HARVESTING OPPRESSION
Forced Haitian Labor in the Dominican Sugar Industry

ISBN 0-929692-60-8

Copies of this report are available from:

Americas Watch

485 Fifth Avenue
New York, NY 10017
(212) 972-8400

1522 K Street, N.W.
Suite 910
Washington, DC 20005
(202) 371-6592

or The National Coalition for Haitian Refugees

16 E. 42nd Street
Third Floor
New York, NY 10017
(212) 867-0020

TABLE OF CONTENTS

ACKNOWLEDGMENTS i

I. INTRODUCTION 1

II. RECRUITMENT..... 10
A. The Use of Deception..... 11
B. The Use of Force..... 14
1. The use of force by buscones..... 15
2. Haitians Rounded Up by Dominican Soldiers and Forced onto Sugar Plantations..... 16
3. Haitian Recruits in the Custody of Armed Soldiers or CEA Jefes..... 19
4. The Holding Pen at the border at Jimaní.... 22
5. The Holding Place at Limón..... 26
6. The Use of Force by Haitian Authorities.... 28

III. FORCED LABOR 30

IV. CHILD LABOR 41

V. MEDICAL ABUSE AND LIVING CONDITIONS..... 44
A. The Lack of Medical Care..... 44
B. Use of unsterilized needles..... 46

VI. THE DOMINICAN GOVERNMENT'S RESPONSE..... 49
A. The U.S. Trade Representative..... 51
B. The U.N. Human Rights Committee..... 54

VII. U.S. AND CARICOM POLICY..... 58
A. U.S. Policy..... 58
1. The State Department's Country Reports on Human Rights Practices..... 60
2. The U.S. Trade Representative..... 63
B. The Caribbean Community..... 66

VIII. RECOMMENDATIONS 68

ACKNOWLEDGMENTS

This report was written by Mary Jane Camejo, Americas Watch Research Associate, and Amy Wilentz, journalist and author of The Rainy Season: Haiti Since Duvalier. It was edited by Kenneth Roth, Deputy Director of Human Rights Watch, and Anne Fuller, Associate Director of the National Coalition for Haitian Refugees. The report is based on a fact-finding mission to the Dominican Republic in February 1990 by Camejo and Wilentz.

In the Dominican Republic, Camejo and Wilentz met with members of human rights groups, church workers, development workers, trade union activists, and members of the press. They conducted interviews with Haitian cane cutters on five mills (ingenios) run by the State Sugar Council (CEA) in three different regions: Ingenios Consuelo, Porvenir and Santa Fe near San Pedro de Macoris; Central Barahona in Barahona; and Central Río Haina, near Santo Domingo. They briefly visited the privately-owned Central Romana in La Romana.

We are thankful to Guylène Viaud, a Haitian rights activist who assisted in conducting several dozen interviews. And we are grateful to several Dominican and international human rights activists committed to defending the rights of Haitian cane cutters in the Dominican Republic who prefer not to be named.

Americas Watch was established in 1981 to monitor and promote observance of free expression and other internationally recognized human rights in Central America, South America and the Caribbean. The Chairman is Adrian W. DeWind and the Vice Chairmen are Peter Bell and Stephen Kass. Juan E. Méndez is Executive Director.

Americas Watch is part of Human Rights Watch, which also includes Africa Watch, Asia Watch, Helsinki Watch and Middle East Watch. The Chairman of Human Rights Watch is Robert L. Bernstein and its Vice Chairman is Adrian W. DeWind. Aryeh Neier is Executive Director and Kenneth Roth is Deputy Director.

The National Coalition for Haitian Refugees is comprised of 47 legal, human rights, civil rights, church, labor and Haitian community organizations working together to seek justice for Haitian refugees in the United States and to monitor and promote human rights in haiti. Its Executive Director is Jocelyn McCalla and its Associate Director is Anne Fuller.

Caribbean Rights is composed of human rights organizations from the Bahamas, Belize, Guyana, Haiti, Jamaica, Puerto Rico, and St. Vincent and the Grenadines, with headquarters in Barbados. Its Chairman is Jean-Claude Bajeux, its Executive Secretary is Michael McCormack and its Coordinator is Wendy Singh.

I. INTRODUCTION

As the Dominican Republic prepares for an extravagant celebration of the 500th anniversary of the landing of Christopher Columbus in the Americas, the labor practices on its sugarcane plantations remain comparable to the slavery institutionalized by the Spanish colonists who settled on the island during the 16th century. Haitian sugarcane cutters in the Dominican Republic continue to suffer under an abusive system controlled by the state-run sugar industry with the aid of the Dominican military. The use of force to compel Haitians to cut sugarcane continues to be a staple of that system.

The Dominican state sugar industry is entirely dependent on Haitian field labor. For the most part, Dominicans refuse to work on the plantations because of the poor living conditions, and the low pay that is offered for the arduous -- and often dangerous -- cane-cutting work. In general, Dominicans are employed only in the mills or in oversight and managerial jobs on the cane plantations. To supplement that part of the Haitian workforce that willingly cuts Dominican cane season after season -- often residing in the Dominican Republic for decades -- the State Sugar Council (Consejo Estatal de Azucar, or CEA), which operates ten of the twelve sugar plantations in the Dominican Republic, must

secure thousands of additional cane cutters to harvest the crop before it spoils. Since Dominicans are not available for this work, the CEA hires recruiters to lure Haitians from their villages and towns in Haiti with promises of high pay and easy work, and then seizes them at the Haitian-Dominican border for transport -- often against their will -- to CEA plantations. For the remainder of the harvest season -- from six to seven months -- the Dominican military ensures that the Haitians remain confined to the plantations, where they have no choice but to eke out a meager living cutting cane. Official compulsion thus continues to provide the brutal underpinnings of the Dominican sugar industry.

To highlight the role of the Dominican government in sustaining the abusive situation that exists within the Dominican sugar industry, this report focuses only on CEA-run plantations. In 1990, as in 1989, Haitians continued to be recruited under false pretenses by CEA-employed buscones ("searchers" or recruiters), who promised appealing work at good pay in the Dominican Republic -- in construction or agriculture. In some cases, Haitians were kidnapped from Haiti by buscones. Upon delivery of Haitians to the Dominican side of the border, the Dominican military assumed custody of them, and controled them until they were transported to the plantation to which they were assigned by the CEA authorities.

Once Haitians arrived in the Dominican Republic, they were

bought by armed Dominican border guards or armed CEA jefes (bosses), who paid the buscones per head for the delivery. From November to May or June, when the harvest ended, these Haitians were not free: (1) to return to Haiti; (2) to choose their place of work in the Dominican Republic; or (3) to select the type of labor they would perform. On the bateys -- where the Haitians are sent to live on the plantation while they cut cane -- the jefes told them that if they left, they would be picked up by the military and returned. On at least one batey visited by our delegation during its 1990 investigation, CEA jefes took away the clothing and personal belongings of the Haitians in order to confine them to the batey.

Round-ups of Haitians working in other agricultural sectors within the Dominican Republic (as documented in our first report on the Dominican Republic, issued in 1989) continued to supply CEA plantations with further cane-cutting labor. In some cases, Haitians who were lured across the border by buscones offering, ostensibly, work clearing beanfields near the border, were then arrested in the beanfields by Dominican soldiers, and brought forcibly to sugarcane plantations far from Haiti. For their part, the Haitian authorities -- such as local section chiefs and border guards -- continued to contribute to and to benefit from the recruitment process, either by demanding protection payment from buscones or by conducting their own round-ups of Haitians for transport to Dominican plantations.

The reasons why the CEA must resort to such abusive and dishonest methods of recruitment are painfully obvious to anyone who has ever visited the Dominican bateys. The Dominican sugar industry offers nothing to attract and maintain a willing labor force. Living and working conditions on the bateys are at a subhuman level.

Typical living conditions include no running water, no latrines, no electricity, no medical facilities and no kitchen facilities. Most first-time Haitian cane cutters live in barracks-style housing made of concrete blocks that retain the tropical heat. Four to six men usually share a dark, bare room no larger than eight by ten feet. They sleep on 2-inch foam mats eaten away by vermin; the mats are sometimes, but not always, slung across thin metal cots or bunkbeds. One pound of beans bought from the CEA stores on the bateys can cost a day's earnings for a new recruit who is unaccustomed to cutting cane and therefore cannot cut enough to maintain himself; one pound of rice costs such a cane cutter half a day's earnings.

Working conditions are equally dismal. No protective gear is offered for the back-breaking and dangerous work; medical attention is often unavailable for numerous and frequent work-related injuries; time-off is dictated by the necessities of the cane harvest rather than by the needs of the workers; the work day can last from five in the morning to seven at night or longer. Pay is ridiculously low, leaving most cane cutters unable

to save more than $25-$50 at the end of eight months of work. Child labor is widespread.

At the border, grossly negligent "malaria" vaccination practices -- in which the same unsterilized needle is used to vaccinate as many as 250 Haitians at a time, including children -- is usually the only medical care the Haitians receive. The practice suggests that Dominican authorities are knowingly spreading disease.

The CEA has the option of improving wages and working conditions to induce prospective cane cutters to cut cane of their own free will. The privately run La Romana sugarcane plantation on the eastern side of the island has used this option fairly successfully: Haitian cane cutters working elsewhere invariably express a preference for La Romana, and there is no evidence that La Romana resorts to forced recruitment or forced labor. The CEA, however, has refused to make the investment needed to avoid the need for coercion. Instead, it pays buscones as much as $15 to $30 per head for Haitians, most of whom are initially recruited through deception. A workforce gathered in such a manner can only be maintained through the kind of physical coercion and brutality that is exercised by the Dominican military and the CEA jefes.

Since our 1989 report only one discernible improvement has been made in the conditions of Haitian sugarcane cutters. Rather than use open transport trucks to bring the cutters from the

border to the plantations, the CEA has now arranged for closed buses to be used in the regular runs. It took a tragedy of massive proportions -- accompanied by international attention -- to force the CEA's hand. On January 27, 1989, during the 1988-1989 harvest, an open truck transporting Haitians overturned en route from the border town of Dajabon to the Río Haina sugar mill, killing 46 Haitians and one of the Dominican soldiers monitoring the cane cutters. Relations with Haiti were severely strained.

Although our 1990 delegation was gratified to note the change in transport methods during the 1989-1990 harvest, the CEA's switch from open-truck to closed-bus transportation is only a minor modification in a system replete with negligence and abuse. It in no way modifies the use of deceptive and forced recruitment and coerced labor which continue to buttress the Dominican sugar industry.

Other problems noted in our 1989 report have not changed. Efforts by Haitian cane cutters to organize to defend their rights continue to be stymied by an uncooperative Secretary of Labor. A government investigation into the 1987 killings of Frederic Lafleur and Charles Antoine -- Haitian labor organizers who had been working with Haitian cane cutters -- remains stalled.

Without question, the Haitian cane cutters most exploited by the CEA are the ones who come to cut cane in the Dominican

Republic for the first time. They are known as the kongos, a name that -- in colonial times -- was used for Caribbean slaves born in Africa. In a new country whose customs and language they do not know, cut off from their own community and family circle, and often recruited unknowingly to cut cane, the Haitian kongos, like the first-generation colonial slaves, are extremely vulnerable to abuse and exploitation. We have therefore focused our 1990 investigation on the kongos, hoping to obtain the freshest information possible. Concentrating on the kongos also allows us to rebut charges by the Dominican authorities that human-rights groups interview the same few disgruntled workers year after year.

The response of the Dominican government to reports of abusive practices and conditions in its state-operated sugar industry has thus far been entirely unsatisfactory. Its approach has been to deny summarily that violations exist, and to cite laws that it claims to uphold but does not. In the Dominican Republic, there is one set of laws for Dominicans, and another -- unwritten but enforced -- for Haitian cane cutters.

The Dominican government's callous attitude toward Haitian cane cutters working on state-run plantations is reflected in its failure to address the issue of mistreatment of Haitian sugarcane cutters in its 1990 report to the United Nations Human Rights Committee. We commend the Human Rights Committee for its strong critical remarks concerning this egregious omission during its

March 1990 hearings.

After years of silence on the subject, the United States -- the Dominican Republic's largest trading partner, and one that allocates its largest sugar quota to the Dominican Republic -- has taken an interest in the plight of Haitian sugarcane cutters in the Dominican Republic. In 1989, the U.S. Trade Representative (USTR) accepted a petition from Americas Watch to hold hearings on the Dominican sugar industry's treatment of Haitian canecutters. However, despite citing ample evidence of coercive practices, the USTR avoided reaching the logical conclusion that trade benefits should be denied. Instead, it postponed its decision for a year, using the irrelevant excuse that it had been unable to examine Dominican labor practices in other industries. To a greater extent than ever before, the U.S. State Department -- in its 1989 country report on human rights practices in the Dominican Republic -- also noted reports of abusive treatment of Haitian sugarcane cutters, although it failed to evaluate or confirm those reports in its own voice.

