

Haiti: Human Rights
Under
Hereditary Dictatorship

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36 West 44th Street
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Preface

This report is based in part on a fact-finding mission to Haiti in late July 1985 by Michael Hooper of the National Coalition for Haitian Refugees and Aryeh Neier of the Americas Watch. Brenda Pillors, a staff member of the Congressional Black Caucus, accompanied the mission. We are grateful to the many Haitians who shared with us their experiences and their insights. Regrettably, we cannot name them because to do so might invite reprisals against them.

Introduction

On July 22, 1985 Haitians went to the polls to vote "yes" or "no" in a national referendum. Here is what appeared on the ballot:

Please express your views through this Referendum on both the amendments to the existing Constitution of 1983 and on the new law regulating the functioning of political parties. The most significant of these changes include:

- A) A Presidency-for-Life including the right to designate a successor
- B) The creation of the post of Prime Minister
- C) An increase in legislative influence over the government
- D) An official encouraging of the development of political pluralism.

Do you agree with this new political system?

Separate ballots were provided to tally "yes" and "no" votes and separate boxes were provided in which the ballots could be placed.

According to the government of Haiti, more than ninety percent of the 2,600,000 or so eligible voters actually voted; of those who voted, 2,375,011 voted yes and only 449 voted no. In other words, in an election in which the turnout was one of the highest in the world, 99.98 percent of the voters approved the Presidency-for-Life; the right of the President-for-Life to designate his successor; the new law regulating political parties;

and the assertion that these amount to an "official encouraging of the development of political pluralism."

The findings in this report indicate that, far from encouraging the development of political pluralism, the Haitian government is attempting to silence or to wipe out those institutions that represent such elements of political pluralism as have been present in Haiti. It is stifling opposition political parties; shutting down the independent press; attempting to silence the Church; and terrorizing members of the intelligentsia who have attempted to speak out about Haiti's critical economic and social problems.

Haiti has long suffered government terror. Abuses of human rights have been particularly severe during the twenty-seven years that the country has been ruled by the Duvaliers, the hemisphere's only remaining hereditary dictators (since the fall of the Somozas). In attempting to perpetuate that dictatorship for at least another generation, the Duvaliers offer most Haitians only the prospect of continuing terror.

Haitians are suffering in other respects as well. Their country's economy is chaotic, and marked by ever more extreme inequality of income, corruption and dependence on foreign aid. Ninety percent of Haitians must try to survive on incomes of less than \$150 per year. The small political elite that dominates the country enjoys considerable wealth, however -- not from industry or agriculture, but from its control over the government's

bureaucracy and treasury.

There are close connections between Haiti's economic ills and abuses of human rights. By far the poorest country in the hemisphere (per capita income in Bolivia, the next poorest country, is more than double that in Haiti) there is nevertheless, enough wealth available through corrupt means to enrich the small elite around the Duvalier family. It is those who try to organize or to speak out against this corruption who are particularly victimized by human rights abuses.

It is against this background that the July 22 referendum was conducted. Like most Haitians, and like the few foreign journalists who visited Haiti to observe the conduct of the referendum, we do not take seriously the government's claims about the results. On their face, they are preposterous. Moreover, the Haitians and foreign observers with whom we discussed the matter told us that they witnessed massive apathy and abstention on July 22; clear intimidating circumstances at polling places in which those who wished to vote "no" had to do so in a manner that made clear to the government agents who were present at the polling places that they were rejecting the ultimate sacred cow of Haiti -- the Presidency-for-Life with the right to designate a successor; and widespread fraud in which those who voted did so early and often. Under those circumstances, the tabulation announced by the government might

even be correct, but it is also meaningless.

Whether Haiti is encouraging pluralism can hardly be determined by the results of the referendum; it can be determined, however, by examining how the government has dealt with those who have attempted to express alternative points of view. That is what we attempt to do in the report that follows.

Note: In September, Dr. Roger Lafontant, Minister of the Interior and Defense of Haiti, was removed from his post. Generally considered to be one of the two or three most powerful figures in the country after President-for-Life Jean Claude Duvalier, Lafontant played an important part in many of the abuses of human rights described in this report. His removal came after our organizations publicized his personal participation in torture (see, e.g. "Haiti's Despair," by Michael Hooper, The New York Times, August 27, 1985, Appendix 1), though whether it had any connection to this publicity we cannot say. In any event, Lafontant's removal is a favorable development. It remains to be seen, however, whether it will result in any changes in human rights practices in Haiti.

