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May 4, 2007

The Honorable Michael Chertoff
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Chertoff:

As members of Refugee Council USA, we wish to express our deep concern about the welfare of the 101 Haitians, including unaccompanied minors and a pregnant woman, who arrived on the coast of Florida last month. We urge the Department of Homeland Security (DHS) to ensure that their rights continue to be fully protected and that they are not subject to prolonged detention.

Political violence and instability in Haiti, human rights abuses, kidnappings, and gang warfare have left many Haitians in fear of their lives. We are pleased that the Haitians are being given credible fear interviews and that DHS is working closely with local groups to assure access to legal counsel.

We ask that you also ensure that the Haitians continue to have access to quality medical care. After enduring so many grueling days at sea, we understand that many in the group continue to suffer from physical ailments and emotional trauma. We encourage DHS to continue to address these health issues and to ensure that the pregnant woman receives appropriate pre-natal care.

In regard to the unaccompanied minors, while the majority has been transferred to the Office of Refugee Resettlement (ORR) Boystown facility, we understand that at this writing several remain at the Broward Transitional Center, a facility for adults. We urge that these minors be transferred to ORR custody as soon as possible.

We also urge DHS to release the adult asylum seekers from detention as soon as possible. Current DHS parole criteria include satisfying the credible fear standard, posing no danger to the community and having ties to the community. Many of the Haitians have pro bono legal counsel and families with whom they could stay. The Catholic Archdiocese of Miami and other groups have offered to assist those without family in the area with housing. In view of their family and community connections, we believe DHS should release the adult asylum seekers to their sponsors.

It is important to note that many of the *pro bono* attorneys will likely be unable to continue representation of the Haitians in their asylum cases if they remain detained because of the considerable distance between the facility and Miami, the lack of attorney visitation space at Broward (which results in waiting hours for clients) and the expedited nature of their cases. Continued detention therefore will in effect deny them a fair opportunity to present their claims.

The release from detention of Haitian asylum seekers is in keeping with our obligations under international law and consistent with the parole policy in place for asylum seekers of other nationalities. We look forward to hearing from you on the steps DHS is taking to ensure that the rights of this vulnerable group are fully protected.

Thank you very much for your consideration.

Respectfully yours,



Richard Parkins
Chair, Refugee Council USA

On behalf of the following organizations:

Sarnata Reynolds, Refugee Program Director
Amnesty International USA

Joseph Roberson, Director
Church World Service/Immigration and Refugee Program

Robert Carey, Vice President, Resettlement
International Rescue Committee

C. Richard Parkins, Director
Episcopal Migration Ministries

Gideon Aronoff, President & CEO
Hebrew Immigrant Aid Society (HIAS)

Elisa Massimino, Washington Director
Human Rights First

Johan Ketelers, Secretary General
International Catholic Migration Commission

Fr. Kenneth Gavin, S.J., National Director
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Ralston H. Deffenbaugh, Jr., President
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Lavinia Limón, President & CEO
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Carolyn Makinson, Executive Director
Women's Commission for Refugee Women and Children

Joseph Paschal, Director of U.S. Operations
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