The exploitive, dishonest and abusive system that reigns in the Dominican state-run sugar industry is deeply entrenched. Successive Dominican governments have lacked the will to protect Haitian sugar-industry workers. Yet these problems can be remedied -- if not eliminated -- in the fairly short term. First, abusive recruitment practices must end; payment to middlemen for Haitian labor must cease, and other -- honest -- methods must be

established for recruiting the annual harvest workforce. Second, Haitians' freedom of movement in the Dominican Republic -- to choose where they will work or to return to Haiti -- must not be abridged. To facilitate these steps, it is clear that wages must be raised and regularized, and working and living conditions must be upgraded to adequate levels. The privately owned and operated La Romana plantation -- while hardly a paradise -- proves that upgraded working and living conditions for sugarcane cutters can eliminate the need for forced labor while maintaining economic viability.

Although the response of the Dominican government to such recommendations has been unsatisfactory in the past, we remain hopeful that a changing attitude on the part of the U.S. government, coupled with a rising clamor from numerous international human-rights groups, may soon encourage the Dominican Republic to stop the use of forced Haitian labor on its state-run sugarcane plantations.

II. RECRUITMENT

Of those Haitians cutting cane in the Dominican Republic for the first time whom our delegation encountered at random, the majority were recruited under false pretenses. Since there is nothing attractive about being forced to undertake the onerous work of cutting cane for long hours at very low pay while living in deplorable conditions, CEA-employed buscones recruiting in Haiti must rely on deception to entice Haitians across the border. And since recruiters know that many Haitians are aware of the exploitative nature of the sugar industry, they avoid mentioning sugarcane and instead promise an abundance of appealing jobs in construction or other forms of agriculture, and at very generous wages.

The buscones are paid by the head for each Haitian recruited. Some are paid by the CEA administration at the sugar mill after they accompany their recruits there; others are paid by the CEA after they collect receipts for the recruits they leave with CEA employees at the border. Most recruiters are paid at the border, usually by Dominican soldiers or armed CEA employees in civilian clothes; they then return immediately to Haiti to continue recruiting.

A. The Use of Deception

Most of the so-called kongos, or new recruits, whom our delegation interviewed at random described having been promised specific jobs such as harvesting tomatoes or clearing beanfields, or non-specific but promising work opportunities.

Frankel Lubin, a 35-year-old from the hills near Jacmel, arrived in the Dominican Republic on December 20, 1989. Our delegation met him at Batey Margarita, Ingenio Santa Fe, in Barahona in the southwest. He described his recruitment:

> "This guy I knew, Osnel Aladin, he told me we would get paid 35 pesos [about $5.50]* an hour in the Dominican Republic for harvesting tomatoes. I believed him because I knew he often went back and forth across the border, and he always had some money."

Twenty-year-old Ely Dorisien from Cayes gave a similar account. He arrived at Batey Margarita, Ingenio Santa Fe, on January 25, 1990.

> "I used to harvest vetiver around Cayes, but this guy I knew, Onel Montinord, came up to me one day, and he said: 'This work is too hard.' He told me that if I gave him twenty dollars, he would take me to the Dominican Republic, and that I would make a lot of money working there, in construction and things like that.
>
> "So I gave him twenty, and three other guys did too, and he took us first to Port-au-Prince by public transportation and then to

* When our delegation visited the Dominican Republic, the exchange rate was 6.28 Dominican pesos to one U.S. dollar.

Jimaní."

Seventeen-year-old Miguel Louis from Banane (Anse-a-Pitre) also arrived at Batey Margarita, Ingenio Santa Fe, on December 20, 1989.

> "This friend of mine, a good friend, told me he was going to the frontier to harvest beans. He had gone before, and he was a good friend, and he told me we'd make a lot of money, so I said why not?"

Fifteen-year-old Renald Valcin from Thiotte was brought to the Dominican Republic on May 5, 1989. He was living on Batey Mena, Ingenio Barahona.

> "My uncle told me that I could find work at the border. He told me that we could harvest tomatoes or pick beans. I left with him, in his protection. When we got to the frontier, he told me he was going back to Thiotte to buy food for us. He left, and he never came back."

Sylvio Tuye, a young man in his 20s from Thiotte, had been in the Dominican Republic since December 15, 1989. He was living on Batey Margarita, Ingenio Santa Fe.

> "Ti Son Son, a <u>buscon</u> from Thiotte, told me there were good jobs here in the Dominican Republic, making and selling jewelry, construction, lots of work. He brought 17 of us in a white jeep, two hours from Thiotte to the frontier, to Pedernales. It was very cramped. At Pedernales, a Dominican soldier asked us where we were going. We said we didn't know. He said 'You are going to cut cane.' We came all the way here to the <u>batey</u> in the same white jeep. I have to stay a few more months until I have enough money to get back to Haiti."

Paul Joseph, 35, from Fond-des-Negres, arrived in the Dominican Republic in December 1989. He was living on Batey 5, Ingenio Barahona.

> "This is my first time here. This friend of mind from Fond-des-Negres, he's been here many times. He told me all about it, made it sound like a children's nursery story -- a place where you could get everything you want. He said there was all sorts of work here: rice, cane, coffee, tomatoes. My friend said he would take me into the rice fields. That's what I thought I would be doing. He said I'd be getting 25 pesos a day. What a lie."

Fresnel Francois, 20, from Jacmel, went to the Dominican Republic in November 1989. Our delegation spoke to him on Batey Cachena, Ingenio Porvenir.

> "They found me in Delmas 31, in Port-au-Prince. I came to Port-au-Prince because there was no money to be made on the farm in Jacmel. I was selling ices on the street. There are a lot of young men in Port-au-Prince who come in from places like Jacmel, and I used to hang out with them. They are very unhappy because they come to Port-au-Prince thinking they can make money, and then they discover they cannot make a living.
>
> "So it is a good place to find young men who want to make money. What I found out is that there are people in the Dominican Republic who pay Haitians to recruit these young men. I was one of the young men they recruited. They saw me on Delmas, and they came after me. They told me if I came to the Dominican Republic with them, I would work hard and make a lot of money.
>
> "But I didn't want to go. I had my little fresco cart, and although I didn't have enough money, I was living. The Dominican Republic seemed like a place that was too far away.

> "But each time I didn't want to go, they would come after me, making more promises. I would make 25 gourdes* an hour, they said. The work was hard, but not too bad. Picking tomatoes, things like that. They don't mention cane, because cane has a bad reputation.
>
> "Finally I said yes. I figured they were going to make my life miserable until I agreed. They had a bunch of us, we took a tap-tap [a public bus]. Each of us had to pay for our own ride, about 25 gourdes, and we had to put in a couple of gourdes each to pay for the two guys who were showing us the way.
>
> "When we got to Jimaní, the two guys talked to a Dominican chief in a camouflage uniform, and then they left us there. The next morning, the Dominicans put us on a bus, and took us to the ingenio."

B. The Use of Force

The use of force is an integral element of the recruitment process in the Dominican sugar industry. Force is used by CEA-employed buscones who are paid according to the number of Haitians they recruit; by Dominican soldiers who round up Haitians after they have been lured into the Dominican Republic on the promise of more attractive work; by soldiers and armed CEA jefes who pay buscones at the border and take Haitian recruits into their custody; and by Haitian authorities who make money recruiting cane cutters in Haiti for the CEA, or permitting

* The Haitian gourde is officially fixed at five to the U.S. dollar. However, the actual rate on the government-tolerated parallel market fluctuates.

buscones to operate in their area. The use of force, which is tolerated and encouraged by the Dominican government, is a blatant violation of internationally recognized labor rights. In Article 2 of its Convention Concerning Forced or Compulsory Labour, the International Labor Organization (ILO) defines forced labor as "all work or service which is extracted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily" (emphasis added).

1. The use of force by buscones

Physical force or the threat of physical force is sometimes used by buscones in recruiting cane cutters for the CEA. These cane cutters are virtually abducted by recruiters who are later paid for them at the border by CEA jefes.

Jude Simeon, a 24-year-old from Thiotte, was a first-time cane cutter who had been recruited by physical force. When our delegation met him, he had been in the Dominican Republic since December 20 and was living at Batey Margarita, Ingenio Santa Fe.

> "I was on my way to the frontier, because I wanted to go make money clearing out the fields. But I ran into a buscon along the way, and he said to me: 'You look like someone heading toward the frontier.'
>
> "And he took me by force -- he was a big guy -- and he brought me to Pedernales. We walked together for about thirty minutes, with him holding tight onto my arm. He told me I was going to cut cane.
>
> "I said I didn't want to, that I wanted to go back to Haiti. But he said, no, you have to stay."

Nineteen-year-old Louisné Maitre from Jacmel was forcibly taken to the Dominican Republic on January 26, 1990 and brought to Batey 7, Ingenio Barahona.

> "I was on my way to work in Cayes-Jacmel one morning, going out to clear the plantain fields. I carried my sack with me, with a machete and a sickle in it. I had no money with me.
>
> "This guy Jako, who has a tap-tap, offered me a free ride to the field, so I said yes and got on. But instead of dropping me off where I wanted, he passed the place. I shouted and knocked on the side of the bus, but he wouldn't stop. He drove us all the way to Port Marigot.
>
> "There he made us all get on a boat. I didn't want to get on the boat, I didn't know where it was going. But Jako said to the captain of the boat, 'Take him,' and the guy grabbed me and they carried me onto the boat. All the others from the tap-tap got on the boat too, without complaining the way I did. Jako had a long knife on him. He came with us, since he was the owner of the boat as well as the tap-tap."

2. Haitians Rounded Up by Dominican Soldiers and Forced onto Sugar Plantations

The Dominican military continues to conduct forced round-ups of Haitians within the Dominican Republic who are then taken to sugar plantations to cut cane. In some cases, Haitians who were lured across the border by buscones, ostensibly to work clearing beanfields, were then arrested in the beanfields by armed Dominican soldiers and brought against their will to sugar plantations.

Miguel Louis, the 17-year-old from Barone:

"So I went with him [my friend] in a truck to the border. From the border, we went on foot to the place where we were going to harvest beans, in the Dominican Republic. My friend, he knew the place already. We went to sleep that night and then the next day, we began to work. While we were working, a Dominican guard came and arrested us. They just picked us up like that. They were wearing camouflage uniforms. They never asked us if we were Haitian or Dominican or if we had Dominican papers. They took us in a truck to Pedernales. We went into the headquarters and there the Dominican guard talked with another Dominican chief.

"At four o'clock, a bus came and we got on it with a bunch of Haitians. They took us to this batey, Santa Fe.

"My friend came with me to Santa Fe, and then, three nights later, he fled into the woods in the night without saying anything to me. I don't know where he went. He abandoned me. I don't know why. He must have gone some place where the money was better. I wish he'd told me he was going.

"I never came here to cut sugar cane. I hate the work. It's hard, very hard, and slow if you don't know how to do it. It's as though you are working just to eat, the money disappears into your stomach. After fifteen days, I made 45 pesos. With that, I bought 35 pesos worth of food: ten pounds of rice, a half liter of cooking oil. That won't last me for another fifteen days, though."

Renald Valcin, the 15-year-old from Thiotte:

"He [my uncle] had a friend who had a bean farm in the Dominican Republic, or anyway, that's what he told me. He said we would be working on the friend's bean field. Before my uncle left me to buy food in Thiotte, he talked to the man with the bean field. But they talked in Spanish, so I couldn't understand what they were saying. I never saw any money exchanged, but that doesn't mean that there was no money exchanged.

"Then my uncle left, saying he would get food, and we would start work the next day.

"The next day, my uncle was nowhere to be seen, so I started work. I was clearing the bean field along with five other Haitian workers when three guards [army] carrying shotguns came and arrested us. The owner of the bean field was not there -- he lives in the city and only comes once in a while to receive workers and check out the farm.

"Before the guards even got to us, they were yelling, 'Voila -- Haitiens!' or something like that in Spanish. They never asked us for any documents or papers or our names. They put us in a line and forced us to walk ahead of them to a car; then they took us to Pedernales.

"When we got to Pedernales, they put us in a house, and gave us some food, and a mattress to sleep on. The Pedernales chief took one look at us and said 'Those are kongos.' Then the soldiers who arrested us went and talked to the Pedernales chief, but in private where we couldn't see. I don't know if the chief in Pedernales was an Army officer. He had a revolver but he was not wearing a uniform.

"We spent one night in Pedernales and then we were taken to the batey -- they told us at Pedernales that we would be cutting cane in Barahona, and here we are."