The Political Parties Law of June 1985

Haiti's Constitution of 1983* purports to legalize political parties; to prohibit interference with the right of any Haitian to belong to a political party; and to require that the law regulating the functioning of political parties should encourage their formation.

A law to authorize the establishment of political parties and to regulate them was introduced in the Haitian legislature on June 8, 1985 and, as is customary in today's Haiti, it was adopted unanimously. Among its many provisions, the law requires:

- that every political party must recognize in its statutes the President-for-Life as the supreme arbiter of the nation, and as the guarantor of the stability of the national institutions.
- that it is illegal for any political party to be connected to a religion or a sect.
- that each party must register the names and addresses of some 18,000 members (0.3% of the population) distributed across the nine departments of Haiti.
- that the Minister of Interior and Defense has the power to recognize parties and to order the suspension of the activities of any political party. No reason need be given.

Three days before this law was adopted, the Haitian Constitution had been amended to establish the right of the President-for-Life to designate his successor; to grant the President-for-Life

*Article 43.

increased emergency powers; and to create the post of Prime Minister to be designated by the President-for-Life.

In practice, the provisions of the political parties law nullify Article 43 of the Haitian Constitution and make it impossible for any opposition party to function. Leaders of those trying to form opposition political parties told the Americas Watch and the National Coalition for Haitian Refugees that:

- to many of them, their starting point is opposition to the Presidency-for-Life system. Accordingly, it is absurd for a party to be required to recognize in its statutes that system. As one opposition party leader told us, "No self-respecting person would be interested in or take part in a political party which recognizes the Presidency-for-Life as one of its founding principles."
- by itself, the requirement to register 18,000 members is not an insurmountable obstacle. Despite the history of repression and fear in Haiti, that burden could be met. This was the opinion of all the political party leaders with whom we spoke. The difficulties with this provision of the law go back to the requirement that parties recognize in their statutes the primacy of the Presidency-for-Life. One political party leader told us that this would make it impossible to obtain even fifty members. Secondarily, the provision requiring that the members of a party must be distributed across the country's nine departments would cause difficulty. In some rural areas, repression has been so severe as to cause great difficulty for the parties in getting people to come forward to identify with an opposition party.
- the provision prohibiting religious affiliation is directly aimed at the two opposition parties that have been most active in Haiti: the Christian

Democratic Party and the Social Christian Party. These parties are based on efforts to base politics on religious principles.

- that the power of the Minister of Interior and Defense to suspend parties without giving reasons is an invitation to arbitrary control over political parties.

Opposition leaders informed us that the new law would prevent political parties from even trying to operate. As one stated, "It would be immature to have a meeting or rally when repression would come down on innocent people." Another pointed out that the new law makes all existing opposition parties illegal and that any meeting, publication, or other official action by such a party would be provocative.

In expressing such views, Haitian opposition political leaders are necessarily reflecting their bitter experiences in recent years. The Haitian Christian Democratic Party (PDCH) was created in 1979 and has been severely repressed ever since. Its founder and leader Sylvio Claude, a Baptist Minister, has been arrested on eight separate occasions since creating the party; has spent approximately half the time since organizing the party in jail; and has been beaten and tortured. In addition, members of his family have also endured jailings, beatings and exile and, at the time of our visit to Haiti in July 1985, Claude was staying at different homes as a precautionary measure.

Supporters of Sylvio Claude, who lack the small protection

that his prominence gives him, have suffered even more. The Americas Watch and the National Coalition for Haitian Refugees took testimony from relatives of two associates and political supporters of Claude who were arrested in September 1983 and who subsequently "disappeared." In one of those cases, involving the disappearance of Joseph Pardovany, his wife was subsequently arrested, beaten, released, rearrested and released again. Pardovany's wife must now find some way of supporting their seven children without the assistance of her husband.* In another case, involving the disappearance of Meres Briole, the security forces that arrested him also seized the family savings and his wife must find some way to support their eleven children without the support of her husband. We also heard testimony about the disappearance of Rene Joseph, Sylvio Claude's driver.

