

STOP DEPORTATIONS TO HAITI

U.S. Deportations to Haiti Are Inhumane and Tear Families Apart

The January 12, 2010 earthquake that hit Haiti led to a humanitarian catastrophe. As President Obama described, “for a country and a people who are no strangers to hardship and suffering, this tragedy seems especially cruel and incomprehensible.”¹ Immediately following the earthquake, the United States promptly halted all deportations to Haiti, so as not to place an additional burden on the devastated country. One year later, despite the ongoing humanitarian crisis, the United States quietly resumed deportations of individuals with criminal records, tearing deportees from their families in the U.S. and sending them to Haiti. There, they are routinely placed in squalid jails covered in feces, vomit, blood, and trash, and infested with mosquitoes and rodents and where they are often deprived of food, water and medicine.

The Ongoing Humanitarian Crisis

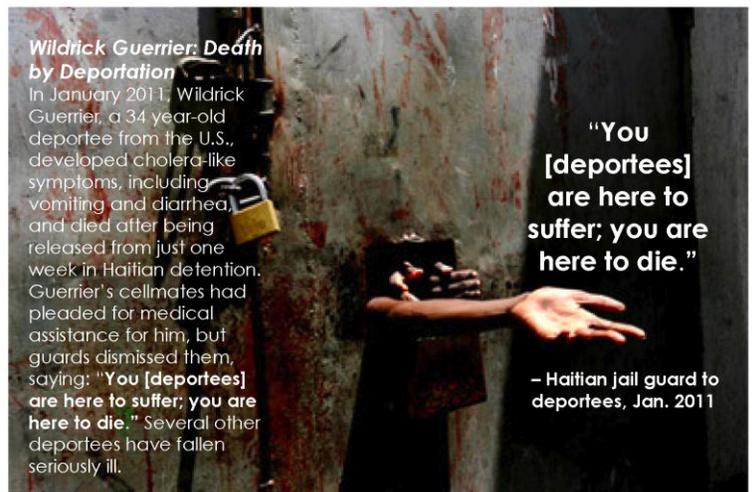
The humanitarian crisis following the 12 January 2010 earthquake is severe and ongoing, placing a great burden on Haiti. There is a continued cholera outbreak and insufficient supplies of and access to food, water, housing, medicine, and medical treatment for the general population. Poverty and increasing violent crime exacerbate the already-deplorable conditions in Haiti. Gender-based violence is of particular concern, especially in tent camps. Those returned to Haiti confront these and additional barriers, such as language and cultural barriers, social stigma, and little or no family support in Haiti.

Since the 12 January 2010 earthquake, the United Nations issued several emergency appeals to States to suspend deportations to Haiti because of the ongoing humanitarian crisis. These appeals ask “Governments to renew...residence permits and other mechanisms that allow Haitians to remain [outside Haiti],... refrain from returning to Haiti persons with special protection needs...; [p]revent situations where returns lead to the separation of family members;...[e]nsure that forced returns [if they take place] are undertaken in a humane manner, in full respect for human rights and dignity,...”² Soon thereafter, in February 2011, the Inter-American Commission on Human Rights (IACHR) urged the U.S. to refrain from deporting individuals to Haiti who had family ties in the U.S. or who were ill.³ The U.S. has refused to heed their calls.

Now is not the time to deport people to Haiti. The United States must live up to its reputation as a world leader and halt deportations until conditions improve.

The Cholera Epidemic in Haiti

Ten months after the earthquake hit, in October 2010, an outbreak of cholera was confirmed in Haiti.⁴ Cholera sickened more than 450,000 people, or 5% of Haiti’s population, in just the first year of the outbreak.⁵ During a cholera epidemic, the Center for Disease Control recommends “heightened measures to ensure the safety of drinking water and food, and appropriate facilities and practices for disposal of feces and for hand washing.”⁶ While cholera continues to be a major problem in Haiti, these conditions are not being met in many places in Haiti but least of all in Haiti’s jails and detention centers. In 2011, one US deportee died of cholera-like symptoms shortly after he was deported and detained in Haiti.⁷



Recent Fact-Finding Mission to Haiti

In February and March 2012, the University of Miami’s Human Rights and Immigration Clinics and FANM/Haitian Women of Miami conducted phone interviews and traveled to Haiti to meet with deportees, finding that the human impact of the deportations has been devastating. Deportees continue to be detained in life-threatening conditions upon arrival in Haiti. Upon release, deportees struggle to find food and housing. Some have been forced to find shelter in post-earthquake tent camps. Most of those interviewed have not been able to secure any means of income and all were dependent on already-struggling family or friends for survival.