We also received reports in April 1990 of a round-up that occurred on December 31, 1989. According to a local church worker, several CEA superintendientes (supervisors) along with a number of CEA-employed armed guards dressed in fatigues (guardas campestres) interrupted a Sunday mass in the Christian Reformed Church on Batey Nuevo in Sabana Grande de Boyá, northeast of Santo Domingo. One of the superintendientes was said to be

Fernando Sánchez. They ordered the Haitian men, 30 in all, who normally do not work on Sundays, out of the church and forcibly transported them in a truck to the nearby canefields to cut cane. The cane from those fields is processed at Ingenio Río Haina.

3. Haitian Recruits in the Custody of Armed Soldiers or CEA Jefes

Once a buscon brings Haitians into the Dominican Republic, they are sold to armed Dominican border guards or CEA jefes. The payment reflects an intention on the part of the soldier or CEA administrator to maintain total control over the movement of the Haitians; obviously there would be no point in paying a buscon for recruits who were free to leave. The point is reinforced by the rifle or handgun at the authority's side. The CEA, aided by the soldiers, then sees to it that the Haitians are sent to sugar plantations to cut cane. For the duration of the harvest season, unless they manage to escape, the Haitians are unable to return to Haiti, to travel freely within the Dominican Republic, or to work at a job of their own choice.

Most of the Haitians interviewed who were cutting cane in the Dominican Republic for the first time and who had been brought to the border by a buscon told our delegation that money changed hands between an armed Dominican border guard or CEA jefe and the buscon.
Frankel Lubin, the 35-year-old from Jacmel:

> "So we took a ride on a bus and he [the buscon] paid for our trip to the border. There were three of us. At the border, a

Dominican chief in a camouflage shirt and khaki pants -- with a gun in his belt -- gave each of us Haitians a card. I saw him give money to the man who had brought us there, and that guy gave each of the three of us five pesos, so we could buy a little something to eat during the trip. By then, we knew we were going to cut cane.

"They lined us up, the three of us, plus another 32 Haitians, and we got in a bus, and they drove us away.

"It's funny, all the time I knew the guy went back and forth to the border with Haitians, but I never knew he was selling people."

Ely Dorisien, 20-year-old from Cayes:

"At Jimaní, he [the buscon] sold us to a Dominican chief, a guy with a gun in his pants. They gave us some food, and a little water, and then we waited for a bus, and the bus came, and took us to Santa Fe."

Jude Simeon, 24-year-old from Thiotte:

"Then we arrived at Pedernales, and he sold me. He sold me to a boss with a gun. I saw him give the buscon money. Then the buscon left.

"There were other Haitians there, and they put all of us in a sort of corral. There were armed guards and a locked gate and a barbed wire fence. We had to sleep on the ground. The next afternoon, the bus came to take us away. All that time, we had nothing to eat, nothing to drink, and they wouldn't let us out of the corral to go to market."

Louisné Maitre, 19-year-old from Jacmel:

"When we arrived at Pedernales at five in the morning, Jako [the buscon] went to talk with the Dominican chief. One of the guys from the boat said he saw the chief give Jako 150 pesos per person. I never saw this, although I know a buscon in Jacmel, named Jorel

Laurent, who says he sells Haitians to Batey Santa Fe for the same price.

"Jako left, and we never saw him again. At Pedernales, they put us into prison. Six of us were in one cell with no beds and no bedding, and only a gutter down the middle of the room to pee in. We were there two nights. I never asked them why we were put there.

"Two days later, at one in the afternoon, they gave us each a malaria card and put us on a bus to the batey.

"I have no money, and no change of clothes. No one in my family in Haiti knows where I am. They think I've run away, or that I have been murdered. They don't know that I was kidnapped. My poor mother. I want to go home."

Elisen Seu, 30, from Marigot, arrived at Batey Margarita, Ingenio Santa Fe, on December 20, 1989.

"We decided to go with him [the buscon] and he took us by boat to Pedernales. They gave him money there, the Dominicans, a fellow with a gun, and he took the money they paid for us and left. Up until then, we had thought he was coming with us, that he was looking for work, the way we were, since he said it would be nice to work in the Dominican Republic. But he went back to Haiti."

Debel Jean, 24, from Mapou in southwest Haiti, arrived in the Dominican Republic on December 15, 1989. Our delegation interviewed him on Batey Cachena, Ingenio Porvenir.

"A friend of mine told me there was good work to be had in the Dominican Republic, clearing bean fields and such, and that I could make a lot more money there than here, and come home rich, or almost.

"I'd known him for a while, and he seemed like a good guy, so I trusted him. He took me

> and some other guys in a little boat to Anse-a-Boeuf first, and then on to Pedernales. We had to pay our own fare, which seemed okay at first. But then, when we got to Pedernales, this guy, my friend, sold us to a Dominican soldier with an Uzi. So we paid our fare, and then he made money off us. It doesn' seem right."

Homer Oduscat, 30, from Bainet, came to the Dominican Republic in November 1989. He was interviewed while he was living on Batey Cachena, Ingenio Porvenir.

> "There was a buscon who told me that there was good work to be had in the Dominican Republic. He never said what I would get paid or what I would be doing, but I took my chances, because the situation in Haiti is so bad.
>
> "I knew he was a buscon, but I didn't really realize what a buscon does, which is sell you. When we got to the frontier, and he finished selling me to the Dominican chief, he just dumped me flat, got on a little motorcycle, and drove away as if we'd never met.
>
> "The next day a bus brought me to Cachena."

4. The Holding Pen at the border at Jimaní

At the border at Jimaní, our delegation visited a holding pen for Haitians who had just been brought into the country to cut cane. It was guarded by armed Dominican soldiers. The delegation knew about this holding place only because it had been described by Haitian cane cutters interviewed on the bateys. The delegation would not have seen it otherwise, since it was not visible from the road.

Paul Joseph, the 35-year-old from Fond-des-Negres, crossed

the border at Jimaní:

> "We stayed outside in a field surrounded by barbed wire, with no roof or place to sleep, and no food except what my friend [the buscon] gave us, some crackers and water, and some rum. There were a couple of Dominican soldiers guarding the place, and a lot of Haitians who had no idea why they were there or where they were going. They said they came for rice, or tomatoes or whatever, and some wanted to cut cane, but no one told us what would happen next, including my friend, who sat around with strangers he knew but I didn't.
>
> "Then a bus came, and they loaded us into it, probably more than a hundred of us. And my friend came along, just as if he was going wherever we were going. But once we got to the batey, my friend left, he put on his nice clothes, and I haven't seen him since.
>
> "I've been here more than a month now. Every night a guard watches over the batey. He's unarmed, but that's because there is a military post nearby, and because the guard is a Haitian, and they don't trust him with a gun."

Debel Jean, the 24-year-old from Mapou, described another holding place at the border at Pedernales:

> "Anyway, he [the buscon] sold us and disappeared, and they stuck us into an open corral with a cement floor -- maybe it used to be a butchery? -- surrounded by barbed wire. Several armed guards watched over us. The place was buzzing with mosquitoes, but we had nothing to cover ourselves with. We slept on the cement. We had no food or water.
>
> "The next morning at seven, they came with a bus. We got to the batey at 10:00, so for more than 24 hours, I and the guys who came with me hadn't had anything to eat or drink.
>
> "If I had the means, I would go back to Haiti. But I came with nothing, and I haven't

made any money."

At Jimaní, our delegation asked some locals and soldiers standing by the road about 60 yards from the border post if there was a place nearby where Haitians were held before being transported to sugar plantations. They pointed directly behind them and told us that there was a pen, not far from the road, where the buscones took the Haitians, but that it was "private property," and trespassing was illegal.

No one stopped the delegation, however, as it walked away from the road, toward a wooded area in the surrounding beanfields. The pen was about 100 yards from the road. When it arrived, the delegation was greeted by a young soldier in camouflage carrying a rifle.

The pen was an open space, shaded by trees and circled by wooden fences and barbed wire. It looked as though it used to be a corral for domestic animals.

The young soldier was friendly, but would not allow the delegation near the 30-40 Haitians who were sitting on tree stumps amid litter. There were at least four other Dominican soldiers guarding the Haitians.

When the delegation persisted in asking questions, the young soldier called another older soldier who seemed to be his superior. The older soldier asked the delegation who had given it permission to enter the pen. The delegation asked about the Haitians and whether it would be possible to talk to them. The

older soldier said the Haitians had come that morning "of their free will" to cut cane, and that this was not their first time in the Dominican Republic. However, he also told the delegation that this was the first year he was a guard there, so he did not recognize the Haitians anyway. "Besides," he said, "they all look the same."

While the delegation was talking, a yellow, U.S.-style school bus pulled up to a clearing just outside the entrance to the pen. About 30-40 pink malaria cards, which had been on a nearby table, were given to the Haitians. There was no indication that the Haitians had been tested for malaria or provided with pills against malaria.

When the delegation asked again to speak to one of the Haitians, the soldier finally called a man over, but the man was a buscon, according a Dominican human rights worker who accompanied the delegation. The buscon said he was from Croix-des-Bouquets and that he had been coming back and forth to work in the Dominican Republic for 15 years. He spoke fluent Spanish and Creole.

The soldiers would not let our delegation talk to any other Haitians, but while the buscon was talking to two members of the delegation, another Haitian sidled up to one member and started talking.

> "We got here yesterday. We have not eaten since we left Haiti, more than 24 hours ago. They brought us here after we crossed the border. I have only one change of clothing

> and no money. I have lots of children in Haiti, and when I left, I left to get work, but now, they have stolen my radio. The soldiers took my radio. I want to go home."

He had been told he would be going to Ingenio Consuelo. The soldier then stopped him from speaking with our delegation, and three other soldiers appeared to escort us away from the pen.

Our delegation went to the military post at the border to speak to the day officer in charge of the frontier. The delegation explained that it was conducting a study and asked for the officer's permission to speak with Haitians who had just come across the border to find work in the Dominican Republic. He first responded that there were no Haitians, that no Haitians had crossed the border that day. When he was told that the delegation had just been to the holding pen and had been directed by soldiers to seek his permission to talk to the Haitians, the officer answered angrily, "Who took you there?"

Eventually, he told our delegation that he did not have the authority to grant permission to talk to the Haitians, and that such permission could come only from General Echeverria, who was responsible for the area, and who was in Santo Domingo. The day officer refused to provide his own name or rank. Not once did he recommend that the delegation speak with CEA officials. The Dominican army was obviously in charge of this aspect of the sugar industry's forced recruitment.

5. The Holding Place at Limón

In Limón, a town near the border at Jimaní, our delegation spoke to Efraín Novas Guzman, an employeee of the CEA. He rents a shack next to his house to the CEA for 150 pesos per month. The approximately 9-by-18-foot shack, surrounded by a yard enclosed by a wooden fence, is used to hold Haitians brought in by buscones, before the Haitians are transported to the sugar plantations. Novas, who was forthcoming and cooperative, explained that sometimes buscones leave Haitians at the border; sometimes they bring them to his house. Novas gives the buscones a receipt each time they arrive with recruits, and the buscones in turn present the receipt at the ingenio to get paid.

Novas told our delegation that all the Haitians who pass through his place in Limón are sent first to Batey 6, Ingenio Barahona, and from there they are distributed to other bateys. If the CEA bus fails to come to pick them up, he rents a bus and sends the Haitians to the ingenio and the bus driver is paid there. The CEA provides Novas with three tanks of water, fifty-five gallons each, and fifteen mattresses for all the Haitians who pass through during the course of a harvest.

Edmond Joseph, 35, from Bainet, described this place, or one much like it, when our delegation spoke to him on Batey Cachena, Ingenio Porvenir. He arrived in the Dominican Republic in December 1989.

> "Buscones who promised me hard work for good money took me to Jimaní along with a bunch of other Haitians. They sold us to a group of Dominican jefes, all in camouflage.

> "I spent five days in Jimaní, in a big room. They gave us water, and we were free to go out. So if you had money, you could buy food in the market, but I had only a few pennies, and I didn't go out.
>
> "I was waiting for work. They told us they would come for us to take us to where there was work, and finally they did. They came with a bus, and loaded us onto it, and took us here.
>
> "You resign yourself, because a Haitian has no choice. If your neck is already on the butcher block you're not afraid of the knife. But you are not content."

It was not clear whether the Haitians were free to leave Jimaní until the CEA bus came.

Novas showed the delegation his ledger where he recorded the arrival at his home of buscones with their recruits. He noted, for example that on January 12, 1990, the buscon Antonio Batista came with eleven braceros, or cane cutter recruits. Similarly, on January 15, Hinosencio Zibel brought sixteen Haitians and on January 18, José Feliz brought twelve, and so on.

6. The Use of Force by Haitian Authorities

A number of Haitians explained to our delegation how they had been recruited by or with the collaboration of Haitian authorities.

Emmanuel Jean, 35, from Anse-a-Pitre, arrived in the Dominican Republic in November 1989. He described his recruitment during an interview at Batey Cachena, Ingenio Porvenir, in San Pedro de Macoris.