The Social Christian Party has also endured severe repression. It was formed in 1980 by Gregoire Eugene, a law professor and constitutional law scholar. Professor Eugene was arrested and summarily exiled that same year and was not permitted to return to Haiti until February 1984. In June 1984, he was again arrested without charge and was subsequently kept under house

* The National Commission on Human Rights, a Haitian government agency, showed us a letter they wrote to the Minister of Interior and Defense in April 1984 seeking information on the whereabouts of Joseph Pardovany. No answer was received and, although fifteen months had elapsed, no follow-up was attempted.

arrest for two months.*

Other attempts to organize opposition political parties have been made in recent years in Haiti, but none has been allowed to function. None of the candidates who were permitted to take part in the February 1984 legislative election were entirely independent of the Duvalier government. The most independent candidate was Serge Beaulieu who ran from Cavaillon. In the days prior to the election, his headquarters were ransacked; his car was riddled with bullets; and two campaign workers were detained without charges. He was defeated.

Subsequent to the February 1984 elections, in May 1984, the Haitian government banned "all groups which call themselves political parties" until a law regulating parties could be issued "at an opportune time." That opportune time came in June 1985 when the new law was issued. To all intents and purposes, it codifies into law the prohibition on the functioning of opposition political parties.

* A representative of Americas Watch visited Haiti during that period and attempted to see Professor Eugene together with two representatives of the Committee to Protect Journalists. Police in front of his house prevented them from speaking.

The Press

Prior to the July 22, 1985 referendum, Haiti's most widely listened-to radio station, Radio Soleil, broadcast a discussion of the referendum. Among the views expressed was the opinion that the results would be rigged to assure that the Haitian electorate was recorded as overwhelmingly endorsing the Presidency-for-Life with the right to designate a successor. Though this was not a bad guess, in Haiti it crossed the line. As the Minister of Interior and Defense, Roger Lafontant, subsequently told one religious superior of Pere Hugo Trieste, a Belgian-born missionary who has served in Haiti for more than twenty years and who directed Radio Soleil: "Listen, Father, you are here in the country for evangelization and nothing else. Whenever you cross the line we will cut your balls off."

On July 26, Pere Trieste was summarily expelled from Haiti. Minister Lafontant showed up at the residence where Trieste and the members of his order lived to threaten that all of the priests would suffer if Trieste was not on a plane out of the country by that afternoon. No recourse to a court was possible.

The Duvalier government's reprisal against Radio Soleil is only the most recent attack on the press in Haiti. On May 7, 1984, Minister Lafontant had ordered the suspension of all periodicals not approved in advance. Moreover, under the Press Law of 1979 (amended in 1980) and the Anti-Communist Law of 1969,

the government has arrogated the authority to prosecute journalists for doing or saying virtually anything. Though freedom of expression is guaranteed in the Haitian Constitution,* this commitment has been honored only in the breach. There are no opposition daily newspapers in Haiti; those dailies that exist depend on government subsidies. Several opposition weekly papers that tried to publish in 1984 were harassed and suppressed. Conviction, a weekly associated with Sylvio Claude and his Christian Democratic Party was closed in July 1984. An issue of Conviction had been seized by security agents in May 1984; another raid in July 1984, in which Claude's daughter was beaten and the galleys for a forthcoming issue were seized, shut down the publication. Fraternite, a weekly associated with Gregoire Eugene and his Social Christian Party was also shut down at about the same time when Eugene was arrested and his printing press was seized. Professor Eugene told the Americas Watch and the National Coalition for Haitian Refugees that it is now impossible to resume publication of Fraternite because no printer is available. The pressures on printers have been too great. His only option would be to buy a printing press to replace the one that was seized but he would be unable to rent space for a press. Publication of another weekly, L'Information, was also disrupted at about the same time as the attacks on Conviction and

* Article 26.

Fraternite. Its editor, Pierre Robert Auguste, was arrested and questioned by Minister of the Interior and Defense, Roger Lafontant, and by Colonel Albert Pierre of the secret police. As the U.S. Department of State reported: "During his questioning and in the presence of high ranking government officials, he was beaten with a wooden rod and one finger was broken."*

We discussed the expulsion from Haiti of the director of Radio Soleil with several independent journalists. It was their unanimous view that all media in Haiti must practice careful self-censorship. They pointed out that even Dieudonne Fardin, publisher of Le Petit Samedi Soir -- a weekly with a circulation of 12,500 that avoids confrontation with the government -- had been arrested in June 1984, on the same day that Gregoire Eugene and Robert Auguste were arrested. He was released with a warning about running articles critical of the government. Nevertheless, he resumed publication of Le Petit Samedi Soir. Observers attributed his arrest at that time to his failure to detect in time the signals that he should cut back on the extent to which he expressed independent opinions in his publication. He had permitted too much freedom of expression one week too long. To stay in business, Le Petit Samedi Soir now practices severe self-censorship. All agreed that the exile of Pere Hugo Trieste is a signal that they must cut back further. Despite his

* State Department "Country Reports on Human Rights Practices" for 1984.

prestige in Haiti and his association with the Bennett family (the in-laws of the President-for-Life), Fardin's Le Petit Samedi Soir did not take as many liberties in the edition that appeared the Saturday following the expulsion of Trieste as it had taken the previous Saturday because he had to act in accordance with that signal for his paper to survive.

