



**Alternative Chance
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International Human Rights Commission Summons U.S. to Stop Deportations to Haiti Following First Deportee Death

Rights Groups Demand U.S. Comply, Calling Earthquake, Cholera and Violence a Death Sentence After Rare Inter- American Commission Action

February 4, 2011, Miami, FL and Washington, D.C. – Today, in response to an emergency petition filed on January 6, 2011 by six rights groups, the Inter-American Commission on Human Rights (IACHR) took a rare step and urged the U.S. government to cease deportations to Haiti immediately for persons with serious illnesses or U.S. family ties. The action follows the first reported death of a person deported by the U.S. since removals resumed on January 20, 2011. In its decision, the IACHR expressed concern that “detention centers in Haiti are overcrowded, and the lack of drinking water and adequate sanitation or toilets could facilitate the transmission of cholera, tuberculosis, and other diseases.”

The deceased, Wildrick Guerrier, 34, exhibited cholera-like symptoms but is believed to have received no medical treatment while in a Haitian police station cell in the midst of a cholera epidemic. A second deported person was reportedly exhibiting cholera-like symptoms and released without medical attention.

Michelle Karshan, Executive Director of Alternative Chance, a re-entry program for criminal deportees in Haiti, responded: “The IACHR has rightly and courageously come through on the side of life, family and human rights. By resuming the suspension of deportations to Haiti for now, the U.S. can truly demonstrate its commitment to aiding Haiti through this difficult period towards real reconstruction.

“We implore the U.S. Government to follow the IACHR’s instructions,” said **Sunita Patel, Center for Constitutional Rights Staff Attorney**. “Stop the deportations to stop the deaths. The Obama administration should live up to its promise to abide by human rights obligations and protect the right

to life of Haitians in the United States.”

The emergency petition for precautionary measures, submitted by the **University of Miami School of Law Human Rights and Immigration Clinics, the Florida Immigrant Advocacy Center (FIAC), the Center for Constitutional Rights (CCR), Alternative Chance and the Loyola Law Clinic and Center for Social Justice**, argued that deporting people at this moment to Haiti, which is still reeling from the devastating January 2010 earthquake and burdened with a massive cholera epidemic, political unrest and street violence, will result in serious human rights violations, including deprivations of the rights to life, family and due process, and freedom from cruel or unusual punishment.

Deportations from the U.S. to Haiti had been stayed on humanitarian grounds since the January 12, 2010 earthquake devastated Haiti. Advocates and community members were shocked when, on December 9, 2010, the U.S. Immigration and Customs Enforcement (ICE) unexpectedly announced that it was lifting the ban on deportations to Haiti for individuals with criminal records and would resume deportations in January 2011, just one year after the earthquake. On January 20, 2011, the U.S. resumed deportations to Haiti, deporting an estimated 27 people of Haitian origin, several of whom had not set foot in Haiti since they were young children.

“Our petition warned that Haitians would be at imminent risk of death if deported to Haiti,” said **Romy Lerner, FIAC Supervising Attorney**. “Now our worst fears have been realized. Our government must stop all deportations to Haiti at this time.”

“The U.S. Government has blood on its hands,” said **Rebecca Sharpless, Director of the Immigration Clinic at the University of Miami School of Law**. “While detained in Louisiana, Wildrick Guerrier expressed grave concerns that he had no family in Haiti, that he had not been to Haiti for a very long time, afraid of what would happen to him in Haiti and of the cholera outbreak. He was right to be terrified.”

While the IACHR’s decision on the emergency petition is limited to deportations of persons of Haitian origin who are seriously ill or who have family members in the U.S., advocates are hopeful that the Commission will extend the scope of its decision in the future.

“We will now pursue this as a case on the merits – alleging permanent harm – in light of the limited ruling of the Commission and in light of the long-term harm that has befallen these 27 individuals and their families and others in the pipeline,” said **Caroline Bettinger-Lopez, Director of the Human Rights Clinic at University of Miami School of Law**. “We have requested a hearing before the Commission during its March period of sessions. There, representatives from the U.S. government will need to look the Commissioners in the eye and explain their government’s past and future actions.”

To read the request for precautionary measures, visit <http://ccrjustice.org/ourcases/current-cases/iachr-haitian-removals>. To read the IACHR’s decision, visit <http://www.cidh.oas.org/Comunicados/English/2011/6-11eng.htm>.