"It was the chief of police of Anse-a-Pitre who rounded us up to come work in the Dominican Republic. He got about 60 of us, some who wanted to go, some who didn't. People who didn't want to go, they came anyway, they were forced to. Some of them came with only one pair of pants to their name.

"The guys who rounded us up for the chief of police had guns, revolvers.

"I wanted to come. This is my fifth time here in the Dominican Republic."

Solon Georges, 39, from Bel-Anse, had arrived in the Dominican Republic on January 6, 1990. He was living at Batey Lechería, Ingenio Río Haina, near Santo Domingo.

"This guy came up to a bunch of us at a cockfight and told us we should go to the Dominican Republic. He said we wouldn't even have to pay 5 gourdes to get there, and then once we were there, we would make lots of money, easily.

"We didn't know he was a buscon. Every week, it turned out, he would go back and forth to the Dominican Republic with thirty or forty men.

"Anyway, he took twenty of us. That night, we passed the commander of Bel-Anse [Haitian military], a man named Guy, who was standing outside the headquarters, which is right on the water. It was about eleven at night, and our buscon was going to put us on a boat. Guy said to the buscon, 'Tonight, I'm going to be vigilant with the buscones who don't pay me off' [cheke ave-m, in Creole] and he said that he would put all such buscones in prison. But our buscon was one of Guy's men, and so they let him go without paying.

"As I understand it, Guy's buscones have an arrangement with him, and he lets them travel back and forth in return for a certain amount of what they earn through selling the Haitian

cutters to the Dominicans. Anyone who doesn't have that arrangement with Guy has to pay a flat fee to export the Haitians.

"We got to Pedernales at seven the next morning. The buscon was with us. When we came into the port, he took us and gave us to the Dominican chief, a man wearing camouflage and a flat hat, carrying a gun.

"The chief paid the buscon 20 pesos per person."

III. FORCED LABOR

A number of human rights instruments ratified by the Dominican Republic contain prohibitions on the use of forced labor. In addition to the ILO Convention Concerning Forced or Compulsory Labour, other international agreements such as the International Covenant on Civil and Political Rights and the American Convention on Human Rights, prohibit the coercive practices of the CEA. Under both Article 8 of the International Covenant and Article 6 of the American Convention, "no one shall be required to perform forced or compulsory labor."

Haitian cane cutters in the Dominican Republic are also deprived of the internationally recognized right of freedom of movement. Under Article 13 of the Universal Declaration of Human Rights, "everyone has the right to freedom of movement and residence within the borders of each State" and "to leave any country, including his own, and to return to his country."

Restriction of Haitians' freedom of movement in the Dominican Republic begins in the recruitment process, whether Haitians are forcibly recruited by the buscon, rounded up by Dominican soldiers, or bought and placed in the custody of Dominican soldiers or armed CEA employees. Once they enter the Dominican Republic as recruits for the CEA, Haitians lose their

freedom of movement for the duration of the harvest. They are not free to return to Haiti, to choose where in the Dominican Republic they will work, to select the type of labor they will perform, or to refuse certain kinds of labor. On the sugar plantations, the cane cutters are told by CEA jefes that if they want to leave they must first obtain permission, but permission is rarely granted during the harvest season. If the Haitians leave without permission, they are told they will be captured by Dominican soldiers and returned to the batey.

Once they are compelled to stay on the batey, the Haitians are effectively forced to work to make enough money to feed themselves. The only work available to them is cutting cane.

Arnold Thomas, 30, from Port Salut, was interviewed on Bateycito, Ingenio Barahona. He had been in the Dominican Republic since December 3, 1989.

> "I never came here to cut cane. In fact, only when we got to the batey itself did they tell us we were to cut cane. We said that we didn't know how to cut cane, and that we wanted to go back to Haiti.
>
> "But the chief of the batey said we couldn't leave.
>
> "'You're here now,' he told us. 'After six months, when the harvest is over, maybe you can go, but now, you have to cut the cane.'
>
> "We spent four days here with no work, and they gave us four pesos a day for food. We could buy little plantains and salted herring and a little oil with that, when we pooled all our money together.
>
> "Then, once we started working, well, we

weren't very good at cutting. The three of us filled a wagon [of cane] and got 26 pesos, so that is about nine pesos a person. In Haiti, we could have had jobs like that, for 15 gourdes a person, or for even more money, but we wouldn't have to do such bad work. I was a fisherman and a farmer, and I made more money then.

"Plus, we have already spent money just to get here. I thought we would be making at least five dollars a day each.

"If we could find a way to leave, we would leave, all nine of us who came here together. There is a bus that goes to Haiti, but you need papers and money, and we haven't got either. Plus, every night the guard walks around the batey, and you are not allowed to leave. He doesn't always have a gun, but there is an army post right nearby and if you try to run away, they'll take you there, and then bring you back here."

Louisné Maitre, the 19-year-old from Jacmel:

"I asked the chief if I can go back to Haiti, but he says I can't. He says that I would be arrested and brought back here, so that there is no point in trying to escape. So I have to resign myself."

Ladouceur Honnorise, 35, from Marigot, Jacmel, was interviewed at Batey 7, Ingenio Barahona.

"This is not my first time here, cutting cane. The last time I came was in 1987. That time, I went to Consuelo, because that is where my brother is. This time, I wanted to come more or less permanently, and I brought my godson, Sauveur Laguerre, and his wife, who is pregnant, as you see. I thought I would go to Consuelo and cut cane with my brother, and my godson, who is 27, would look after his wife, and then after the baby came, she would help take care of us.

"But when we got to Pedernales, no one asked

> us where we would prefer to go. They just stick you on a bus to wherever the bus is going, and you can scream and shout, but that is where you go, because that is where they are ready to take you.
>
> "When you get here, you tell the chef that you had intended to go to Consuelo, but he won't let you leave or send you somewhere else or trade you to Consuelo for someone who wants to come here. They won't do anything to help you, which is why so many people try to run away to where they have family or really want to go. But we can't run away because my godson's wife is pregnant.
>
> "In any case, the chief's watch us all night. You can hear them walking and sometimes they bang on the door to scare us. Some of them have guns, some don't."

Honnorise was one of many Haitians for whom a local church worker affiliated with the Pastoral Haitiana, a Catholic Church group that works with Haitian cane cutters in the Dominican Republic, had written a letter seeking permission for them to leave the bateys. The churchworker in Barahona often writes letters to the CEA administration at the Ingenio Barahona on behalf of cane cutters, to request permission for them to move from Ingenio Barahona to a sugar mill of their choosing or in some cases to return to Haiti. The following are several recent cases documented by the churchworker:

- Jean-Baptiste Jilien requested permission on January 18, 1990 to travel to Ingenio Boca Chica, where he had two brothers, René and Anis.
- Ober Depes requested permission on February 4, 1990 to return to Haiti through the border town of Jimaní. He was handicapped and unable to cut cane.
- Delis Fanfan and his mother, Lorimiz Franswa, requested

permission on February 4, 1990 to go to Batey C of Ingenio La Romana, where they had a relative, and the son would work.

- Onoal Dous [mispelling of Ladouceur Honnorise] and Jilia Valintin requested permission on February 7, 1990 to return to Ingenio Consuelo where they wished to live and work. Returning from a visit to Haiti and on their way to Ingenio Consuelo through the border town of Pedernales, they were stopped and forced to go to Barahona.

Our delegation spoke with several supervisors at Batey 7 at the Ingenio Barahona. One, who would give neither his name nor his title, described his job as "being in the service of the kongoses." He said he performed tasks such as taking them to the clinic and protecting their homes, and also acted as an intermediary between the workers and the superintendiente de la colonia (who was said to be José Batista), his superior. He was identified to us by a cane cutter as a buscon who, after the harvest had begun and he had finished recruiting cane cutters for the ingenio, returned to the batey and worked as a jefe de grupo in charge of a number of new recruits.

This supervisor explained the process of obtaining permission to leave the batey and coincidentally raised the case of Ladouceur Honnorise. According to him:

> "There's a man who has to talk to the superintendiente, who has to talk to the jefe de campo, to see if he can get permission to go to batey Cabación in Ingenio Consuelo in the east, because his wife is pregnant and she can't give birth here."

When asked why the man needed permission, he said,

> "He's detained to work here. That means he

> can't just leave. If he doesn't have a permit, he can't leave because they'll arrest him and bring him back here. Let's say he's going from Barahona to Azua, the soldiers will pick him up. The CEA keeps him here.
>
> "But he made a request, so now the superintendiente and the jefe de campo have to decide."

We also talked to Andres Carbajan, the jefe tiro, who is responsible for the cane cutters while they are working in the fields, and for getting the sugar cane to the mill. He is paid by the quantity delivered to the mill. When asked if the cane cutters ever left the fields, he told us:

> "Sometimes they leave. They escape. If they don't have a written permission, they are caught and brought back. But everyone tries to get along. Without them there's nothing."

Sejour Lafleur and his wife Louise Theodore, both in their 60s, were orginally from Thiotte but have lived in the Dominican Republic for about twenty years. They were living on Batey 6, Ingenio Barahona.

> "If you've decided to settle here permanently, like us, you have difficulties going home. That is, you have difficulties coming back here. We are viejos, we've been here maybe twenty years. When my husband wants to visit Haiti, he can go: he just gets a paper from the Catholic Church, and everything is fine. But when he wants to come back, he has to come back secretly, sneak in to the country under the wire [anba fil]. Otherwise he might get caught, and arrested and sent to a different batey to cut cane, instead of to Barahona, where his family lives. Even so, he has to pay five gourdes at Limon as a bribe to come in anba fil.

At Batey Margarita, Ingenio Santa Fe, the jefes had resorted to confiscating the Haitians' small valises, containing their clothes and their few personal belongings, in order to keep the cane cutters confined to the sugar plantation. Our delegation spoke to several Haitians there who had arrived in the Dominican Republic on December 20, 1989.

Thirty-five-year-old Frankel Lubin from the Jacmel hills:

> "We arrived at Santa Fe at three in the morning. The thirty-five of us got out of the bus, and the majordomo [a supervisor] of the batey, along with some subordinate bosses, was waiting for us. He was on horseback, and had a revolver tucked in his pants. They stood us in a line, and made us put our little valises down in front of us.
>
> "Then the majordomo told us to take off all our clothes, including our shoes. You could leave your underpants on, but some of the guys didn't have underpants. If you didn't have underpants, the bosses would look in your little valise to see if they could find a pair, but if they couldn't then they would choose the worst old rag they could find in your belongings and you had to wear that. If you didn't have anything that was bad-looking enough, they'd go searching in someone else's valise until they found a rag for you to cover yourself with. They found the worst thing, and then made you put it on.
>
> "Then they took away all our valises and assigned us to our rooms. That night, it was three of us to a room. Now, since more people have arrived, it's about seven.
>
> "So we were in our shorts, our underpants, for five whole days. In the rain, in the sun, cutting cane. The leaves of the cane are very sharp, and they whip you when you cut them, and if your back is naked or your chest or your legs, they rip right into you. For those five days, everyone came back bleeding from

the field, and then you had to sleep naked or in those same shorts, because there was nothing else to wear, and then you had to wear them the next day.

"All of this was to make sure that we couldn't run away from the batey. Eventually, the Haitian bosses got us clothes to wear, and a little while later, we were allowed to have a change of clothes as well."

Elisen Seu, 30, from Marigot:

"Now, he [the buscon who brought him] went back, but I can't go back when I want to. And I want to go back. Food here is too expensive, no matter what you make, you end up eating all your money. It's easy to get here, and hard to go back. If I wanted to leave now, they wouldn't let me off the batey. If I managed to get off, I'd get picked up in the street and brought back. And if I managed to get somewhere where there was a bus to Haiti, well, they say it costs 150 pesos to get back to Haiti, and I don't have that kind of money.

"When we arrived here on the batey, they took our little valises to stop us from running away. They took our clothes. I think I'm the only one who was allowed to keep his clothes, because I came here with my wife and four children. They let me keep my clothes because they know I can't run away in the middle of the night, because I wouldn't leave my family, and four children can't run through the countryside in the dark.

"The Dominicans have no respect for us."

Seventeen-year-old Miguel Louis from Banane (Anse-a-Pitre):

"We are nothing more than slaves. They take all our things, they pay us nothing, we have no change of clothes. Look at this, I've been wearing this since I got here, they took everything else. Every night when I come back from the fields I wash these clothes so that they don't stink, and I sleep naked. But I can't get them clean. If I tried to wear

these clothes off the field, outside Santa Fe, they'd know I was a cane cutter, and they'd send me right back. That's what they tell us anyway. Anyway, I would never wear such clothes on the street. They are filthy."

Eli Joseph, 20, from Jacmel, arrived on December 14, 1989:

"When we got to Santa Fe, they took away our valises. The majordomo asked for my valise and said 'We'll give it back to you later.' I had my clothes in there. Last Saturday, I asked for my valise and they said it was stolen. I have asked for it four times. Each time they say the same thing. All I have is what I have on and one other shirt and pair of pants."