The Church

Most Haitians are Roman Catholics. Despite the continuing prevalence of the ancient voodoo folk religion, by and large Haitians are devoutly attached to the Church. Historically, however, the Church has not played an independent role, in part due to a Concordat between the Vatican and the Haitian government negotiated in 1860. Under its terms, most parish priests were paid by the government and the government could name -- or at least, veto -- the appointment of bishops. The Concordat remained ineffect until Pope John Paul II's visit to Haiti in 1983 when he declared, "things must change here."

The Haitian government has been known to expel individual priests and even entire orders in years past when they stepped out of line. Since the ending of the Concordat, however, tension between Church and State has increased. The Church has angered officials by undertaking a literacy campaign and other programs to aid the most deprived Haitians. In the past year, the Church has condemned corruption and economic misery and has advocated social justice. Such efforts by the Church have at times elicited a violent response from the government, as in the 1983 imprisonment and torture of a Catholic lay worker, Gerard Duclerville. He was released after an international protest campaign.

The episode in which Pere Hugo Trieste was expelled reflects the Haitian government's reaction to the Church's discovery of its independent voice. Trieste was not expelled alone. Two other Belgian missionaries were expelled simultaneously: Pere Jean Hostens, pastor of Pointe a Raquette, La Gonave; and Pere Yvan Polleyfet, pastor of Montrouis. Neither was involved in the work of Radio Soleil. Both were expelled for the way that they carried out their pastoral duties.

In the case of Pere Hostens, charges against him were articulated in a letter of April 8 signed by the Minister of Foreign Affairs and Religious Affairs. They apparently involved a tax matter which the Church subsequently characterized as "simply invented by a local tax official who is also the head of Volunteers for National Security [the Tontons Macoute] of Pointe a Raquette." As for Pere Polleyfet, the action against him was based on his homily of April 25, 1985. The U.S. Embassy in Port au Prince made available to the Americas Watch and the National Coalition for Haitian Refugees an English-language translation of this homily, which had apparently been taped. It contained several mildly-stated criticisms of the government.

As in the case of Pere Trieste, the expulsion of Pere Hostens and of Pere Polleyfet was summary. The fact that the priests were expelled together in the same incident made it plain that the government had determined to demonstrate to the Church that it was powerless to protect the priests and that it enjoyed

no immunity from arbitrary reprisal if its activities displeased the government.

All seven Bishops of Haiti joined in protesting the expulsion of the three priests. In their protest, the Bishops noted that a commission composed of representatives of the church and of the government that had been established to deal with problems that might arise between them had been by-passed by the government in expelling the priests and that all efforts by the Episcopal Conference of Haiti to speak to government officials about the expulsion had been rejected.

In the same week that the priests were expelled, an incident occurred -- that may be entirely unconnected -- involving another Belgian priest from the same order. Pere Albert de Smedt, 80, was murdered in his home in what was officially labelled a robbery. The timing, however, and the fact that the murder of a priest is extremely unusual in Haiti, necessarily arouse suspicions of a link. All the same, there is no evidence of which we are aware specifically indicating that the government murdered Pere de Smedt. At this writing, the identity of the murderer or murderers is unknown.

In connection with the expulsion of the three Belgian Priests, the government-controlled press of Haiti launched a hate campaign against the Church. An article in the July 26, 1985 edition of Le Nouveau Monde, under the headline "Une querelle

sans grandeur menee par l'Eglise Catholique" ("A quarrel without dignity follows the Catholic Church"), reviewed some of the more sordid chapters in Church history, such as its blessings for Mussolini's armies at the time of the war against Ethiopia -- an episode apparently selected to demonstrate the racist history of the Church. Another article in the same paper was headed "Les Marxistes utilisent les Eglises américaines" ("The Marxists use the American churches"). It consisted largely of quotes from Langhorne Motley who devoted his farewell address a few weeks earlier as Assistant Secretary of State for Inter-American Affairs to an attack on U.S. churches for opposing the Reagan Administration's policies in Central America.

