

RIGHTS GROUPS FILE EMERGENCY HUMAN RIGHTS PETITION
TO STOP IMMINENT DEPORTATIONS TO HAITI:
EARTHQUAKE, CHOLERA AND VIOLENCE IS DEATH SENTENCE

Contact:

Jen Nessel, CCR (212) 614-6449, jnessel@ccrjustice.org

Michelle Valencia, University of Miami School of Law, 305-284-2784,
mvalencia@law.miami.edu.

Cheryl Little, FIAC, 305-573-1106 x1001, clittle@fiacfla.org

January 6, 2011, Miami, FL and Washington, D.C. – Today six civil and human rights groups filed an emergency petition with the Inter-American Commission on Human Rights (IACHR), to halt the roundups, detention, and imminent deportations of hundreds of Haitian nationals by the United States government. The petition, submitted by the University of Miami School of Law Human Rights and Immigration Clinics, the Florida Immigrant Advocacy Center, the Center for Constitutional Rights, Alternative Chance, and the Loyola Law Clinic and Center for Social Justice, argues that deporting people at this moment to Haiti, which is still reeling from the devastating January 2010 earthquake and is burdened with a massive cholera epidemic, political unrest, and rampant street violence, will result in serious human rights violations, including deprivations of the rights to life, family, and due process, and freedom from cruel or unusual punishment.

Deportations from the U.S. to Haiti have been stayed on humanitarian grounds since the January 12, 2010 earthquake devastated Haiti. Advocates and community members were shocked when, on December 9, 2010, the United States Immigration and Customs Enforcement (ICE) unexpectedly announced that it was lifting the ban on deportations to Haiti for individuals with criminal convictions and that it would resume deportations in January 2011, the one-year anniversary of the earthquake.

“The U.S. Government is violating important human rights obligations,” said Caroline Bettinger-Lopez, Director of the Human Rights Clinic at University of Miami School of Law. “These deportations will compound a catastrophic public health and humanitarian crisis in the poorest country in the Western Hemisphere. It is simply unconscionable to resume deportations to Haiti on the one-year anniversary of one of the most devastating natural disasters in world history, especially as a cholera epidemic rages across the country.”

“The upshot of this abrupt change in policy,” said Sunita Patel, Staff Attorney with the Center for Constitutional Rights, “is that the Obama administration plans to deport Haitian nationals, many living and working in the community here with their families, to a country in the midst of a cholera epidemic. Since 2006, Haiti has detained people like the petitioners in overcrowded police holding cells without toilets, sinks or access to safe drinking water. The government’s actions will only put more people at risk of death.”

The petition asks the IACHR to order the U.S. to adopt precautionary measures to prevent irreparable harm to the Haitians subject to imminent deportation. Specifically, the petition asks the U.S. to continue its stay of deportations, release the petitioners and grant “deferred action” status to all people facing removal. In addition, the petition asks that the U.S. government publicly release information about its decision to resume deportations to Haiti, and that the government publicly engage with the Haitian-American community before instituting policy changes that will dramatically affect community members.

The petition relies on information gathered from interviews by the Loyola Law Clinic & Center for Social Justice and Florida Immigrant Advocacy Center with Haitians detained in Louisiana. It also includes declarations from Michelle Karshan, the Director of Alternative Chance, and two doctors with extensive practice in Haiti, Dr. John May and Dr. Arthur Fournier. Together, these declarations paint a distressing picture of the disastrous consequences of these planned deportations.

Romy Lerner, Supervising Attorney at the Florida Immigrant Advocacy Center said, “We are deeply concerned that this policy is tearing apart the Haitian community. Our petition alleges that the United States has violated the human rights of the Haitians who are at risk of imminent deportations by separating them from their families without considering their ties to the United States or the welfare of their U.S. citizen children. In Miami, the community is terrified of what is about to happen.”

“While the U.S. has often historically shirked its human rights obligations toward Haitian migrants, we hope our government will come to its senses and halt the planned deportations of the individuals whose stories are represented in this petition,” said Rebecca Sharpless, Director of the Immigration Clinic at the University of Miami School of Law.

To read the request for precautionary measures, go to <http://ccrjustice.org/ourcases/current-cases/iachr-haitian-removals>.