

# Human Rights Observer

Published by the Minnesota Lawyers International Human Rights Committee

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## **Solanas, Wittstock, Haitian Underground Press to Receive 1992 Awards**



*MLC's Focus on Haiti Includes Investigation of Child Slavery (Restavek) and work on behalf of Haitian Refugees. The Haitian Underground Press will receive the Committee's 1992 Human Rights Award.*

The Minnesota Lawyers Committee will present its 1992 Annual Human Rights Awards to individuals who have worked courageously to promote free expression. The recipients of the Eighth Annual Human Rights Award are: **Fernando E. Solanas**, Argentine film director; the **Haitian Underground Press**; and **Laura Waterman Wittstock**, president of MIGIZI Communications.

**Fernando E. Solanas** is a world-renowned film director whose movies have charted human rights themes such as political exile and imprisonment. Solanas' first film, *La Hora de los Hornos* (The Hour of the Furnaces) was distributed clandestinely in Argentina by student groups, trade unions, and political organizations. It marked the first time such a film was shown in a non-democratic country, inspiring filmmakers in other areas of the world. *Sur*, Solanas' most recent film, traces an individual's agonizing return to Argentina after years of imprisonment.

On May 22, 1991, Solanas was walking with a colleague in the parking lot of a film studio in Buenos Aires when several shots were fired at him by a gunman in disguise, wounding him in both legs. The gunman warned Solanas to keep his mouth shut. The

shooting took place three days after the publication in popular newspaper *Pagina 12* of an interview where Solanas publicly criticized President Carlos Menem. President Menem filed a complaint against Solanas for "defamation."

Argentine police initially treated the shooting as "attempted robbery," and police protection was refused until Solanas' lawyers threatened to report the refusal to the press. Subsequently the Minister of Interior acknowledged that the attempt against Fernando Solanas was indeed politically motivated.

1992 Awards Continued Page 7

### **Geneva Officials to Train Asylum Volunteers**

Officials of the U.N. High Commissioner for Refugees (UNHCR) will travel from Geneva, Switzerland and Washington, D.C. to participate in the Minnesota Lawyers Committee seminar March 23-26. They will address current international refugee crises including Haitian repatriation, persons displaced within their own countries, refugee flows in all regions of the world, and long term solutions. Seminar attendees are invited to meet with the UNHCR guests at a reception Monday March 23 from 5:30 to 7 pm.

While the first two days of the seminar highlight international issues, the second two days focus on U.S. asylum law. Attorneys will be trained to represent asylum applicants and will receive Geneva, Continued Page 4

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### MN Senate Rejects Death Penalty

On Monday, February 24, the Minnesota Senate Judiciary Committee overwhelmingly rejected a bill to reestablish the death penalty. The vote, 15 to 2, came after four hours of testimony from families of murder victims, criminologists, the NAACP, the MN Coalition for Battered Women, the Hennepin County Attorney and the MN State Public Defender, and religious leaders.

The statewide and national focus was expanded to include information on the international trend toward abolition of the death penalty.

Members of the Minnesota Lawyers Committee were part of a coalition opposing the death penalty in Minnesota. Thank you to all who participated.

The possibility still remains that a second bill calling for a public referendum will be presented on the floor of the Senate this session.

The Human Rights Observer is a publication of the Minnesota Lawyers International Human Rights Committee, a non-governmental organization committed to promoting and protecting human rights in the United States and abroad. The Committee advocates against individual human rights abuses, researches and investigates human rights conditions in other countries, encourages the adoption of international human rights standards by all countries, and educates its members, the Bar, political leaders and the public about human rights.

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Nancy Etwiler

Nancy Etwiler, MLC board member and attorney at 3M, spent five months as a consulting attorney for the U.N. High Commissioner for Refugees (UNHCR), Geneva. During that period, the USSR crumbled, the Yugoslavian civil war escalated, and the Haitian refugee crisis began. The UNHCR addressed these events and more.