Edne St. Fils, 25, from Jacmel, arrived in December 1989:

"I have worked here in the Dominican Republic before, but this is my first time in this ingenio. At Pedernales, a bus from Santa Fe came to pick up a big group of us.

"The majordomo, Yomere Guillaume, a Dominican, took away my valise when I got here. They took them away from everyone. They said later you can come and pick it up. They have never given them back to us. I have asked for mine several times. The majordomo says when you need clothes, you come to my house. I have been able to change my clothes that way, but they won't let me take my valise back."

As if confinement on the bateys were not enough to force Haitians to work, some CEA jefes have resorted to physical abuse. This reinforces the relationship of jefe to worker as one of dominance and complete control. The Haitian worker is unprotected and without recourse.

Sonel Medard, 28, from Port Salut, arrived in the Dominican Republic on December 3, 1989. He told our delegation about being

physically mistreated by a jefe on Bateycito, Ingenio Barahona.

> "I was filling a cart along with the eight other guys, my friends, when the jefe came up and started talking to one of us. But he was talking in Spanish, so we couldn't understand what he was saying, what he wanted.
>
> "According to Alonse [one of the Haitians] the jefe was saying 'Put the cane closer to the cart.' So we did.
>
> "But the jefe started walking up toward Dedesse [another of the Haitians] and we all kept telling the jefe that we didn't understand what he was saying. We only speak Creole.
>
> "He came toward me, holding a piece of cane, and he said something I did not understand. All we wanted to do was to do what he wanted, but we couldn't understand him. He said something to me and I said 'I don't understand, I don't speak Spanish.' And then he smashed me hard in the rear and said, 'I want the number of the cart.' Because we are supposed to have the paper with the number on it. He said this in Creole. He said 'Kot papye cabwet-la?'I had the paper and I gave it to him. He looked at it and gave it back and as he was leaving, he shouted at us 'Ban-n chenn!' Bunch of dogs."

Dominican-born citizens of Haitian descent who live on the bateys and are known as Dominico-Haitianos are also subject to arbitrary limitations on their freedom of movement. If they "look Haitian" and not "Dominican," they can fall victim to the whim of local Dominican authorities at any time.

Nineteen-year-old Dimitrio Estivaine Mateo from Batey 5, Ingenio Barahona, was one of about ten Haitians and Dominico-Haitianos who were forced off a truck on the way to work in the

fields of a local landowner. The group, seeking work for the day other than cane cutting, included several first-time Haitian cane cutters, Dominico-Haitians, and Dominicans. Dimitrio's mother is Dominican and his father is Haitian.

> "Marcelo, a Haitian buscon, saw us on the bus. So he told the surperintendiente of the batey, and the super got some soldiers to force the bus to stop. The soldiers ordered everyone to get off.
>
> "Then they said the Dominicans could get back on the bus and go. He made the Haitians -- and the Dominico-Haitians -- stay.
>
> "They treated us that way because that is how they treat Haitians. They just saw that we were Haitian. But they didn't ask if I was a Dominican citizen. I have Dominican papers, a Dominican birth certificate.
>
> "They didn't force us to cut cane. But about ten of us lost a day of work in the other fields and they don't want Haitians to work in anything but cutting cane."

Sula Feliz Julian, who lives on Batey Mena, Ingenio Barahona, was selling clothes in the public market in Barahona. A woman in her 30s, of Haitian descent, she was born on nearby Batey 8; her parents were both born in the Dominican Republic; and her grandparents were all born in the Dominican Republic. Julian was arrested by Dominican soldiers in September 1989, taken to the border at Jimaní, and deported to Haiti.

> "I was selling at the market, when soldiers came and asked me for my identification papers [cedula]. I told them I didn't have it with me but that if they gave me half-an-hour I could ask someone to go to my house and bring it back. One of them told me, 'You are going to Haiti to sell clothes in Haiti.' I

told him the clothes are from here not from Haiti.

"They took me and three other women who look Haitian because they have dark skin like me. They took us in a truck to the frontier at Jimaní. They said they were just following orders from Col. Pedro Candelier.

"I told them, 'I am not from Haiti. You are just going to put me through a lot of trouble for nothing.' They asked me if I was Haitian. I said yes. I don't deny that I am descendant of Haitians. Yes, I am Haitian by race. 'But I was born here,' I told them. I have a Dominican birth certificate.

"But they made us go into Haiti. So we crossed the mountain and spent the night in a little town. The next day we went back by foot to Limon [in the Dominican Republic]. We had to pay someone to show us the way back. We came back to our own country anba fil."

IV. CHILD LABOR

The use of child labor by the Dominican sugar industry constitutes a persistent violation of the Dominican Republic's own labor code, which states in Article 223 that "the labor of minors less than 14 years old is prohibited," and in Article 229 that "the employment of minors less than 18 years old in dangerous or unhealthy labor is prohibited." Wielding a machete with the force needed to cut cane is clearly dangerous labor, as the numerous injuries among cane cutters attest. While child labor is not an issue we ordinarily discuss, we raise it here because it occurs in the context of a general system of coercion.

Our delegation came across several young cane cutters by chance during its visits to the bateys. It spoke with four in the cane fields of Ingenio Barahona, near Batey 5, where they live.

Fifteen-year-old Pacheco Batista:

> "My father is a Dominican mechanic on this batey and my mother is a Haitian. I was born here. I've been cutting cane for three years now, and getting my own receipts. I don't add my load to anyone else's. I cut for myself and give my mother some of the money. The cane weighers and the administrators have never asked me how old I am. They never told me I was too young to cut cane. Anyway, I've always been a good cutter.
>
> "I've never been to school."

Paul Polinyce, 16 years old:

"I was born here and both my parents are Haitian.

"I've been cutting cane since I was thirteen years old, with my father. I add what I cut to his load, and then he takes it in to be weighed.

"Soon, I'll be strong and big enough to cut on my own."

Juan Carlos Contreras, 16 years old:

"I've been cutting cane since I was thirteen. I get my own receipts; I don't cut for anyone else, not my father.

"My parents are both Haitian. Sometimes, I give them some of the money I make. Like if I make 75 pesos, I'll give my mother 25 and my father 10.

"None of the people from the ingenio have ever asked if I'm too young to cut cane."

Lionel Jean-Baptiste, who said he was 16 or 17 years old, told our delegation that he had been kidnapped as a child and brought from his native Fonds Verrettes to Batey 5, Ingenio Barahona. He was still living on Batey 5, where he recently had built a small plaster, thatched-roof house.

"I was very little then, about seven years old, and that's when I started cutting cane. I always cut for my own receipts, never with anyone else. At first, I gave my money to the girl who kidnapped me, but finally I stopped doing that. None of the jefes ever asked me about my age when I came to get paid.

"I just made 40 pesos in the last 3 days."

Sixteen-year-old Petion Fignole from Jacmel came to the

Dominican Republic on January 8, 1990. He was living on Batey Mena and working for Ingenio Barahona.

> "I came here with my big brother, who has been coming for a long time. I wanted to see the country, although my brother didn't tell me I'd be cutting cane. But I guess my brother thought I was old enough. We have eight brothers and sisters in Haiti.
>
> "I cut cane on my own, and I make my own money. Sometimes I make 25 pesos in three days, and sometimes I make 15 in three days. It depends on how well I cut and how much the weigher cheats."

Renald Valcin, the 15-year-old who was brought by his uncle from Thiotte, told our delegation during an interview with him on Batey Mena, Ingenio Barahona:

> "My uncle, back in Haiti, he was always nice to me -- he is my mother's brother. Sometimes, he would disappear for eight days or so, and when he got back, he would say he had been in Jimani, clearing bean fields. He always had a lot of money when he came back.
>
> "You know, I was very naive. Maybe. Now I think, of course, my uncle is a buscon, and he has sold me to the ingenio. But I am still so innocent I cannot believe a brother would do that to his sister's son. Even if he needed money, or whatever.
>
> "But sometimes, when I think about it -- I think about it all the time, why he never came back -- I think, maybe he was just waiting until I was big enough to do good cutting. Maybe he was waiting until my fifteenth year before he would sell me, because maybe a bigger cutter brings more money than a little boy. I don't know. These are the things I think about.
>
> "I wonder what he is doing back in Haiti and if he has told my mother at least where I am.

"My uncle gave me five gourdes when he left me, and that's all that I had."

V. MEDICAL ABUSE AND LIVING CONDITIONS

A. The Lack of Medical Care

Since many Haitians cutting cane in the Dominican Republic are doing so because they are effectively in the custody of Dominican authorities and have no other choice, the Dominican government and the CEA have a duty to ensure that basic medical needs are being met.* Medical attention, however, was scarce or nonexistent at most of the bateys we visited. Our delegation heard complaints from many cane cutters who said it can take days, weeks or months to get CEA administrators to provide medical treatment or transport to a medical facility. Even aspirin is not available.

Cutting cane can be very dangerous, especially for those who are just learning, such as those Haitians recruited for the first time. Since cutting cane wears down the body, older cane cutters are also beseiged by work-related ailments.

Diseases such as tuberculosis, diarrhea and malaria are rampant and thrive in the unsanitary conditions of the bateys. Most bateys lack latrines, running water and decent cooking facilities.

Most cane cutters, especially the new recruits who do not

* cf. U.N. Standard Minimum Rules for the Treatment of Prisoners, Articles 22-26.

yet cut well and, therefore, do not make much money, have a poor diet, and some suffer from malnutrition. Many exist on one small ration of rice and beans, or rice and greens -- one meal at the end of the day. Some cook with leaves gathered around the batey. For new recruits, one small pot might be shared by six men to save money. During the day they gain some sustenance from chewing sugar cane. Clearly, however, the diet they can afford is not adequate to the caloric demands of cane cutting.

Several cane cutters complained to our delegation about the lack of medical attention.

Seventeen-year-old Miguel Louis from Banane (Anse-a-Pitre) arrived in the Dominican Republic on December 20, 1989. He was living on Batey Margarita, Ingenio Santa Fe.

> "Look at my hands. See that? They won't give me anything for it. They say it always happens at first. It's the machete. It rubs against your palm and takes the skin right off. Look at my foot. I cut it yesterday, by accident. I'm not good at the cutting, and I cut myself. They won't give you anything for your injuries.
>
> "I'm living here like a slave, and I miss my mother."

Nelio Maria, a cane cutter in his 30s, born in the Dominican Republic and living on Batey Margarita, told us that his 60-year-old father, Carlo Masillon, another cane cutter, was sick. He had problems with his knees and back. Maria had been asking the CEA administration for medical attention for his father for months. Each time, he said, "They tell me, 'tomorrow,' but nothing is

done. The nearest clinic is 15 kilometers away and we have no way of getting there. But I'd rather take my father to a hospital outside."

At Batey Consuelito, Ingenio Porvenir, in San Pedro de Macoris, our delegation met a man in his 60s who was sitting on a mat on the floor in his dark room in the barracks-style housing provided to the cane cutters there. His swollen left leg was outstretched. He reported that he had permission to go to the hospital but had no way of getting there.

The delegation also saw a very old man in the same housing block lying alone, unattended on a very narrow bed in the middle of his bare room. It was told by other cane cutters that the man was dying and would receive no care since he was no longer of use to the sugar mill.

B. Use of unsterilized needles

Two Haitian cane cutters interviewed at Ingenio Río Haina, just outside Santo Domingo, gave our delegation startling accounts of what appear to be grossly negligent vaccination practices by Dominican authorities. Their accounts concerned incidents at two border points, Pedernales and Elías Pina. They reported having been vaccinated along with scores of others with the same needle before being transported to the ingenio. This practice stands in contrast with the huge billboards that can be seen in Santo Domingo: "Unete a la campaña mundial contra el SIDA. Cuidemonos unos a otros" [Join the worldwide campaign

against AIDS. Let us take care of each other.]

Solon Georges, 39, from Bel-Anse, arrived in the Dominican Republic on January 6, 1990. He was living on Batey Lechería, Ingenio Río Haina.

> "[T]here were about 200 Haitians there at Pedernales, waiting for the bus to the batey. The chief came through with a syringe and gave us all a vaccination. He used the same syringe on all of us; he did not clean it; he did not change it. I don't know what the shot was for. Then they gave each of us a pink card [a malaria-control identification card]. Then we all got on the bus, and we got here at seven that night.
>
> "Many people have been sick with fevers since we got here.
>
> "I've been sick myself. They never helped me, or gave me aspirins. Today, I made nine pesos, cutting cane with a friend. So for today, we each made four and a half pesos [less than one dollar], and we worked all day.
>
> "If I could, I would go back to Haiti tomorrow, but the guarda campestre is there all night, and at three in the morning, they come and beat on your door to wake you for work."