The strong response of the Haitian Roman Catholic Church to the expulsion of Peres Hugo Trieste, Jean Hostens and Yvan Polleyfet, which was broadcast repeatedly on Radio Soleil in French and in Creole, is a good sign that the Church will not kowtow to the government. All the same, it did not succeed in securing the re-entry of the priests and the government has effectively conveyed the message that it considers that it has a perfect right to act against the Church for the way that priests carry out their pastoral duties as well as for efforts to exercise free speech away from the pulpit.

The Intelligentsia

In November 1984, some thirty-five young members of the intelligentsia -- agronomists, economists, community development professionals -- were rounded-up and imprisoned. They remained in prison without being convicted or even charged with any crime until April 30, 1985. Two well known educators were forced to flee the country in fear for their lives.

In any country, such a round-up would be a matter for grave concern. In a country of desperate poverty in which the intellectual, professional and technical skills of just such persons are urgently needed if there is to be any hope for the betterment of the lives of most Haitians, what took place amounts to a national tragedy. The only discernible common thread that unites the victims of this round-up is that some of them spoke up against the corruption and mismanagement that are endemic in Haiti and that have much to do with the impoverishment of most Haitians. In some cases, speaking up on these matters amounted to no more than conscientious fulfillment of their professional responsibilities.

The Americas Watch and the National Coalition for Haitian Refugees interviewed some of the victims of this round-up about their experiences. As most of the victims continue to be subject to the arbitrary exercise of power by the country's

authorities, we omit names.

We interviewed an agronomist who worked in an outlying region of the country. He was arrested on November 8, 1984. According to his testimony:

The agency for which he worked had received financial support from the United States when it was first established and the United States still provides the bulk of the funding. Haiti was supposed to make contributions but failed to do so over a period of several years.

He believes he got into difficulty because he had been tough in seeking repayments of loans from large agricultural producers and in giving priority to loans to small peasant producers. The officers who arrested him on November 8 in his office -- a Colonel, a Captain and a lieutenant -- said that they had received a complaint from a large producer and asked whether he was a founder of a certain political party.

After he was detained overnight, he was transferred to the Casernes Dessalines, a military detention barracks, on November 9. He was confined in a small cell with no light

for two days.

He was interrogated by Colonel Emmanuel Orcel, an assistant to Colonel Albert Pierre, the commander of the Casernes Dessalines. During his interrogation he was handcuffed, but he was not beaten. His interrogator insisted that he was involved in the same affair as two people he knew. He was threatened with long imprisonment and torture, and also that his wife would be fired from her job.

His interrogator called him a subversive and told him that "subversion is not an act but what you have in your head."

After two days, he was transferred to another cell where he was confined naked. The cell was bare, but he could see the sun. Each morning and night, he was taken for a shower (though sometimes his keepers forgot). He had a can for toilet purposes.

He was interrogated again by Orcel and a Captain Menard. His interrogation continued until December 13. On that day, Menard had a club in his hand when he entered the room and gave an order to beat him. He was beaten by two soldiers who hit him with a stick on the

thighs, his back, his sides and his neck. Beatings, interrupted by periods of interrogation, continued from about 10:00am to 5:00pm. This was the only time he was beaten.

Thereafter, he was interrogated again by Orcel who was fingering a gun during the interrogation. He was threatened with torture. Eventually, he signed a declaration that he says he knew to be false in order to get before a judge.

He was transferred to the national penitentiary which, he says, was a big improvement. On January 15, an investigative judge came to see him in prison, the first time he had seen a judge. When he complained of his treatment in the Casernes Dessalines, the judge said, "Torture is none of my business." The judge never became involved in his case. He was released by the Minister of the Interior and Defense on April 30, 1985.

Another man was arrested with two others on November 1, 1985. According to his testimony:

He believes he was arrested because of his association with a doctor who had returned to Haiti illegally. He says he had done nothing illegal but believes that his innocence became a reason to hold him; release would have shown the illegality of his arrest.

He was taken to the Casernes Dessalines on November 2. Interrogations and beatings began the following day. He says he was beaten with an iron bar covered with rubber. The Minister of the Interior and Defense, Roger Lafontant, was present during some of his beatings. Lafontant was at the Casernes Dessalines when he was brought there at 4:00am on November 2.

At one of the interrogation sessions, Lafontant accused him of wanting to assassinate the President-for-Life. When he answered that he had never done anything illegal, Lafontant kicked him in the face. The guard with the rubber covered iron bar then hit him much harder than before. (He still has marks on his body from the beating.) Colonel Albert Pierre, the commander of the Casernes Dessalines, told the guard to stop hitting him.