Governments individually must decide if someone meets the internationally recognized definition of refugee (see "elements" article on page 3). The definition can be difficult to apply in individual cases, and the UNHCR is frequently asked for advisory opinions on such questions as:

*. Does passive membership in a group that commits crimes against humanity disqualify one from obtaining refugee status?*

*. Should persons who take political actions only for the purpose of obtaining political asylum be granted that status?*

*. Can a country raise barriers to exclude refugees to avoid asylum claims?*

*. Is a victim entitled to refugee status if her persecutor is a member of a rebel group rather than a government official?*

*. May a country shift its international obligations by placing the responsibility of refugee determinations on the airlines?*

*. Is there a legal basis for governments to claim that the area between the airplane door and the customs area is "an international zone" in which the country is not obligated to observe its international treaty obligations and can therefore prevent asylum-seekers from applying for asylum?*

*. When is a new government a "State" in the eyes of the world such that it has the stature to sign international refugee agreements?*

*. Conversely, when does a State cease to be a State? Is Yugoslavia still a State so that those displaced within it are not refugees because they are not "outside their country of nationality"? - Are Serbia and Croatia separate States so that those who have fled to other regions of what was Yugoslavia now become "refugees"?*

*. Can UNHCR enter a country in which there is no government yet in power? Eg., can it operate in countries such as Liberia or Somalia where several factions have control of different regions, and each asserts primacy?*

*. Can a country legally evade its treaty obligations not to return refugees to persecution, by purposeful intercepting refugees on the high seas and returning them to their country of nationality?*

UNHCR officials will address these and other issues at the MLC's Refugee and Asylum Seminar March 23-26. See insert for details or call 341-3302.

*United Nations High Commissioner for Refugees*

The Office of the U.N. High Commissioner for Refugees (UNHCR) was created in 1951 as a subsidiary organ of the General Assembly to protect refugees worldwide. From 1981 to 1991, the number of refugees more than doubled from 8 million to 17 million.

Paragraph 2 of UNHCR's Statute:

*"The work of the High Commissioner shall be of an entirely non-political character; it shall be humanitarian and social and shall relate, as a rule, to groups and categories of refugees."*

The protection of refugees and finding solutions to their problems are the two main functions of UNHCR. In discharging the first function, the UNHCR promotes the adoption of international standards for the treatment of refugees and the implementation of these standards in such fields as employment, education, residence, and freedom of movement. There is also a safeguard against a refugee being returned to a country if there is a fear of persecution.

In discharging the second function, UNHCR facilitates the voluntary repatriation of refugees; if this is not feasible, it assists countries of asylum to help the refugees become self-supporting as rapidly as possible.

UNHCR also provides emergency relief and other material assistance to

uprooted persons when determining individual refugee status would be impracticable because of the size of the group, its rapid rate of influx, and the urgency of its needs.

UNHCR expenditure is financed by a limited subsidy from the regular budget of the U.N. and by voluntary contributions from governments, non-governmental organizations and individuals.

UNHCR draws on the expertise of other organizations of the U.N. system experienced in matters such as food production (FAO), health measures (WHO), education (UNESCO), child welfare (UNICEF), and vocational training (ILO). The World Bank and UNHCR cooperate in planning, financing, and implementing projects to promote self-reliance through agricultural activities and employment opportunities for refugees in their country of asylum.

Under the terms of UNHCR's Statute, a refugee is:

*"Any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, or political opinion, is outside the country of his nationality and is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to return to it."*

Human rights violations against members of the Regional Human Rights Committee of Barrancabermeja (CREDDHOS) have increased dramatically. Violations include the possible extrajudicial execution of two of their staff, threats and harassment by state forces and paramilitary groups.

The recent wave of threats followed statements made by local military commanders accusing CREDDHOS of links to guerrilla organizations.