Seventeen-year-old Joachim Saintil, from Baptiste, in the mountains of Belladere, arrived in the Dominican Republic on December 25, 1989. He was also living on Batey Lechería.

> "At Elías Pina, my cousin, who turned out to be a buscon, left us. He went back to Haiti. He said he was going to bring me food, but he never did. He just left.
>
> "They put the Haitians in prison. There were lots of guards. The placed smelled of piss. We slept on the cement, with no mats. There were about 140 of us. There was a bucket for

doing what you had to do, but it filled pretty fast and they never emptied it.

"We were there for two nights. They gave us a little to eat.

"Before we got on the bus, a man came, a civilian. Some of the guards called him doctor. He lined us up and gave us shots. The children had to have shots even though their mothers tried to refuse and all the children were crying. The doctor gave us all the shot with the same needle. Then they gave us a card. And put us on the bus.

"If I knew the way back to Haiti and I could get away, I'd go right now or tonight. But they watch us every night."

VI. THE DOMINICAN GOVERNMENT'S RESPONSE

The Dominican government's response to reports of persistent abuses in its sugar industry has been unsatisfactory. When defending itself before the U.S. Trade Representative and the U.N. Human Rights Committee, the Dominican government has tried to evade the subject of its coercive labor practices, either by denying and attempting to discredit the reports of coercion or by citing Dominican law prohibiting such abuse while ignoring actual practices perpetuating those abuses. Unfortunately, the Dominican government has made a greater effort to rebut evidence of serious violations than to address and correct these abuses.

One example of the government's attempts to evade the issue was the statements made by the president of the Dominican Republic, Joaquin Balaguer, denouncing our November 1989 report on the plight of Haitian sugarcane cutters in the Dominican Republic. President Balaguer claimed that the report was the work of the enemies of the Dominican and Haitian governments, and had been carried out by Haitian exiles living in Canada. He said that the report constituted "unjust propaganda" with a "purely political" motivation.*

The Balaguer government has also tried to divert attention from the living and working conditions on the bateys by

* González, Geraldino, "Califica injusta denuncia haitianos," Listin Diario, November 10, 1989.

addressing the broader issue of Haitian immigrants in the Dominican Republic, a delicate but distinct subject which the government has used to fan nationalist and racist sentiments. Declaring that the "penetration" of Haitians into the Dominican Republic "is a problem that has no solution," President Balaguer then dismissed the issue altogether.*

Other Dominican government officials accused the Haitian government of publicizing abuses in the Dominican state sugar industry as a way of pressuring the Dominican Republic to regularize the status of Haitian workers living there. It is in the interest of the Haitian government to encourage Haitians in the Dominican Republic to remain outside Haiti, the argument went, as a way of relieving internal pressure in Haiti arising from chronic political and economic crises. The Dominican secretary of labor at the time, Rafael Agramonte, reacted to our November 1989 report by commenting that there were institutions serving the "policy of the neighboring country of Haiti which desires that all Haitians living in the Dominican Republic should be legalized, more than one million.... I think the Haitians are behind these kinds of denunciations." He also appealed to immigration authorities to repatriate all Haitians residing

* Sobrevela, Vicente, "Mandatario sostiene penetración de haitianos es un problema sin solución; dice enemigos de Haiti y RD tratan desacreditar," El Nuevo Diario, November 10, 1989.

illegally in the Dominican Republic.[1] Since the Dominican sugar industry is entirely dependent on Haitian labor, it was not surprising that the repatriation of Haitians did not come to pass.

A. The U.S. Trade Representative

In May 1989, Americas Watch submitted a petition to the U.S. Trade Representative (USTR) requesting an inquiry into the Dominican Republic's labor practices as part of the USTR's annual review of the labor practices of countries receiving trade benefits under the Generalized System of Preferences (GSP). Under U.S. trade law, "the President shall not designate any country a beneficiary...[of these trade benefits] if such country has not taken or is not taking steps to afford internationally recognized worker rights to workers in the country...." The USTR accepted the Americas Watch petition.

As part of its review process, the USTR held a hearing on September 26, 1989. A CEA official, Campos de Mayo, testified on behalf of the Dominican government. His testimony followed in the pattern later continued by President Balaguer -- simply denying evidence of coercive labor practices and skirting the issue of abuses. In his opening remarks, de Moya asserted, "I can assure you that the allegations that Americas Watch has put up to this

[1] Jiménez, Manuel, "Pide deportación masiva de los haitianos ilegales," Hoy, November 8, 1989.

committee are false, and they are based only on hearsay, individual cases that, due to the poor education of the people involved, have been happening."

De Moya was questioned by Joseph Sala, a U.S. State Department official, about a number of reports by other organizations that have examined the situation of Haitian cane cutters in the Dominican Republic:

> Mr. Sala: Are you aware of a 1983 ILO [International Labor Organization] complaint?
>
> Mr. de Moya: Yes.
>
> Mr. Sala: That was responded to in 1985 by the Dominican Republic?
>
> Mr. de Moya: Yes. That's right.
>
> Mr. Sala: How about an 1986 ICFTU [International Confederation of Free Trade Unions] complaint?
>
> Mr. de Moya: Yes.
>
> Mr. Sala: 1986 Dominican Episcopal Conference of the Roman Catholic Church complaint about the braceros [cane cutters]?
>
> Mr. de Moya: Yes.
>
> Mr. Sala: 1989, the ILO Experts Committee for failure to respond to the 1983 report?
>
> Mr. de Moya: Yes.
>
> Mr. Sala: The 1989 ILO Conference Special Paragraph on the status of the Haitian cane cutters?
>
> Mr. de Moya: Yes, sir.
>
> Mr. Sala: Would you say that that doesn't demonstrate some sort of consistent concern or problem being evidenced with the cane

cutters that need not be a series of incidents that are strung together?

Mr. de Moya: No. I sincerely believe, and I was -- I was with a group of people who visited the Dominican Republic in 1982 when the first visit of the ILO Commission took place. The Haitian government handled its diplomats much better than the Dominicans.

Mr. Sala: Thank you.

When asked how recruiters are used to supply labor to the sugar mills in the Dominican Republic, the CEA officer responded in a manner that was at least uninformed if not disingenuous.

Mr. de Moya: Anybody who wants to find a job in the sugar mill just has to go to one of the mills -- get together with the foreman and start cutting cane. However, there are people who make their living out of -- due to the fact that there is no contract with Haiti and due to the fact that the cane, the sugar mills are having problems -- there are people who make their living out of providing these people who want to cut cane. Do you want me to elaborate more there?

Mr. Dobson (U.S. Department of Labor/USTR): That would be helpful. It would be good to know if the workers are aware of, for instance, contract rates and terms of work, when the recruiters are used or at the time of their employment in the CEA sugar mills.

Mr. de Moya: I imagine that they are aware of some of the facts. I cannot assure you that they have all the facts with them, because they are not employers.

A question about security forces on the sugar mills elicited an answer that, despite broad disclaimers, largely confirmed the army's role in bolstering the system of forced labor.

Mr. Dobson: ...The Americas Watch makes statements that the Army provides security at

the mills. Is that a correct statement, and what type of security do they provide?

Mr. de Moya: It's not an accurate statement. The law that created the sugar mills in the late 1800s started its police force for the sugar mill, basically because of the station of the land, and also because of the lack of education of the people involved in these things.

Each sugar mill has its own security force. The Army of the Dominican Republic has been instructed specifically from the President not to get involved in this. The security force, whenever they encounter problems of some kind, normally what they do is they inform the Army, and the Army intervenes.

The Dominican Republic has been in the past an island -- a country which has had invasions from other countries, and due to that, the Army is always patrolling the farm areas....

The CEA representative also made clear that the Dominican Republic has made little effort to evaluate or monitor current living and working conditions on its sugar plantations.

Mr. Dobson: Has the government in the Dominican Republic intensified or increased its level of inspection for the sugar mills for the areas where the Haitian cane cutters are employed? And if so, could you give us some idea of the magnitude of that?

Mr. De Moya: I am not aware of any of such inspections by the part of the Dominican government at all.... At this time there is no such inspection, because there is no contract between the two countries [Haiti and the Dominican Republic]. I am not aware that the Embassy [of Haiti] has to inspect. If they do, it's on their own. I do know that whenever there has been any incident, the Ambassador or part of the Embassy staff has gone over to check like any other Embassy

will do whenever some national has problems.

B. The U.N. Human Rights Committee

On March 29 and 30, 1990, the U.N. Human Rights Committee considered the most recent report of the Dominican Republic -- one of the reports that all signatories of International Covenant on Civil and Political Rights is is required to submit periodically assessing their compliance with that human rights instrument. The Human Rights Committee's reaction to the report was largely negative. The Committee, composed of eighteen experts who oversee the implementation of the Covenant, expressed annoyance that the Dominican Republic's report was so evasive. The Dominican report repeatedly cited Dominican law rather than elaborating on actual practices under that law.

One Committee member, Andreas Mavrommatis, said that he was "disappointed to see that the report submitted to the Committee by the Dominican Republic did not contain information on the actual application of the constitutional provisions it cited."*

The response of one of the Dominican representatives, Kemil Dipp Gomez, was that

> "statistical data was lacking but in the Dominican Republic there was widespread awareness of the need to respect human rights.... The law did not prohibit slavery because it did not exist.... The Haitians who cut sugar cane in the Dominican Republic were treated as brothers. They were paid for their

* Human Rights Committee, Thirty-eighth session, Summary Record of the 967th meeting, CCPR/C/SR.967, 2 April 1990.

> work, their rights were protected, and they were assisted and supported. Haitians freely operated market stalls on the main avenue of Santo Domingo, even though many were undocumented. Some isolated instances of abuse did occur, but it was impossible to control the actions of individuals [emphasis added]."[**]

It is unclear on what basis the Dominican representative made his claim that the rights of Haitian cane cutters are protected since, according to the Dominican government's testimony before the USTR, there is no current governmental program to monitor the treatment of Haitian cane cutters. As for the Dominican Republic's claim that it is impossible to control the actions of individuals who commit abuses, an important first step to take would be to end the CEA's tolerance for forced recruitment and forced labor, and to prosecute persistent violators vigorously.

The other Dominican representative, Rhadi Abreu de Polanco, defended her country's report, saying that it "had not dealt with the practice, as the country was currently enjoying a climate of freedom and respect for human rights. Labor unions were free to organize, but organizations with the aim of destabilizing the Government were prohibited."[*]

In response to a question regarding the "provisions a foreigner could invoke before the courts when his rights were

---

[**] Ibid.

[*] Ibid.

violated and he suffered discrimination," Dipp Gomez replied, "[t]he laws covered all individuals legally in the country."[**] Since many of the serious abuses are committed against undocumented Haitians, the answer was largely unresponsive.

When asked "[w]hat facilities existed to investigate cases of abuse, and how many violators had ever been prosecuted and sentenced," Dipp Gomez said that "the newspaper articles referred to made it clear that there was complete freedom of the press in the country and that no one was afraid to criticize the authorities."[*] Again, the response was besides the point, since an airing of crimes by the media is not a substitute for criminal investigations prosecutions.

It is worth noting that the CEA official who testified before the USTR in September 1989 made a similar reply to a similar question. He was asked: "What safeguards exist for them [Haitian and Dominican workers]? If they enter into a contract for the payment of wages and the wages are not paid at the agreed level or not paid altogether, how do they enforce their contractual rights?" The CEA representative replied: "Normally, they start protesting and they go into the TV. There are several channels in the Dominican Republic and a lot of stations, over 100 stations in the city of Santo Domingo...." There was no

---

[**] Human Rights Committee, Thirty-eighth session, Summary Record of the 968th Meeting, CCPR/C/SR.968, 2 April 1990.

[*] Ibid.

indication that legal avenues of redress were available.

In their concluding remarks, several members of the U.N. Human Rights Committee expressed their special concern for the treatment of Haitian sugarcane cutters. One expert, Vojin Dimitrijevic, commented that "much concern had been raised in the international community about the situation of the Haitians in the Dominican Republic and those concerns could not be met with mere denials or subjective impressions. Statistics must also be provided." He expressed the hope that the Dominican government's next report would be "more substantial."*

* Human Rights Committee, Thirty-eighth session, Summary Record of the 970th Meeting, CCPR/C/SR.970, 3 April 1990.

VII. U.S. AND CARICOM POLICY

A. U.S. Policy

As the Dominican Republic's largest trading partner and the largest consumer of Dominican sugar, the United States can exert significant pressure on the Dominican government to stop coercive practices in its state-run sugar industry. The United States purchases approximately 75% of Dominican exports, having granted the Dominican Republic trade benefits not only under the Generalized System of Preferences, but also under the Caribbean Basin Initiative and the 9802 program (formerly the Sections 806-807 program). In addition, the Dominican Republic received approximately $20 million in bilateral aid in 1990 from the United States; about $14.6 million in development assistance and approximately $5 million as a food grant under PL480 Title II.*

Sugar is the main Dominican export to the United States, which continues to allocate the largest segment of its sugar quota to the Dominican Republic. The U.S. sugar quota for the Dominican Republic was increased slightly on September 12, 1989 from 185,328 tons for the twelve months of 1989 to 333,035 tons for the 21 months from January 1, 1989 to September 30, 1990, a

* In 1989 the Dominican Republic received approximately $40 million in bilateral aid. The difference of $20 million dollars between 1989 and 1990 is due to the lack of a negotiated food loan under PL480 Title I in 1990.

