Department investigation.

Note: Those not returned to Haiti will not be paroled or admitted to the United States; this differs from refugee processing and resettlement. Rather, those for whom return does not appear appropriate now can remain for the time being in safe haven.

The Standard

Are there substantial grounds for believing that, notwithstanding the changed circumstances in Haiti, the migrant will face serious harm for reasons related to the migrant's individual circumstances but not related to personal disputes, if he or she is returned to Haiti?

This standard is different from the refugee standard. Break it into its elements:

1) "serious harm"

Ask yourself the same question you would when doing refugee processing: how bad is the injury or detriment the migrant asserts? Harm need not necessarily be physical to be "serious", and it is not possible to set out a complete list of problems that can be regarded as "serious harm". But it's fairly bad acts we're looking for here: beatings, imprisonment, rape, murder.

2) "for reasons related to the migrant's individual circumstances but not related to personal disputes"

There is no "on account of" requirement, as the refugee definition contains. You therefore do not look for a connection to race, religion, national origin, membership in a particular social group, or political opinion as you would when conducting a refugee or asylum interview. Instead, simply look to see whether the reasons are related to the person before you. This would exclude those with a generalized fear of widespread violence ("things are bad in Haiti, and they'll get worse as soon as the US troops leave"); the migrant has to connect the asserted danger to his or her own situation.

3

Also, the migrant's risk cannot result from a purely personal dispute. Conflicts over land ownership, for example, will not generally qualify. Nor will problems that arose because the migrant's pig wandered into the section chief's yard. Do not, however, discount situations unduly just because they have a personal dimension, if other factors make further consideration seem appropriate.

3) "substantial grounds"

The word "substantial", according to the dictionary, can mean "in substance or in the main", "not imaginary or illusory", or "considerable in quantity". A similar formulation to the "substantial grounds" standard you will use appears in the Administrative Procedure Act, which calls for courts to review agency action under the "substantial evidence" standard. Courts have understood this to mean "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion."

This is less than a probability standard, or "more likely than not", or "preponderance of the evidence".

4) "notwithstanding the changed circumstances in Haiti"

The events that have taken place in Haiti over the last few months are the basis of the determination that people can now generally return to Haiti from the safe haven that the United States has provided in Guantanamo. The elected government has been returned to power and the United States military has been in place as part of a UN-sanctioned Multi-National Force. There have been a small number of reports, however, of continued acts of violence by members of the Haitian armed forces against Aristide supporters, both in the Haitian countryside and in certain neighborhoods in Port-au-Prince. Determining who should remain for now in safe haven will depend heavily on specific information about conditions there. A representative from the Embassy in Port-au-Prince will provide a current account of the situation in Haiti before you begin your processing.

The Interview

At the beginning, introduce yourself, the interpreter, and any observer. Stress:

- the need for truthful answers
- the need to respond directly to the questions
- the need for clear communication

Emphasize to the migrant that "if any question is hard to understand, ask that it be repeated. Speak slowly, so that the interpreter can translate accurately."

Balance the need for efficiency against the need for thoroughness. While this operation must proceed with all reasonable dispatch, it is also necessary to satisfy yourself and those who review your recommendation that we are reaching a sound result. So use the interview well to

gather all the information you need to reach a recommendation. Zero in, follow up, and get detail. ("How do you know this would happen to you? How did you learn that the section chief was looking for you? Who told you? How did that person learn? How do you know that person? Why do you think that you are in danger now? Have you been in contact with anyone at home?")

As in a refugee or asylum interview, assess credibility. You should evaluate the migrant's truthfulness on the basis of three factors:

- consistency
- detail
- plausibility in light of country conditions

Indicate clearly in your written recommendation whether or not you found the migrant credible. Every recommendation form should reflect whether or not you believed that person and why.

Present your notes and conclusions clearly and succinctly. Your written recommendation need not be long, but it must clearly inform anyone who reads it what the migrant claimed, what you decided, and why.