He says the worst part of the beatings was being hit on the ears. Ever since, he says, he has heard a background hum, as if from an electric motor. It keeps him from sleeping. He thinks it may be a psychological problem. He has consulted an ear specialist -- to no avail.

He said that he was raised in an atmosphere of gentleness and had no way of coping with the aggression he endured at the Casernes Dessalines between November 2 and December 17 when he was transferred to the national penitentiary.

One time in the Casernes Dessalines, he was beaten because he was overheard giving advice to a prisoner in the adjoining cell who was suffering from colic. On this occasion he lost consciousness.

The last time he was beaten was several days before his transfer to the penitentiary. On this occasion he was confronted with an informer who said he was implicated in a plot. The informer said such crazy things that it became clear to Colonel Albert Pierre that the informer was

unreliable.

In the penitentiary, he did not get any medical treatment for the injuries he had suffered during his beatings at the Casernes Dessalines. When an investigative judge, Jean Baptiste, came to see him at the penitentiary, he complained of the mistreatment he had endured. The judge simply responded, "That's how it is here."

This man had been the director of a United Nations sponsored program on the better utilization of water resources.

On the first day of his arrest, November 7, 1984, another man was taken to the Casernes Dessalines where he was severely beaten. According to his testimony:

Under the orders of Colonel Albert Pierre, chief of the Military Department of the Port-au-Prince Police, a heavy-handed prison officer hit him many times and then beat his head against a concrete wall. Colonel Orcel, a captain, two officers and Minister of the Interior Dr. Roger Lafontant were present at the beating.

Next he was attacked by Minister Lafontant. During the course of fierce interrogation, Lafontant condemned his supposed political aspirations to the presidency. His hands were

handcuffed and his arms and legs tied with rope in a position known as "Djak" in the argot of torture in Haiti. From 5:30pm to 9:00pm, the Minister tortured him with an iron-tipped wooden stick.

A week later he suffered a similar beating. To make matters worse, he says, he was thrown into an underground cell in which the floor was covered with sugarcane syrup, ants and cockroaches. He received no medical attention.

Several times, night and day, he was interrogated under physical force by officers of the Casernes Dessalines. Each time, he was pressed for the names of his accomplices in the presumed plot that he was planning to organize to topple the government of Jean-Claude Duvalier.

Incarcerated in these conditions he suffered inflammation all over his body, and one side of his buttocks became infected. This infection actually resulted in decomposition of his flesh which became worm infected. His body gave off such a nauseous odor that he was unable to drink or eat.

He was transferred to the National Penitentiary on December 17, 1984 at 1:00am. He reports that

conditions there were less severe than at the Casernes Dessalines. However, he received no medical assistance until March 1985. During a visit with him in that month, the president of the Universal League of Human Rights (Ligue Universelle des Droits Humains), Mr. Rostocker, could not hold back tears witnessing his desperate state of physical neglect.

Dr. Corbel, a representative of the International Committee of the Red Cross, visited him thirteen days later and urged Colonel Louis Charles, head of the prison, to arrange a medical examination for him. After the medical consultation he was well cared for by a sergeant-nurse who treated the infection with medication brought by Dr. Corbel himself. Nevertheless, the sores had not yet healed by the time of the arrival of Congressman Fauntroy. A week after the Congressman's visit, on April 30, 1985 he and thirty-six others were released from the penitentiary. However, his freedom of movement has been restricted. On the day that he gave his testimony, he had still not recovered his passport, preventing him from obtaining further medical treatment, and he was still being

threatened by the secret police, who warned his friends and parishioners to stay away from him.

When Minister of the Interior and Defense Roger Lafontant released these prisoners on April 30, 1985, he gathered them in the prison courtyard and told two of them they had to leave the country. One did so right away; the other, a man named St. Jean, did not. On July 2, he was re-arrested, held for two days, returned to his home in Gonaives, and told that he was forbidden to leave his house until the President-for-Life had completed a visit to the town. Shortly before the Americas Watch and the National Coalition for Haitian Refugees visited Haiti, St. Jean was re-arrested. His whereabouts at the time of our visit were unknown, though he was released later on. When he had been arrested the previous November in Gonaives, he had been told that he was suspected of organizing a demonstration against the President-for-Life.