2.7 percent increase. It was increased again on April 25, 1990 to 460,997 tons for the same 21-month period ending September 30, 1990, or a 38 percent increase. This share represents 16 percent of the total U.S. sugar quota.* Despite this substantial U.S. interest in the Dominican sugar industry, the abuses that underwrite that industry have received little critical attention from U.S. authorities.

The State Department's role has been largely passive. In its annual Country Report on Human Rights Practices, the State Department has been satisfied simply to take note in general terms of persistent reports of abuses by various monitoring organizations, usually without assessing those reports or acknowledging their validity. Although in the last year it devoted greater attention to this issue, the State Department still refrained from comfirming in its own voice that violations were occurring.

This reference is perhaps in part a reflection of the position of the U.S. Embassy in Santo Domingo, which seems not to lend credence to those persistent reports of abuses it receives. David Randolph, the political officer, recently told a group of visiting Congressional staffers that there was no evidence of forced labor in the Dominican Republic and that conditions for

* The next largest portion of the U.S. sugar quota, 413,850 tons, or 14.5% of the quota, is allocated to the Philippines, followed by Brazil at 379,798 tons (13.5%) and Australia at 217,401 tons (7.5%). U.S. Department of Agriculture.

Haitian workers were not "out of line" with those faced by Dominicans. Randolph reportedly said that our organizations' findings on conditions in 1988 and 1989 were no longer relevant in 1990 and that our reports were "anecdotal" and not representative of the actual human rights situation in the Dominican Republic.

The U.S. Trade Representative , which is empowered under U.S. law to deny trade benefits under the Generalized System of Preferences from going to any nation that violates internationally recognized worker rights, has repeatedly overlooked the Dominican sugar industry's gross abuses of those rights. Although the USTR, on behalf of the President, is required to conduct a periodic review of the continued eligibility of any country receiving GSP benefits, it initiated its first review of Dominican labor practices only after accepting a petition from Americas Watch in 1989.

1. The State Department's Country Reports on Human Rights Practices

The State Department's annual human rights reports on the Dominican Republic have tended to take a skeptical and ambivalent position toward international criticism of the treatment of Haitian cane cutters in the Dominican sugar industry. In its report covering 1981, for instance, the Department stated that "there is no evidence that workers are involuntarily recruited, or that they are not free to return to Haiti." At the same time,

it acknowledged that "canecutters, along with illegal Haitians, have at times been rounded up in certain areas by the military and returned to work in the canefields, although for pay." The State Department seemed to be implying that forced rounding up of Haitians was not involuntary recruitment so long as wages were paid. In the report for 1982, the State Department repeated these observations, but went further in justifying the Dominican government's coercive labor practices by stating that, "despite the difficult working conditions, cane-cutting jobs in the Dominican Republic are eagerly sought by Haitians."

In the reports covering 1983 and 1985, the State Department defended the Dominican Republic by noting that "the Government has cooperated fully with the investigation into the sensitive subject of the treatment of Haitian refugees and migrant workers" by the International Labor Organization (ILO). In the report for 1985, the State Department's strongest critical statement was the following:

> "In June, at least one, and possibly seven, Haitian canecutters, as well as one or more Dominicans, were killed during disturbances at a Dominican State Sugar Council plantation at Triple Ozama near Santo Domingo. The exact circumstances of the deaths are unclear, but it appears the incident stemmed from Haitian frustration at delays in the repatriation process. Although the conditions of migrant Haitian workers have improved over the situation which existed several years ago, the incident underlines the fact that problems remain."

The report for 1987 observed without comment serious

allegations of forcible recruitment of labor on threat of deportation:

> "In November and December, the military engaged in roundups of Haitians allegedly residing illegally in the Dominican Republic. Several hundred Haitians were detained and relocated to state-owned sugar mills where they were allegedly registered and offered a choice between a contract to cut sugarcane or face deportation to Haiti. It is not known how many were actually repatriated. A few domestic human rights groups expressed concern that such actions may have impinged on the legal and human rights of Dominicans of Haitian descent as well as Haitians residing legally in the Dominican Republic."

In its report on Dominican rights practices in 1989, which coincided with the USTR's inquiry, the State Department dedicated more space to this issue than it had in the past. Again, however, the report in most cases simply listed allegations of abuses made by others without itself assessing the evidence of abuse. It is unfortunate that after years of publishing claims of persistent violations, the State Department was unable to provide its own evaluation of labor practices or to take a strong stand against the violations it indirectly reported.

In this most recent report, the State Department noted:

> "[I]n early January, a truck carrying some 73 Haitians overturned killing 47 Haitians. Several survivors told the press that they had been captured at the border, kept in military barracks for several days, and then put on the truck guarded by Dominican soldiers destined for a sugar plantation."

The State Department failed to state in its own voice whether

these coercive practices were in fact prevalent.

The 1989 report went on to list abuses reported by Americas Watch and other organizations. In the few places where it went beyond simply listing allegations, the State Department restated the Dominican government's denial of the charges. For example, the State Department reported:

> "[I]n response to the Americas Watch report alleging that persons of Haitian origin were coerced to cut sugar cane against their will, President Balaguer said that the charges were purely political in nature. The Acting Foreign Secretary admitted that individual abuses may occur, but he affirmed that this in no way reflected Dominican Government policy. The CEA denied the charges, and the CEA director said that CEA does not and will not tolerate abuses towards Haitian workers."

2. The U.S. Trade Representative

The U.S. Trade Representative's examination of Dominican labor practices on state-operated sugar plantations is an important and appropriate mechanism by which to bring pressure on the Dominican government. So far, the GSP Subcommittee of the USTR seems to have conducted a fairly thorough review of the sugar industry's practices. In its April 1990 "Worker Rights Review Summary" on the Dominican Republic, the USTR included 15 pages of unrefuted reports by others of extremely serious violations. It quoted from submissions by the Dominican government and Americas Watch, as well as from reports by Dominican groups such as the National Union of Dominican-Haitian

Workers and Immigrants, and from British author Roger Plant's 1987 book Sugar and Modern Slavery. It also included a quote from the 1984 book, La Isla al Reves: Haiti y el Destino Dominicano, by Joaquin Balaguer, the current Dominican president:

> "The iniquitous exploitation to which Haitian braceros are subjected today, victims of an illicit commerce in which the governments of both parts of the island participate with an equal degree of corruption should be substituted, within a regime of national and international collaboration as described, by another more humane one, alien to this new form of denigrating slavery which is practiced at the present time in the Dominican sugar ingenios."

The USTR's report also included the text of the 1989 ILO Conference "special paragraph" on the Dominican Republic:

> "The Committee (on the Application of Conventions and Recommendations) took note of the information provided by the government representative and of the extensive discussion which had taken place. The Committee, taking note of the direct contacts which took place in October 1988, expressed its extreme concern over the situation of Haitian workers. The Committee regretted that once again no government report had been received and that the government representative had merely provided some information in regard to labor inspection and minimum wages. The Committee stressed that there had been no progress either in terms of legislation or in practice on essential points raised over a number of years by the Commission of Inquiry, the Committee of Experts, and the Conference Committee...."

Despite the substantial evidence of coercive labor practices in the Dominican sugar industry, the USTR avoided reaching the logical conclusion that GSP benefits should be denied. Its

excuse, which under the circumstances can only be considered feeble, was that it had investigated only the sugar industry and had not examined labor practices in other industries. The USTR never explained how practices in these other industries, where comparable abuses are not alleged, could in any way justify the coercive practices in the sugar industry, or absolve the USTR of the duty to deny GSP trade benefits to the Dominican Republic until those coercive practices ceased. Instead, in April 1990, the USTR decided to postpone any decision on suspension of trade benefits for another year and to continue its review during that period.

The U.S. law which attached labor rights conditions to trade benefits under the GSP, Section 502(b)(8) of the Trade Act, in no way suggests that proper labor practices in certain industries should prevent the application of the law when labor rights violations take place in other industries. In the case of the Dominican Republic, where the government itself controls the bulk of the sugar industry, it is particularly fitting that the government's labor practices should be judged by labor conditions in that particular industry.

Moreover, it is worth noting that the legislative history of Section 502(b)(8) indicates that Congress intended that countries must be taking steps to afford all five of the internationally recognized labor rights conditions named in the bill, including the right of association, the right to organize and bargain

collectively, a prohibition on the use of any form of forced or compulsory labor, a minimum age for the employment of children, and acceptable conditions of work with respect to minimum wages, hours of work and occupational safety and health. In other words, meeting one or even four of the labor rights criteria is not enough to prevent a suspension of benefits if even one of five standards is not met. In the case of the Dominican Republic, each of these five labor rights conditions are violated routinely in the government-controlled sugar industry, which makes it all the more distressing that the USTR elected to maintain the Dominican Republic in the GSP program.

While we recognize that extending the review period will continue to exert some pressure on the Dominican government to reform labor practices in the sugar industry, we believe the USTR should have acted in accordance with U.S. law by halting GSP trade benefits until coercive labor practices ceased. That firmer response, as contemplated by U.S. law, would have exerted substantially more pressure on the Dominican government to stop the use of slave-like labor on its sugar plantations.

B. The Caribbean Community

The governments of CARICOM, as well as non-governmental organizations can no longer ignore the many reports of exploitation of Haitian labor in the Dominican Republic, including slave-like conditions and child labor on the state-operated sugar plantations.

The Dominican Republic is currently making strenuous efforts to accede to membership of the Caribbean Community (CARICOM).* Like the Republic of Haiti, it already enjoys observer status on a number of Standing Committees of the regional economic integration movement of the English-speaking Caribbean.

The CARICOM governments should use the Dominican Republic's desire to strengthen ties with CARICOM as a lever to encourage an end to abusive labor practices. At minimum, CARICOM governments should publicly condemn these abuses. They should also consider suspending the Dominican Republic's observer status in CARICOM. Failing consensus on a position towards the Dominican Republic, individual CARICOM member governments should consider taking initiatives to pressure the Dominican government, as they have in the last several years in response to gross human rights abuses in Haiti when they called for suspension of Haiti's observer status and an end to business as usual with Haiti.

* The 13 members of CARICOM are: Antigua and Barbuda; Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Jamaica; Montserrat; St. Kitts/Nevis; St. Lucia; St. Vincent and the Grenadines; Trinidad and Tobago.

VIII. RECOMMENDATIONS

There are a number of steps that the Dominican government and the CEA should take to stop their coercive labor practices. The recruitment of workers should be conducted through offices established in Haiti and in the Dominican Republic where workers seeking employment on the sugar plantations can go to be hired formally. Identifiable CEA employees should recruit Haitians by representing truthfully the nature of the work, the salary and the housing provided. CEA recruiters should be paid a set wage, and not according to the number of workers recruited. Specific conditions of employment, such as the rate of pay, hours of work, days off, the name of the plantation, and the terms for leaving employment should be explained in a contract. Such a contract should be available in Spanish, Creole and French, and it should be read in the worker's language for those who are illiterate. To make such voluntary recruitment possible, however, it is likely that wages and working and living conditions will need to be improved.

At the same time, arbitrary arrests and round-ups in both Haiti and the Dominican Republic must be prohibited, and steps must be taken against military personnel in Haiti and the

Dominican Republic who continue to participate in and profit from such practices. Haitian workers must be recruited voluntarily and should be permitted to decide at any point whether or not they want to proceed to the sugar mills. Haitian workers should be permitted in a fair and orderly fashion to chose their place of employment if they have a preference.

The CEA should be responsible for the transportation of workers to the Dominican Republic at the beginning of the harvest and to Haiti at the end of the harvest. If during the harvest a Haitian worker choses to return to Haiti, or to move to another plantation where there are job openings, he should be permitted to do so. If the workers are required to spend the night awaiting transport, they should not be subjected to degrading conditions of confinement or incarceration. Adequate food, water, bedding and shelter should be provided.

The workers should be guaranteed the minimum wage established by law for eight hours of work per day. Additional compensation should be given for any additional work. The cane cutters should be paid once a week in cash to prevent the abuses that occur when workers have to buy food on credit.

The workers should be given one hour in the middle of the day to rest and eat, and should be given at least one day off per week to recover their strength. In the fields, the workers should be provided with protective gear such as rubber boots and gloves

to prevent injuries.