- it will be the form that becomes the basis of the decision
- use the back for more space if necessary
- be responsible, because other eyes will be on the form

In both the interview and in your writing, adopt a businesslike and respectful demeanor. This interview is simply a mechanism to learn about and make a recommendation based on the migrant's situation. It should not be adversarial.

At the end of the interview, tell the migrant that we will review the information he or she has provided and will make a decision at that time. Let them know that they will not receive a written decision.

Special cases:

- visible Lavalassiens
- military deserters
- FRAPH members
- past harm

Handouts: announcement
 protocol
 questionnaire

Officer Recommendation:

Return

Investigate

QAO Determination:

Return

Safe Haven

Notes:

[illegible]

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6

PROTOCOL FOR TERMINATION OF SAFE HAVEN

The following are instructions for implementing the repatriation of Haitian migrants from safe haven at Guantanamo Bay.

Purpose

To establish a protocol for evaluating possible claims by individual Haitian migrants that they be permitted to temporarily remain in safe haven because, notwithstanding MNF/UNMIH intervention and the return of constitutional democracy to Haiti, there are substantial grounds for believing that if returned to Haiti, the migrant will face serious harm for reasons other than those arising from personal disputes.

Procedure

Step One: Information

Agency: DOD/State

A scripted announcement will be broadcast to all Haitian migrants informing them that, as a result of the restoration of democracy in Haiti by multinational forces and the return of President Aristide, it is now safe to return to Haiti. Migrants will be informed that they will receive a cash grant upon return and that those 18 years and over will be provided job opportunities through a USAID program. Generally only one adult per family will be offered employment. Migrants must choose to accept this offer by January 5, 1994. After that date, repatriations will proceed without these benefits. Migrants who come forward to request that they not be returned to Haiti because of fear of harm will be interviewed by INS officers.

Step Two: INS Interview

**Agency: INS/
IOM Interpreters**

The standard to be applied in such determinations is whether there are substantial grounds for believing that, notwithstanding the changed circumstances in Haiti, the migrant will face serious harm, for reasons related to the migrant's individual circumstances but not related to personal disputes, if he or she is returned to Haiti.

INS officers will conduct an interview to elicit the following information:

- a) what the migrant believes will happen to him or her if he or she is returned to Haiti (why the migrant believes that he or she cannot return safely);
- b) the nature or basis of the fear and/or potential harm (e.g., whether it is the result of a personal dispute, premised on past trauma, or the result of legitimate law enforcement activity);
- c) credibility of the migrant;

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d) whether the fear of harm is reasonable in light of changed circumstances and country conditions in Haiti; and

e) identification of problems (e.g., unsafe former residences).

Based on the interview, the INS officer will recommend either that the migrant be: 1) returned to Haiti; or 2) continued in safe haven pending investigation by DOS Haiti Working Group.

Step Three: Quality Control and Review

Agency: INS

All recommendations and interview notes will be reviewed by INS Quality Assurance Officers in consultation with UNHCR (as agreed). INS Quality Assurance Officers will retain the discretion to determine whether the migrants will be 1) repatriated, or 2) temporarily continued in safe haven pending investigation into the facts by DOS Haiti Working Group.

Step Four: Referral and Investigation

Agency: DOS

In any case in which the INS Quality Assurance Officer determines that the migrant should be continued in safe haven pending investigation, the generalized facts giving rise to the claim will be referred to DOS Haiti Working Group for investigation and appropriate coordinated action.

Step Five: Final Determination

Agency: INS

DOS Haiti Working Group will report the results of each investigation to the INS Quality Assurance Officer in Guantanamo. Based upon the results of these investigations, the INS officer will make a determination whether or not to repatriate the migrants.

This protocol sets forth internal operating procedures and does not create any individual, personal, or enforceable rights.