Deportees with medical conditions – including HIV, insulin-dependent diabetes, a bleeding ulcer, hypertension, and mental health conditions – reported that they have not been able to access medical care or urgently-needed medication. Deportees are also unable to obtain Haitian identification cards, which hinders their ability to work and be integrated into Haitian society and makes them even more vulnerable to stigma and discrimination. Many expressed feelings of depression and high levels of anxiety about their future and the future of their children and other family members in the United States.

Family Impact of Deportations To Haiti

The University of Miami Clinics have interviewed families in the U.S. whose loved ones were recently deported to Haiti. Their stories demonstrate the far-reaching impact of these deportations.



Deportations hurt families financially

Deportation often leaves children and spouses of Haitian deportees financially vulnerable. Families repeatedly reported a drastic decline in food, clothing, housing, and health care in the immediate aftermath of the deportation. Some have even experienced homelessness due to the lost income. One deportee's family of five children told the Clinic they could not afford food and other very basic necessities, as the deportee had been the primary breadwinner.

Deportations hurt families emotionally

Physical removal of parents and spouses damages the mental health of deportees and family members left behind in the United States. Families described feelings of

hopelessness, loss, trauma, diminished work and school performance, and psychological and emotional distress due to an incomplete family structure. One son of a deportee told the Clinic that he and his siblings "try to be happy every day so mom can be happy, but it hurts us a lot." Another Deportee's 22 year-old daughter has been asked to assume guardianship over her four minor siblings.

Deportation isn't right at all. The effects it has on me not only physically but mentally is horrible. The Government deporting has broken up this family. We're not completed anymore. How does it feel to be incomplete? It feels like you've been walking with only one pair of shoe on. The deportation hurt us all not one but all. My father worked two jobs for us. Now that he's not here our electricity has been cut off, telephone bill not payed. Refrigerator empty; not eating for two days at most.

15-year-old daughter of deportee who lives with her mother and four siblings

Deportations especially hurt children

In the Clinics' interviews, family members described children experiencing severe difficulties in school, including difficulty paying attention and poor academic performance, following the deportations of their parents. One mother noted that her eight-year-old son had been institutionalized under the Baker Act three times since he has been separated from his father. One study revealed that children of deportees had increased anxiety, depression, and sleeplessness, and setbacks in their schoolwork, including lowered grades and a desire to drop out of school.⁸

Deportations harm families and violate human rights. Let's stop deportations to Haiti immediately!

Congress should:

1. Call or write to the Department of Homeland Security to encourage the immediate halt of all deportations to Haiti until conditions significantly improve.
2. Urge DHS and other government agencies to abide by the precautionary measures order issued to the U.S. by the Inter-American Commission on Human Rights.
3. Implement immigration legislation that requires immigration judges to take family hardship into account in deportation proceedings.
4. Urge DHS to create a Haitian Family Reunification Parole Program to help Haiti recover (see www.HaitiJustice.org).

¹ President Barack Obama, Statement on Haiti (Jan. 13, 2010),

http://www.boston.com/news/nation/washington/articles/2010/01/13/text_of_president_obamas_statement_on_haiti.

² Joint UNHCR-OHCHR Return Advisory Update on Haiti, United Nations High Commissioner for Refugees and Office of the High Commissioner for Human Rights, 9 June 2011, <http://www.unhcr.org/4e0071429.html>; UN Independent Expert on the Situation of Human Rights in Haiti, A/HRC/17/42 (April 4, 2011).

³ Inter-American Commission on Human Rights, Precautionary Measures against the United States, Feb. 2, 2011.

⁴ <http://www.cdc.gov/haiticholera/>.

⁵ Alex Whiting, "Haitians Risk More Cholera Deaths as Aid Agencies Withdraw" <http://haiti.mphise.net/haitians-risk-more-cholera-deaths-aid-agencies-withdraw>.

⁶ <http://www.cdc.gov/haiticholera/>.

⁷ Deported Haitian Man Dies in Jail, CBS-Miami, 1 February 2011, <http://miami.cbslocal.com/2011/02/01/deported-haitian-man-dies-in-jail>.

⁸ Ajay Chaudry et al., Urban Inst., Facing Our Future: Children in the Aftermath of Immigration Enforcement 27 (2010).