

U.S. DENIES APPEAL FOR 4 ILL HAITIANS

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Body

Despite pleas from military officials, the Immigration Service has refused to allow four **ill Haitians** infected with H.I.V. to leave the crude camp where they are held here and come to the **United States** for treatment.

In the camp, within the Guantanamo Bay Naval Base, are 222 **Haitians** seeking asylum in the **United States** who have tested positive for the virus that causes AIDS. Among them are 15 whose level of defensive immune system cells is low enough to officially designate them as having AIDS.

Many of these men, women and children fled jail or the Haitian military to get here, and all have passed initial interviews on the way to gaining asylum. Also in camp are 55 dependents, mostly children, who are not infected.

They have been left behind at the camp because the Justice Department determined early in the year to begin enforcing the Bush Administration's ban on allowing anyone infected with H.I.V. to enter the **United States**.

Col. Stephen Kinder, commander at Guantanamo, and camp doctors requested permission from the Immigration and Naturalization Service for the release of at least the four detainees who are so **ill** that camp doctors cannot adequately care for them.

Request Turned Down

Today, Colonel Kinder learned that the request had been turned down. As he stood beside the camp, clearly disappointed, the Colonel said: "I think our recommendation should be honored. It is based on medical reasons. I guess we'll have to try harder."

Doctors at the camp expect several patients to die within the next six months. Two detainees have tried to commit suicide.

One infant who was born at the camp, Morant Ricardo Bethony, has already died, at the age of 3 months. When he contracted pneumonia here, he and his mother were flown to Walter Reed Army Hospital, a departure from Immigration Service policy. Efforts to save the baby failed, and he died on Sept. 15.

After her baby died, the mother, Silieses Success, 22, was put in the Immigration Service prison on Varick Street in New York City, because officials said they do not want H.I.V.-infected immigrants released into the **United States**.

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Many of those in the camp say they hope that President-elect Bill Clinton will free them so they, like thousands of others who fled Haiti and asked for asylum after the Rev. Jean Bertrand Aristide was ousted, could fly to United States to await legal proceedings.

An Immigration Service spokesman said he did not know of the request regarding the four Haitians. But the spokesman, Duke Austin, said in a telephone interview from Washington, "We don't have any policy of allowing people with AIDS into this country."

'They're Going to Die Anyway'

Earlier, when asked by an Associated Press reporter why the Haitians must stay in camp if the doctors felt they could not adequately treat them, he replied, "they're going to die anyway, aren't they?"

Later Mr. Austin confirmed that. "I did say it, yes, but it would be so unfair to print that," he said. "All I meant to say was that the outcome would be the same either way, so what would they gain from coming to the U.S.?"

The camp has created political and legal fights because the Justice Department has built and maintained it over the objections of Federal health officials who called it a "potential public health disaster."

Joseph Tringali, an attorney working with the Center for Constitutional Rights, a New York group that has taken on legal representation of many of the Haitians, said the situation is "shameful."

"These people have committed no crime, and they are kept in degrading conditions," he said.

Colonel Kinder has made clear to the prisoners that the military's job here is to take care of them and has no part in keeping them here.

"I'm just a soldier here," he said, explaining that his job is to take care of his charges, not to determine why they are here. A few yards from where Colonel Kinder stood, talking to reporters, was a wall of hand-lettered signs made by detainees, most of which ask the simple question "Why?"

In spite of the desperation of many detainees, the Colonel is well liked within this camp. The prisoners say he has restored order and humane leadership after a summer of riots.

One Man's Sorrow

One man who represents the full brunt of the Haitians' plight is Morant Bethony, the husband of the woman whose child died and was sent to Varick Street jail. Mr. Bethony said he and his wife were pursued in Haiti by soldiers because they had gathered signatures on petitions demanding justice for those killed by Government troops since the 1991 coup.

Standing beside a white sheet he has hung to gain some privacy in the hut where 20 cots are packed into one room, Mr. Bethony talked about life in the camp.

"The food is bad. We have nothing to do but sit like animals," he said. "Why can't I be with my wife? Why?"

He said he was allowed to speak to his wife in the New York jail yesterday. "She said she never saw the body of our baby, they took it away," he said. "They said they buried it. They don't tell us where."

"My wife asks why she is held in a jail with criminals and users of drugs," he said "She is no criminal."

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