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HAITIAN MIGRANT INTERVIEW

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Name: _____

DMPITS #: _____

DOB: _____

Accompanying Family #s: _____

Officer Recom. _____

Return _____

Safe Haven _____

QAO Determ. _____

Return _____

Safe Haven _____

- 1) Is there any reason you cannot return to Haiti in safety?
(Es ke ou gen you rezon ki anpeche ou tounen an Ayiti an sekirite?)

- 2) Tell me specifically why you are afraid.
(Dim eckzakteman pou ki sa ou pe?)

- 3) Is there any location in Haiti where you would feel safe? If not, why not?
(Es ke gen oken'n kote an Ayiti ou ta santi ou an sekirite? Si non, pou ki sa?)

- 4) What must happen to make it safe for you to return to Haiti?
(Ki sa pou fèt pou fé ou santi'ou an sekirite pou ou retounen an Ayiti?)

Signature of Migrant_____
Signature INS Officer_____
Interpreter Signature

OFFICER EVALUATION

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STATEMENT TO THE HAITIANS AT GTMO

Proposed announcement to the Haitians in Guantanamo. Must be given in Creole the week of December 26.)

For the past 2 1/2 months since your president returned to Haiti, U.S. and the international forces, in cooperation with President Aristide and his new government have worked to establish security for all Haitians in Haiti, to augment economical opportunity for Haitians and to begin building a brighter future for all of Haiti's citizens.

Beginning today, each of you who wishes to return to Haiti will receive a repatriation cash grant of 200 Haitian dollars upon your return. (This is an increase from the current grant of \$40) In addition, those of you 18 years of age or older will be eligible to join job programs already underway in all 9 departments of Haiti. Women will be equally eligible for the jobs program. The types of jobs available include: repairs of roads, canals and bridges, garbage collection, tree planting and cleaning up schools, hospitals and parks to make Haiti a better place to live for everyone.

Those of you who join one of these programs can expect to be employed for 2-4 months following your return to Haiti. Generally speaking, only one person per family will find work. If possible, work will be provided relatively near where you live. This would be in addition to your cash grant. Each person will receive from authorities in Guantanamo some identification to confirm that he or she is eligible for this program.

Those of you interested in taking advantage of these programs must sign up before January 5. Those who choose not to take advantage of these programs will return to Haiti, but these enhanced benefits will not be available after that date.

Based on our assessment of the current situation in Haiti that there are few people who cannot return home in safety. Anyone who believes that he or she cannot return to Haiti in safety will be heard and we will determine if that person needs to remain in safehaven longer. Under no circumstances will any Haitian currently at Guantanamo be admitted to the United States.

General Aryes would like you to know that this is a personal decision that each of you must make on your own. Do not allow others to influence you as you think of your future. Remember that no one will be allowed to go from Guantanamo to the U.S., so it will be better to return to Haiti with some money and a job per family than to return with nothing.

REQUEST FOR HAITI SITUATION REPORT

TO: Doron Bard or Michael Cohn
Haiti Desk Officers/DOS
Fax: 202/647-2901 Phone: 202/736-4708 or 736-4322

FROM: INS Quality Assurance Officer
Guantanamo Bay

DATE:

- 1) Please describe the political/social situation in _____, especially as it relates to:
 - ___ a) instances of violence that appear to be motivated for political reasons;
 - ___ b) the presence or absence of US troops;
 - ___ c) the presence of a newly trained police force;
 - ___ d) other:
- 2) What specific information do you have regarding:
 - ___ a) the treatment of military deserters;
 - ___ b) former members of FRAPH;
 - ___ c) section chiefs still in place;
 - ___ d) members of Lavalas;
 - ___ e) other?
- 3) Other:

