

Haitian policy called 'immoral' // Telling people to seek visas 'surrealistic'

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Body

On the U.S. Consulate building, behind a high wall and iron gates, hangs a hand-printed notice: "Closed for all services except for American citizens. No immigrant visa services are available."

The sign - written in English in a country where French creole is the language and many people don't read - reflects the confusion among Haitians, and in Washington, over the fate of the thousands of people who want to leave their impoverished nation.

This is the consulate Haitians are being told in Voice of America broadcasts to visit if they want to come to the United States legally as political refugees.

"What do you think would happen if I went to the U.S. Embassy?" asks Vilson Destin, 20, of Les Cayes, after being returned to Haiti Tuesday morning by the U.S. Coast Guard. He had been on a 15-foot boat with 19 others that was intercepted Sunday night - hours after President Bush ordered the Coast Guard to turn back all refugee-laden boats.

In recent weeks, more than 12,500 refugees have been plucked from rickety boats as they tried to flee to the USA. Most say they fear persecution from the military regime that ousted elected President Jean-Bertrand Aristide in September.

Bush's order ignited a howl of protests from refugee advocates. They are threatening to sue to block the order, saying it violates U.N. conventions on refugees.

Specifically, they say, the policy prevents Haitians from making a case for asylum on grounds of being persecuted, as required by the U.N. treaties signed by the United States.

"It's a surrealistic proposition," says Jean Claude Bajeaux, leader of Haiti's Ecumenical Center for Human Rights, referring to the idea that Haitians go to the U.S. Embassy.

The U.S. diplomatic compound "is built like a high-security fortress. No Haitian, intimidated and traumatized, would dare approach it," says Bajeaux, a head of the Socialist Congress of Democratic Movements.

Meanwhile, U.S. government monitors are scouring Haiti's towns and countryside to determine whether Haitians returned aboard Coast Guard cutters are being mistreated - as Haitians in the USA and their advocates charge.

State Department spokesman Richard Boucher says embassy officers have contacted more than 2,000 repatriated Haitians and "in no case found evidence of mistreatment connected to their repatriation."

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But violence is prevalent in Haiti. A gunman Tuesday killed a prominent businessman whose brother was the leading campaign fund-raiser for the ousted Aristide.

The slaying was at least the 16th in the capital area in the last week; all appear to be tied to politics.

Meanwhile, 38 Haitians stopped at sea since Bush issued his order were returned Tuesday by the Coast Guard, which burned their boat.

And today, 500 more are to be returned from Guantanamo Bay, Cuba, where the Coast Guard had taken refugees picked up before the order.

"This is really a shameful day for our country," says Miami lawyer Ira Kurzban, who works with the Haitian community. He's leading an effort to sue the Bush administration by challenging the forced-return order.

But Sen. Richard Lugar, R-Ind., of the Senate Foreign Relations Committee, defended the policy.

Determining which Haitians are economic refugees and which fear political persecution, Lugar says, "can best be done in Haiti, where the conditions can best be seen."

Says White House spokesman Marlin Fitzwater: "We simply have to be concerned about the immigration rules for all people who want into this country from all countries."

Nevertheless, Bush's decision - in fact his entire policy on dealing with the Haitians since Aristide was overthrown - is coming under growing criticism:

- Lionel Rosenblatt, executive director of Refugees International, says the policy "violates one of the fundamental international human rights provisions: the right to political asylum or refuge."

- Bill Frelick, senior policy analyst for the private Washington-based U.S. Committee for Refugees: "This creates a really frightening precedent ... (countries) can return refugees to torture, to death, to execution, to sharks at sea. In a sense it could be the end of asylum."

But some of the harshest criticism has come from Congress.

"It's just an illegal, immoral thing that we're doing," says Rep. Charles Rangel, D-N.Y. "There's no precedent in history where a country can just stop people from leaving and arbitrarily returning them."

Haitians in the USA, especially in the Miami area, believe there is something Bush should do - a naval blockade of the Caribbean nation, which shares the island of Hispaniola with the Dominican Republic.

They say a blockade would force the junta to return democracy.

The South Florida Haitian community hopes Aristide will spur support for their homeland and its refugees. He's now visiting the USA from exile in Venezuela. He meets today with Miami business leaders.

One of the issues that further complicates the Haitian problem is that it has triggered charges of racism in U.S. immigration policy.

Rangel, a member of the Congressional Black Caucus, says the policy wouldn't be in place if the refugees weren't black or poor. "It's a racial thing, it's an economic thing and it's a political thing because it's an election year. People don't want poor black folks coming here.

"Do you really believe if these people were coming here from Europe that they would be treated this way?" he asks.

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That point was also made by Stephen Legomsky, a law professor at St. Louis' Washington University. He tutored Gene McNary on immigration issues before McNary became commissioner of the Immigration and Naturalization Service.

Legomsky says a more subtle type of racism is involved, although he doesn't think the administration's **policies** are racially motivated.

"But at the same time," he says, "I don't think the American public would stand for this **policy** if these were boatloads of refugees from Ireland or Italy."

But Fitzwater seems to dismiss any hint of racism when he says the **policy** "is not a question of not wanting any one nationality."

The forced-return **policy**, Fitzwater adds, "is consistent with the Constitution" and is driven by humanitarian reasons because "**people** are dying every day in these old ships that they're trying to take out."

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Graphic

PHOTO; color, Robert Sullivan, Agence France-Presse

CUTLINE: U.S. DELIVERY: Group of 38 Haitians intercepted at sea and returned directly to Port-Au-Prince waits to be processed Tuesday.

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