When in the Dominican Republic, the workers should be afforded the protection of Dominican law-enforcement authorities. They should not be subjected to coercive treatment by the Dominican military, CEA employees or guardas campestres. The cane cutters should be allowed to move about freely in the sugar plantations and to and from the sugar plantations, including during the harvest.

Haitian workers must be allowed to associate and assemble freely, to organize and to be represented by unions for the purpose of collective bargaining and enforcement of contract rights. The CEA should allow Haitian and Dominican trade unions to monitor conditions in the bateys and compliance with the terms of the work contract. The cane cutters should be permitted to direct their grievances to and seek redress through their unions.

If there is to be a bilateral agreement between the governments of Haiti and the Dominican Republic, it should contain similar provisions. Such an agreement should provide for monitoring of compliance with its terms by interested intergovernmental, governmental and nongovernmental bodies.

For Release A.M. Newspapers, June 17, 1990

For Further Information

Mary Jane Camejo (212) 972-8400
Anne Fuller (212) 867-0020

In a 70-page report released today entitled Harvesting Oppression: Forced Haitian Labor in the Dominican Sugar Industry, three human rights groups -- Americas Watch, the National Coalition for Haitian Refugees and Caribbean Rights -- charge that Haitian sugar cane cutters in the Dominican Republic continue to labor under a coercive system run by the state sugar industry with the aid of the Dominican military. Despite the publication of a report by the groups at the end of the 1989 harvest season that raised concerns about abusive labor practices, the State Sugar Council (CEA), which operates ten of the twelve sugar plantations in the Dominican Republic, continued to use armed force to compel Haitians to cut cane.

Because of low pay and poor living and working conditions, Dominicans largely refuse to cut cane on CEA plantations, leaving the state sugar industry entirely dependent on Haitian field labor. In order to supplement its work force during the harvest season, the CEA hires recruiters to lure Haitians from their villages in Haiti with promises of high pay and easy work. Government and CEA agents then seize the recruits at the Dominican-Haitian border for transport -- often against their will -- to CEA plantations. The Dominican military ensures that the Haitians remain confined to the plantations during the six to seven month harvest season that begins in November every year.

Living and working conditions on the bateys, where Haitians are sent to live while they work on the plantations, continue at a subhuman level:

> There is no running water, no latrines, no electricity, no medical care, and no kitchen facilities. Workers share overcrowded rooms in barracks-style buildings. CEA-run stores sell food supplies at prohibitive prices.
>
> No protective gear is offered for the dangerous job of cutting cane; medical attention is often unavailable for the frequent work-related injuries; time off is dictated by the necessities of the cane harvest rather than by the needs of the workers.
>
> Pay is so low that most workers manage to save no more than $25-$50 at the end of the harvest. Instead of improving wages, the CEA has chosen to reward recruiters from $15 to $30 per head for Haitians, most of whom are recruited through deception and exaggeration.
>
> The CEA made only one discernible improvement in the conditions for Haitian workers, in response to a tragic

accident that roused international attention. On January 27, 1989, an open truck transporting Haitians overturned en route from the border town of Dajabon, killing 46 Haitian cane cutters. As a result, workers are now transported in closed buses on regular runs.

The response of the Dominican government to reports of abusive practices and conditions in its sugar industry has been entirely unsatisfactory. The government denies that violations exist, or attempts to justify them by citing laws and standards that it claims to uphold, but does not. Americas Watch, the National Coalition for Haitian Refugees, and Caribbean Rights can only conclude that in the Dominican Republic there is one set of laws for Dominicans and another -- unwritten but enforced -- for Haitian cane cutters.

The United States has begun to take an interest in the labor rights of Haitian workers in the Dominican Republic, but has yet to act effectively to promote a halt to coercive practices. In 1989, the U.S. Trade Representative held hearings to evaluate the Dominican sugar industry's employment practices, issued a critical report, but then continued trade benefits to the Dominican Republic as usual. The U.S. State Department, in its 1989 Country Report on Human Rights Practices, noted reports of abusive treatment of Haitians, but refused to describe the abuses in its own voice. Despite a sugar industry built on slave-like labor, the Dominican Republic continues to enjoy a larger percentage of the U.S. sugar quota than any other country.

Americas Watch, the National Coalition for Haitian Refugees and Caribbean Rights call on the Dominican government to protect sugar industry workers by:

ending abusive recruitment practices, especially the employment of so-called recruiters;

refraining from depending on armed Dominican soldiers and CEA employees to force Haitian workers onto sugar cane plantations to cut cane; and

ceasing all restrictions on the freedom of movement of Haitian workers.

This report was prepared by Mary Jane Camejo and Amy Wilentz after a February 1990 mission to state-run sugar mills in the Dominican Republic. Americas Watch, the National Coalition for Haitian Refugees, and Caribbean Rights published the report "Haitian Sugar Cane Cutters in the Dominican Republic" in November 1989.

Americas Watch was established in 1981 to monitor and promote internationally-recognized human rights in Latin America and the Caribbean. The Chairman is Adrian W. DeWind and the Vice Chairmen are Peter Bell and Stephen Kass. Juan E. Mendez is Executive Director.

Americas Watch is part of Human Rights Watch, which also comprises Africa Watch, Asia Watch, Helsinki Watch and Middle East Watch. The Chairman of Human Rights Watch is Robert L. Bernstein. Aryeh Neier is Executive Director of Human Rights Watch and Kenneth Roth is Deputy Director.

The National Coalition for Haitian Refugees is comprised of 47 legal, human rights, civil rights, church, labor and Haitian community organizations working together to seek justice for Haitian refugees in the United States and to monitor and promote human rights in Haiti. Its Executive Director is Jocelyn McCalla and its Associate Director is Anne Fuller.

Caribbean Rights is composed of human rights organizations from the Bahamas, Belize, Guyana, Haiti, Jamaica, Puerto Rico, and St. Vincent and the Grenadines, with headquarters in Barbados. Its Chairman is Jean-Claude Bajeux, its Executive Secretary is Michael McCormack and its Coordinator is Wendy Singh.

This report is available from Human Rights Watch, 485 Fifth Avenue, New York, NY 10017 for $7.00.

Para emitir el 17 de junio de 1990

Para más información dirigirse a:
Mary Jane Camejo (212)972-8400
Ann Fuller (212)867-0020

En un informe de 70 páginas emitido hoy, titulado "Harvesting Oppression: Forced Haitian Labor in the Dominican Sugar Industry," tres organizaciones de derechos humanos -- Americas Watch, National Coalition for Haitian Refugees, y Caribbean Rights -- declararon que los cortadores de caña en la República Dominicana continúan trabajando bajo un sistema de trabajo forzoso dirigido por la industria azucarera estatal con la ayuda de las fuerzas militares dominicanas. Los grupos de derechos humanos habían manifestado su preocupación sobre dichas prácticas laborales abusivas en un informe publicado al final de la zafra de 1989. No obstante, el Consejo Estatal del Azúcar (CEA), que opera diez de las doce plantaciones azucareras en la República Dominicana, continuó recurriendo a la fuerza armada para obligar a haitianos a cortar caña.

Debido a bajos salarios y a pobres condiciones de vivienda y trabajo, los dominicanos se niegan a cortar caña en las plantaciones del CEA, dejando a la industria azucarera estatal en total dependencia de mano de obra haitiana. A fines de suplementar su mano de obra durante la zafra, el CEA contrata reclutadores para atraer haitianos desde sus aldeas en Haití con promesas de trabajo fácil y buenos salarios. Agentes del gobierno y del CEA luego recogen a los trabajadores en la frontera dominicana-haitiana para transportarlos --frecuentemente contra su voluntad -- a las plantaciones del CEA. Las fuerzas militares dominicanas aseguran que los haitianos permanezcan confinados a las plantaciones durante los seis o siete meses de la zafra que comienza en Noviembre cada año.

Las condiciones de vida y de trabajo en los bateyes, donde los haitianos viven mientras dura su trabajo en las plantaciones, permanecen a un nivel infrahumano:

> No hay agua corriente, ni letrinas, ni electricidad, ni asistencia médica, ni cocinas. Los trabajadores comparten habitaciones superpobladas en edificios similares a barracas. Los almacenes dirigidos por el CEA venden alimentos a precios prohibitivos.
>
> No se prové ningún equipo de protección para el peligroso trabajo de cortar caña; la atención médica es escasa para los frecuentes accidentes de trabajo; el tiempo libre es dictado por las necesidades de la zafra, más que por las necesidades de los trabajadores.
>
> Los salarios son tan bajos que la mayor parte de los trabajadores no puede ahorrar más que US$25-US$50 al final de la zafra. En vez de aumentar los salarios, el CEA prefirió recompensar a los reclutadores ("buscones") con US$15 a US$30 por cada trabajador haitiano reclutado, la mayoría de los cuales fue

reclutada por medio de decepción y exageración.

El CEA sólo efuectuó mejoras perceptibles en las condiciones de trabajo de los haitianos en respuesta a un trágico accidente que atrajo la atención internacional. El 27 de enero de 1989, un camión abierto que transportaba trabajadores haitianos volcó en su ruta desde la ciudad fronteriza de Dajabon, matando a 46 cortadores de caña haitianos. Como resultado, los trabajadores son ahora transportados en autobuses cerrados en sus recorridos regulares.

La respuesta del gobierno dominicano a los informes sobre prácticas y condiciones abusivas en la industria azucarera estatal ha sido totalmente insatisfactoria. El gobierno deniega que existan violaciones, o trata de justificarlas citando leyes y reglas que alega hacer cumplir, aunque en realidad ésto último no ocurre. A Americas Watch, National Coalition for Haitian Refugees, y Caribbean Rights sólo les resta concluir que en la República Dominicana existe un cuerpo de leyes para los dominicanos y otro -- no escrito, pero que se hace cumplir -- para los cortadores de caña haitianos.

Los Estados Unidos han comenzado a interesarse en los derechos laborales de los trabajadores haitianos en la República Dominicana, pero aún no han actuado de manera efectiva para promover el cese de las prácticas de coerción. En 1989, el Representante de Comercio de los Estados Unidos mantuvo audiencias para evaluar las prácticas de empleo en la industria azucarera dominicana, y elaboró un informe crítico, pero luego mantuvo los privilegios comerciales de la República Dominicana como de costumbre. El Departamento de Estado de los Estados

Unidos, en su informe anual sobre derechos humanos en el mundo (Country Report on Human Rights Practices) de 1989, notó la existencia de denuncias acerca del tratamiento abusivo de haitianos, pero omitió describir los abusos. A pesar de que su industria azucarera se basa en un sistema de cuasi-esclavitud, la República Dominicana continúa disfrutando de una cuota de exportación de azúcar mayor a de cualquier otro país.

Americas Watch, National Coalition for Haitian Refugees, y Caribbean Rights apelan al gobierno dominicano para proteger a los trabajadores de la industria azucarera

poniendo fin a las prácticas de reclutamiento abusivas, especialmente el empleo de los así llamados "buscones";

absteniéndose del uso de soldados dominicanos y empleados del CEA armados para forzar a los trabajadores haitianos a cortar caña en las plantaciones;

poniendo fin a todas las restricciones a la libertad de movimiento de los trabajadores haitianos.

Este informe fue preparado por Mary Jane Camejo y Amy Wilentz luego de una misión durante febrero de 1990 a los bateyes estatales en la República Dominicana. Americas Watch, National Coalition for Haitian Refugees, y Caribbean Rights publicaron un informe sobre los cortadores de caña haitianos en noviembre de 1989.

Americas Watch fue establecido en 1981 para controlar y promover derechos humanos internacionalmente reconocidos en América Latina y el Caribe. Su Presidente es Adrian W. DeWind y los Vicepresidentes son Peter Bell y Stephen Kass. Juan Mendez es Director Ejecutivo.

Americas Watch forma parte de Human Rights Watch, que también comprende a Africa Watch, Asia Watch, Helsinki Watch y Middle East Watch. El Presidente de Human Rights Watch es Robert L. Bernstein. Aryeh Neier es Director Ejecutivo y Kenneth Roth es Director Adjunto.

National Coalition for Haitian Refugees está compuesto por 47 organizaciones legales, de derechos humanos, de la iglesia, laborales y comunitarias que trabajan conjuntamente en busca de justicia para refugiados haitianos en los Estados Unidos, y para controlar y promover los derechos humanos en Haiti. Su Directora Ejecutiva es Jocelyn McCalla is su Directora Asociada es Anne Fuller.

Caribbean Rights está compuesto por organizaciones de derechos humanos de las Bahamas, Belize, Guyana, Haití, Jamaica, Puerto Rico, St. Vincent y las Granadinas, y tiene su sede central en Barbados. Su Director es Jean-Claude Bajeux, su Secretario Ejecutivo es Michael McCormack y su Coordinadora es Wendy Singh.

Este informe puede adquirirse de Human Rights Watch, 485 Fifth Avenue, New York, NY 10017-6104,
por US$7.