The human rights work of CREDDHOS has achieved international recognition. In recent weeks CREDDHOS has publicly expressed concern about escalating human rights abuses, including enforced recruitment, torture, extrajudicial execution, and civilian "disappearance" committed by the Colombian army, police forces and paramilitary organizations. Seventy-one people from the Barrancabermeja area have already been killed this year--forty in circumstances suggesting official responsibility.

A model letter follows:

*Senor Presidente Cesar Gaviria Trujillo  
Presidente de la Republic  
Palacio de Narino  
Santa Fe de Bogata  
Colombia*

*Ambassador Jaime Garcia-Parra  
Embassy of Colombia  
2118 Leroy Place NW  
Washington, DC 20008*

*I am writing to express concern for the safety of members of the Regional Human Rights Committee of Barrancabermeja. The Committee's brave work to promote and protect human rights has achieved international recognition.*

*I respectfully urge you to employ all necessary measures to insure their safety and ask for an immediate and full investigation into the death threats against them.*

*bcc: MN Lawyers Committee*

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*Argentine Grandmothers Hold Seminar*

The Minnesota Lawyers Committee is co-sponsoring an international seminar "Identity, Filiation, and Restitution: 25 Years of Struggle by the Grandmothers of the Plaza de Mayo", April 11, 12, and 13 at the General San Martin Cultural Centre in Buenos Aires. The seminar will work to create a social and scientific environment to "analyze different situations related to the filiation and restitution of our children in the light of our experience and within the framework of the institution's 15 years of existence."

The Grandmothers of Plaza de Mayo received the Committee's 1987 Human Rights Award along with families of the disappeared in South Africa and Guatemala. Call 341-3302 for information on the conference.

**ethiopia**

On January 24 Harraye Sabiku (name changed to protect identity) was granted political asylum. Sabiku, an Ethiopian national, applied for asylum shortly before President Mengistu Haile Mariam resigned, and a change of government occurred in Ethiopia. Since his claim involved persecution by the former government of Ethiopia, it was unclear what position the INS would take.

MLC volunteer attorneys Peggy Hicks and Margaret Zverinova, Dorsey & Whitney, argued to the INS that Sabiku still would face persecution upon return to Ethiopia and that asylum was justified because of past persecution.

Sabiku's persecution began with a 45 day detention at the age of twelve. Soon after his first arrest, Sabiku's older brother was executed because of his political activities. Sabiku soon became active politically and was frequently detained by local authorities.

When a friend disappeared, Sabiku became concerned for his own safety and attempted to escape Ethiopia. He was arrested by border police and imprisoned for eight months. When he returned to Addis Ababa, Sabiku again was persecuted by local officials and was imprisoned for two and a half years. After his release he led a secluded life, fearing further persecution.

At the age of 23 he escaped Ethiopia and arrived in Minnesota where he applied for asylum. He will remain here with several brothers and sisters who had obtained asylum previously.

Zverinova and Hicks were assisted by Consulting Attorney Karen Ellingson.

