

Center for Constitutional Rights

Discrimination, Detention, and Deportation: Immigration & Refugees

<https://ccrjustice.org/home/what-we-do/our-cases/haiti-iachr-haitian-removals>

Policy Issue Resources

Deportations from the U.S. to Haiti had 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 petition 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.

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.

On January 31, 2011, just over a week after the United States resumed deportations to Haiti, we learned that Wildrick Guerrier, 34, one of the men deported on January 20, demonstrated cholera-like symptoms while in detention in Haiti, where he received no medical treatment, and died shortly thereafter. According to cell mates, Guerrier took a leadership roll in attempting to improve the deplorably substandard living conditions in which they were detained. For a factsheet on the conditions faced by the deportees once they have arrived in Haiti, please [click here](#).

On February 4, 2011, the IACHR granted precautionary measures in response to the emergency petition filed on January 6, 2011. To read the precautionary measures that the IACHR issued [click here](#). The IACHR urged the U.S. government to cease deportations to Haiti immediately for persons with serious illnesses or U.S. family ties. In its decision, the IACHR expressed concern that "detention centers in Haiti are overcrowded, and the lack of drinking water and adequate sanitation or toilets could facilitate the transmission of cholera, tuberculosis, and other diseases."

On March 26, 2011, the IACHR held a working meeting between petitioners and the U.S. government. For the submission, [click here](#).

On May 31, 2011 the IACHR expanded their February 1, 2011 Request for Precautionary Measures to cover an additional 33 people facing deportation to Haiti.

ADVOCACY AND SELECTED PRESS COVERAGE

[Pro Se Materials for Haitian Detainees Facing Indefinite Detention](#)

[July 15, 2011 Letter to DHS](#) from various human rights organization, including CCR (PDF)

[April 15, 2011 Statement](#) (PDF) from CCR, University of Miami School of Law Human Rights Clinic and Immigration Clinic, FANM/Haitian Women of Miami, Alternative Chance, and Florida Immigrant Advocacy Center calling on the Obama Administration for an immediate halt to all removals to Haiti and the release of all Haitians being held with final orders of removal.

[2011 Criminal Justice Submission to Haiti's Universal Periodic Review](#) includes section on deportations to Haiti and conditions in police station holding cells for deportees in Haiti.

[December 2010 CCR Letter to President Obama](#) regarding deportations to Haiti.

[New York Times on the resumption of deportations](#), which mentioned CCR's letter to Obama.

Call the White House to Urge a Halt to Further Deportations to Haiti; visit CCR's action page for details by [clicking here](#).

Comments on ICE Policy

On Monday, March 7th, Immigration and Customs Enforcement (ICE) announced on its website that it would like input on its proposed Policy for Resumed Removals to Haiti. On March 18th, 2011, the IACHR petitioners submitted comments with 232 organizational and individual signatures in response - [Click here to read the sign-on letter](#). CCR and its partners also mobilized a letter-writing campaign in response to ICE's request for comments on the draft policy (which was posted after the deportations had already begun). ICE received hundreds of letters from organizations and individuals, protesting the recommencement of deportations to Haiti. Below is a sample of letters from organizations who are concerned about the humanitarian crisis occurring in Haiti and who urge the United States to stop all further deportations there.

Click below to read the letters from:

[The Haitian Diaspora Federation](#), [The Interfaith Immigration Coalition](#), [Families for Freedom](#), [United Nations High Commissioner for Refugees](#), [The American Bar Association](#), [Human Rights Watch](#), [The ACLU](#), [Heartland Alliance: National Immigrant Justice Center](#), [National Immigration Project](#), [Political Asylum/Immigration Representation \(PAIR\) Project](#), [Northwest Immigrant Rights Project](#), [National Lawyers Guild](#), [Loyola New Orleans Chapter](#), [Immigration Rights Clinic](#), [Washington Square Legal Services, Inc.](#), [New York University School of Law](#), [Immigration Justice Clinic](#), [PACE University School of Law](#), [Lowenstein International Human Rights Clinic](#), [Yale School of Law](#), [Immigration Clinic](#), [University of Houston](#), [Lutheran Immigration and Refugee Service](#), [Catholic Charities Legal Services](#), [Archdiocese of Miami](#), [Jesuit Refugee Service/USA](#), [Church World Service](#), [Collaborative Letter](#), [Faith Based and Humanitarian Organizations Letter](#), [Collaborative Immigration Advocacy](#), [Humanitarian and Faith Based Organization Letter](#), [Concerned Citizen - Tom Maschler](#), [Concerned Citizen - Jeannie Bowker](#), [Concerned Citizen - Emily Breslin](#), [Concerned Citizen - Alene Anello](#), [Concerned Citizen - Amy Dalton](#), [Concerned Citizen - Grace Goodman](#), [Refugees International](#)

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