Name: _____
DMPITS# _____

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OPERATING PLAN

ASSUMPTIONS

- Military will direct or escort migrants into the interview area;
- No migrants will be removed from the holding area by the military until the INS Quality Assurance Officer (QAO) has completed the determination process;
- Migrant Holding Areas will be required as follows:
 - One to which INS officers will refer migrants whom they recommend to be returned; INS QAOs will need to complete this pool of recommendations before migrants are moved by the military;
 - One to which INS officers will refer migrants for whom they recommend a DOS investigation;
 - A third to accomodate a continuous interview process;
- Recommendations for return will be given priority by the INS QAOs so that completed pools of returnees can be identified quickly.
- Additional Support Staff will be needed to ensure efficient operations.
- Outstanding Issues: DMPITS

PROCEDURES for INS OFFICERS

Step One:

Migrant is directed to INS Officer Interview area and/or table by Military Personnel

Step Two:

INS Officer and Interpreter Conduct Interview and Complete Questionnaire

Step Three:

In the majority of cases, the INS Officer will complete evaluation and recommendation section while migrant is at the table.

Step Four:

INS Officer then refers migrant to military personnel and informs him or her as to which holding area the migrant should be placed.

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Step Five:

INS officer completes worksheet and refers questionnaire and recommendation to INS QAO for review. At this time, the officer should raise any questions he or she may have.

Step Six:

INS officer interviews next migrant.

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PROCEDURES FOR INS QUALITY ASSURANCE OFFICERS

Step One:

INS Quality Assurance Officers (QAO) will review recommendations to return migrant to Haiti in the first instance.

Step Two:

INS QAOs will consult with INS Officers as necessary with the option to re-interview the migrant or discuss the evaluation.

Step Three:

INS QAOs will complete pool of questionnaires covering migrants in Holding Area One with due dilligence.

Step Four:

INS QAOs or an appropriate designee will inform military of the names of migrants who should be moved from Holding Area One for further investigation into their claims.

Step Five:

Following review by INS QAOs, migrants in Holding Area One will be given an announcement that they will be returned to Haiti.

Step Six:

DMPITS

Haiti - safe haven
Haiti safe haven

RESCUE NOT RESETTLEMENT

In July
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 -- provided a humane response and reasonable response to a dilemma that has bedeviled three US Administrations since 1980. for years.

Faced with very large numbers of boat people fleeing Haiti in early July, ^{we} the Administration had a number of options. First, we could have resumed 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, ^{people} Haitians with the need or inclination to flee soon realize that boat departure is not a viable means of emigration from Haiti. 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.

(in July)
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

It also would have once again caused us to run afoul of principles that the UNHCR + others regard as fundamental to intl. refugee protection.

President cited on May 8 when he announced ~~a modification~~^{end} of direct return, the institution of refugee interviews for all interdicted Haitians, and the promise of refuge for those who feared persecution.

Instead of resuming direct return, we could have sought to continue refugee interviews for US resettlement, a process that began 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 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~~^{at least some} 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. — +

undermine public support for genuine policies toward Haiti refugees.

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. ~~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.~~ ^{These criteria do not, however,} 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.

accomplished both these objectives
The President's safe haven response was ~~both principled and visionary~~ *contingent*, 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 ^{for} *all* ^{ed} those who fear return to Haiti, the President ~~accommodated both these concerns and~~ broadened our nation's commitment to ~~refugee~~ ^{to} protection *from fleeing violence.*

~~To be sure~~, this decision was not without risk and ^d 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 ^{was} ~~has been~~ personally engaged in this diplomacy, which ~~has~~ ^{several} 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 ^{have} ~~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 ~~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.

sent 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. *letter,*

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.

However,
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.

OBSERVATIONS — TRANSITION SENTENCE BEFORE OBS.

- ① Protection decisions — NOT foregone conclusions.
 POTUS — ~~para~~ acted in principled manner
 where values played an important role.
 As imp't as bureaucratic politics, money,
 etc... maintained, reaffirmed, reestablishment
central practices/policies designed to ensure protection.
 This as it should be, but not always
 is.