Disappearances -- and the National Commission for Human Rights

In the course of a meeting with the Chairman and two other members and staff of the Haitian National Commission for Human Rights -- a government agency -- the Americas Watch and the National Coalition for Haitian Refugees were confronted with the assertion that our inquiries about two disappeared persons were misplaced. Those persons, we were told had never existed. The Commission had determined, one of its members informed us, that inquiries concerning Meres Briole and Joseph Pardorany were irrelevant because these individuals had been invented by "those trying to undermine the reputation of the President-for-Life."

This was startling information in view of the fact that we had taken statements from their wives and children just a few days earlier. Moreover, several embassies -- including the U.S. Embassy -- regard Pardovany and Briole as among those who are missing since they were arrested by Haitian authorities on September 9, 1983

The Commission also had a theory about two other well known cases of disappearances. Commission members told us that Roc Charles Deroze (alias Jerome Jean), arrested on November 12, 1981, and William Josma, arrested in April 1981, had both left Haiti in the late 1960s and were living in "Germany or somewhere like that."

The Commission promised to forward to the National

Commission for Haitian Refugees a complete list of prisoners within one month of our visit to its offices on July 29, 1985. Three times previously, similar promises have been provided yet the list did not materialize. At this writing in October 1985, we have not received a list.

Given the bizarre statements by the Commission and its failure to take any discernible action to promote rights, we consider that it does more of a disservice to human rights than anything else.

The Role of the United States

Speaking at the annual July 4th reception of the United States Embassy, Ambassador Clayton McManaway told the assembled guests that Haiti's new law on political parties was "an encouraging step forward." Ambassador McManaway went on to call for "dialogue" that might lead to the establishment of parties.

When representatives of the Americas Watch and the National Coalition for Haitian Refugees met with Ambassador McManaway in his office three weeks later, he said that he thought that those seeking to establish opposition political parties "understood" what he was saying at the July 4 reception, and that they were particularly pleased with his call for dialogue.

On the other hand, when we met with opposition political leaders, we encountered neither understanding nor pleasure. On the contrary, all those to whom we spoke said that they were appalled by Ambassador McManaway's expression of support for the law on political parties and considered that the United States had deeply injured their efforts to repudiate the law and to promote political pluralism.*

* A wire service dispatch mis-reported Ambassador McManaway's statement and attributed to him the comment that the July 22 referendum was an encouraging step. This prompted an editorial attack on Ambassador McManaway in a major U.S. newspaper. To the best of our knowledge, the Embassy never publicly endorsed the referendum. In endorsing the political parties law, however, it did nearly comparable damage. Also Newsweek quoted an unnamed U.S. State Department official as trying to make the best of the referendum, saying: "With all of its flaws the Haitian government is doing what it can."

None of those to whom we spoke attached any significance to Ambassador McManaway's call for dialogue. It was the endorsement of the political parties law that got the attention, and that signified U.S. support for the Duvalier government's insistence that fealty to the Presidency-for-life with the right to designate a successor must be beyond question in Haiti.

Ambassador McManaway's July 4 statement followed the pattern of Reagan Administration actions on Haiti in recent years: though Haiti has systematically tried to still opposition voices -- by arrests, beatings, torture, seizure of publications and exile -- the Administration has repeatedly expressed encouragement at the democratic development that is underway without substantiating this in any way. Among other things, the Administration has certified to Congress that democratic development is progressing in Haiti, a condition for ensuring that more than fifty million dollars annually in U.S. military and economic aid continues to flow to Haiti.

The U.S. Department of State was publicly critical of the expulsion of Peres Hugo Trieste, Jean Hostens and Yvan Polleyfet. After their expulsion was ordered, but before it took effect, Ambassador McManaway made an effort to get the government to reverse itself and to permit them to stay. While this did not succeed, we applaud the effort. On July 31, 1985, the Department issued the following press guidance on the expulsion:

HAITI: EXPULSION OF THREE PRIESTS

Q. -- Does the Department have any comment on the Haitian Government's decision to expel three Belgian Priests?

A. -- The Government of Haiti announced on 25 July by communique that it has ordered the expulsion of three Belgian priests from Haiti. One of the priests directed the Catholic radio station called Radio Soleil. In response to an expression of concern by our Embassy, the Government of Haiti has stated that it acted in accordance with its immigration and other laws; and that its actions came only after numerous warnings that the priests were in violation of Haitian laws, and that Radio Soleil had exceeded its mandate as a religious radio station.