Examples:

- ② Arguments made in POTUS memo —
- Return to juris of H. ACTUS.
 - Some may be afraid to use ICP
 - Some may be unaware / ~~been~~ going to it.
 - + trouble getting to it
 - Problems had occurred
 - Principle of non-refoulement
- ③ Strong voices in favor of maintaining D.R.
- Good arguments —
- increased ICP
 - magnet
 - mostly eco. migrants
 - costs
 - no targeting of returnees

① Particularly true in July.

④ True also is GMO endgame.

None of what we did legally required. Acted differently - no ~~public~~ large scale public protest.

② Policy best where experts at table.

S.H. Decision. / July / Counterintelligence.

③ Mixed migration → control + management - legitimate objectives - avoid loss of life, mass migration / erosion of public support.

④ Refugee protection - not cheap.

~~General note~~
⑤ ~~Maintained + reaffirmed / reestablished plan~~
~~that~~

Issues (mostly safe haven)

- * Safe havens w/o endgame
- * Temp. SH - viable in USA
- * Way to end safe haven
- * Deal w/ future outflows.
- * Regional cooperation.

Annex A

INCREMENTAL COSTS ASSOCIATED WITH HAITI OPERATIONS
(\$ in millions)

October 1, 1993 - December 31, 1994

	FY 1994	October 1994	FY 1995 November 1994	December 1994	Total FY 1995	Current Costs
Migration - Safe Havens	126.85	11.19	7.83	9.11	28.23	155.08
Army	0.75	0.46	0.35	0.89	1.70	2.45
Navy	78.51	8.81	6.35	6.60	21.77	100.28
Marine Corps	5.57	1.1	0.78	0.60	2.47	8.14
Air Force	11.36	0.52	0.26	0.78	1.54	12.90
SOUTHCOM	11.85	0.08	0.01	0.08	0.15	12.00
Coast Guard	8.00	2.20	0.20	0.20	0.60	8.60
State Department	7.09	—	—	—	—	7.09
Justice Department	3.72	—	—	—	—	3.72
Sanctions Enforcement	86.99	0.43	0.16	—	0.58	87.56
Army	15.86	0.43	0.16	—	0.58	16.43
Navy	49.94	—	—	—	—	49.94
State Department	1.19	—	—	—	—	1.19
Support for Foreign Forces 2/	41.37	2.52	4.63	6.14	20.31	71.96
Army	18.27	0.06	0.03	0.14	0.23	18.50
Air Force	4.00	—	—	—	—	4.00
State Department	19.10	2.44	4.60	6.00	13.04	32.14
U.S. Troops in MNF Qualifier	179.96	126.56	49.18	40.03	214.75	394.71
Army	157.36	116.77	44.38	35.21	198.81	356.17
Air Force	16.55	5.40	2.66	4.36	13.44	30.00
SOUTHCOM	4.17	3.17	1.14	1.13	5.44	9.64
Defense Health Program	1.78	0.22	0.67	0.77	1.90	3.68
Peacekeeping - UNMIL 3/	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Humanitarian and Reconstruction Assistance	115.39	0.07	0.25	50.39	50.70	166.09
State S.A.I.D. 4/	115.39	0.07	0.25	50.39	50.70	166.09
Other	5.48	1.00	0.35	0.11	1.46	6.94
Coast Guard	4.30	0.65	0.35	0.11	1.41	5.71
State Department	1.18	0.05	—	—	0.05	1.23
TOTAL INCREMENTAL COSTS	536.04	140.77	67.49	107.76	316.03	662.07

1/ Source of cost data -- DOD, State Department, U.S.A.I.D., Coast Guard, Justice Department. As actual data become available, the cost estimates will be adjusted appropriately.

2/ Includes Foreign Monitors, Police, and Military.

3/ UNMIL is scheduled to begin in FY 1995. There are no FY 1994 costs.

4/ Reflects total costs.