-- We regret that the Government of Haiti deemed it necessary to take this action. The fact that the press in Haiti has known a growing freedom of expression in recent months makes the expulsion of the Director of the independent Radio Soleil particularly unfortunate.

-- We have expressed our concerns to the Government of Haiti that this measure not represent a setback to the progress that has been made toward greater freedom of expression in Haiti. The Government of Haiti has stated to us that it does not, and further that it does not mark a turning back from President Duvalier's commitment to democratize Haiti. We are hopeful this will prove to be the case.

Though public criticism of the Duvalier government by the Department of State is unusual and, accordingly, to be welcomed on those infrequent instances when it is expressed, this statement leaves much to be desired. It contains the false assertions that "the press in Haiti has known a growing freedom of expression in recent months" and that "progress... has been

made toward greater freedom of expression in Haiti." As demonstrated by the recent experience of political party activists, editors and members of the intelligentsia who have been arrested, imprisoned, beaten and tortured, it is patently absurd to suggest that there has been increased freedom of expression in Haiti in recent months. In making such assertions, the Department of State undercuts the good that it did in expressing "regret" over the expulsions.

Haiti's Despair

By Michael Hooper

President Reagan talks a lot about a country close to our southern border that is "a totalitarian dungeon" given to holding "Soviet-style sham elections," "persecuting the church" and "suppressing internal dissent." In his view, if nothing is done to modify the country's behavior, "a tidal wave of refugees" will flood the United States.

In a sense, the President is right: there is indeed such a country. But he seems to have made a mistake in geography. The neighboring Government that best fits his description is not Nicaragua's but Haiti's.

Take the matter of elections. According to the Haitian Government, virtually all Haitian adults voted in the referendum on July 22, and 99.9 percent said "yes" to the system under which Haiti is ruled by President-for-Life Jean-Claude Duvalier, with the right to designate his successor. Such results put most Soviet bloc countries to shame. They rank right behind the 1963 elections in Albania when only a single "no" vote was recorded, and behind the results of the 1971 referendum in Haiti, in which 100 percent of the voters were recorded as approving Francois Duvalier's designation of his 18-year-old son to succeed him, creating this hemisphere's only remaining hereditary dictatorship.

The referendum shed some light on Haiti's treatment of the church and of internal dissent. The country's principal alternative source of news, the Roman Catholic Church's radio station (radio is particularly important in an impoverished country where 90 percent of the people are illiterate) had broadcast a few skits gently poking fun at the referendum. On July 26, the priest who directs the station and two fellow priests were summarily expelled from Haiti. The Minister of the Interior himself showed up at a church residence to see that they were put on an American Airlines flight to New York.

Several of Haiti's small-circulation weekly journals have also tried, in varying degrees, to express independent views, and they have been dealt with similarly. Over the last few years, their editors have endured jailings, beatings during interrogation, and exile. The editor of one weekly readily acknowledges that he practices self-censorship to stay in business. He sees the exile of the priests as a signal that he must further restrict what he publishes.

Torture and repression in a totalitarian dungeon

But is Haiti really a "totalitarian dungeon"? Consider the recent experience of some young Haitian intellectuals. Last November, some 35 of them were rounded up and taken to a military detention and interrogation center, where they were confined under appalling conditions. Several were severely tortured. The Minister of the Interior and National Defense, Roger Lafontant (the man who took charge of expelling the priests), was said by some to have personally presided over some of the torture.

According to one victim, the minister even got into the act himself, kicking him in the face. Another still shows visible wounds from a beating that he says was personally administered by Mr. Lafontant. Then, on April 30, the minister showed up at the prison where the 35 were confined and set them free, ordering two to leave the country. No court had a say about their arrest, their confinement or their release, and there is no way they can obtain redress.

Finally, there is the matter of refugees. The Reagan Administration professes concern about "feet people" but continues to deal harshly with the Haitian "boat people" who arrive on our shores. The Coast Guard patrols the seas to interdict Haitians fleeing their country, effectively denying them the right to apply for asylum in the United States. If the flight of refugees is an index of repression, surely the need for such measures says something about Haiti.

President Reagan can be a great champion of freedom, but the Administration rarely speaks out on Haiti. Haiti receives more than \$50 million in United States aid every year. Last year, the Administration twice certified that Haiti was making progress toward democracy, and in June it again praised Haiti's "encouraging steps" in that direction.

Isn't it about time that the President looked at a map? □

Michael Hooper, a lawyer, is executive director of the National Coalition for Haitian Refugees. He visited Haiti last month on behalf of Americas Watch, a human rights organization.