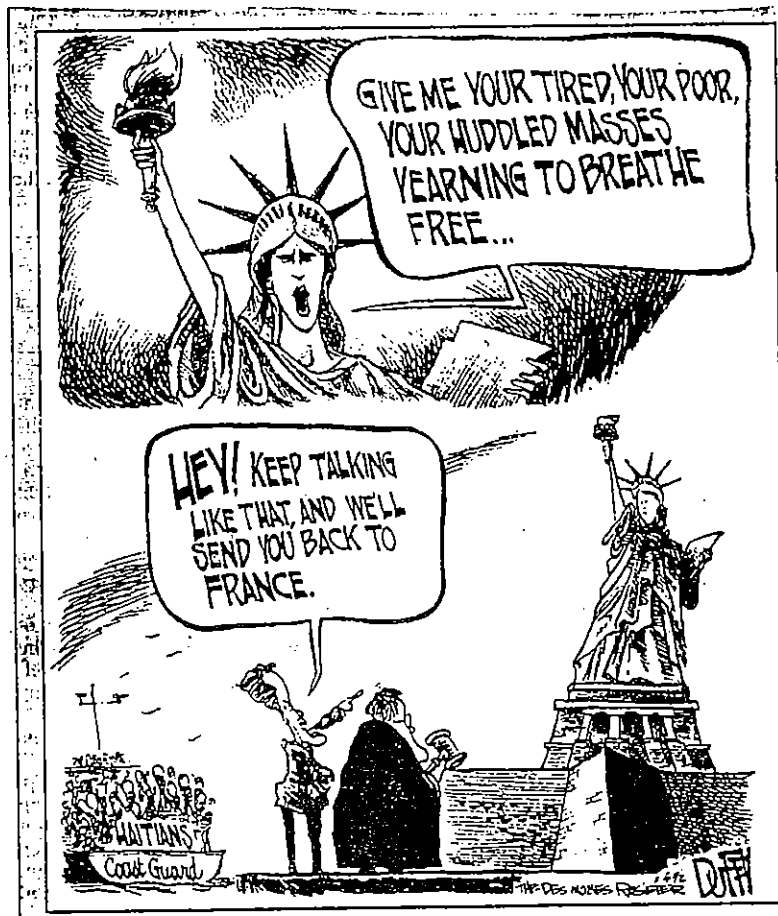
**guatemala**

Two brothers from Guatemala were recently granted political asylum after making an affirmative application at the INS office in Bloomington. The brothers had both been active with the Catholic Church in Guatemala and participated in the Church's grass roots orga-

nizing, helping the peasants develop agricultural cooperatives and improve their farming methods. They were also involved in distributing medical supplies to poor villagers.

In their applications the brothers noted that Catholic activists have long been subject to persecution. Also, the brothers were members of one of the many indigenous groups in Guatemala, which also made them targets for persecution.

Many years before the brothers came to the United States, government troops attacked the family home, killing one of their relatives. From that day on the brothers travelled from village to village, always concealing their identity and maintaining only minimal contact with their family. Because they spoke with accents, however, they were readily identified as indigenous people and thus were always targets of suspicion.



Because of their deep religious faith they continued their activism through the Catholic Church. Finally, they fled to the U.S. to seek asylum. They filed their application before the American Baptist Church decision. They received a favorable decision before the deadline for re-applying under the provisions of American Baptist Church. The brothers were represented in their applications by attorney Tracy Harris. Louis Smith acted as the Consulting Attorney.

**Geneva, Continued from Page 1**

a tuition discount if they will take a pro bono case. The Director of Asylum for the U.S. Immigration and Naturalization Service will give a keynote speech on March 25 highlighting important and controversial policy issues in U.S. asylum law. The Seminar concludes with a Mock Deportation Hearing.

30 CLE credits have been approved. Participants may attend single days for 7.5 CLE credits per day.

## Faculty

**Saad Al-Attar**, Head of Desk, Regional Bureau for Europe and North America, U.N. High Commissioner for Refugees, Geneva  
**Elizabeth Anderson**, Asylum Officer, Immigration and Naturalization Service, Chicago  
**Nancy Arnison**, Director, Refugee and Asylum Project, Minnesota Lawyers International Human Rights Committee, Minneapolis  
**Gregg Beyer**, Director of Asylum, Immigration and Naturalization Service, Washington  
**Julie Bursik**, Staff Attorney, International Institute of Minnesota, St. Paul  
**Fernando Chang-Muy**, Legal Counsellor, U.N. High Commissioner for Refugees, Washington  
**Karen Ellingson**, Managing Attorney, Oficina Legal of Southern Minnesota Regional Legal Services, St. Paul  
**Julian Fleet**, Legal Officer, U.N. High Commissioner for Refugees, Washington  
**Rosa Garcia-Peltoniemi**, Director of Client Services, Center for Victims of Torture, Minneapolis  
**Edmundo Lijo**, Chair of the Immigration Section, Minnesota State Bar Association, Minneapolis  
**Pat Mattos**, Immigration Practitioner, St. Paul  
**Angela McCaffrey**, Professor of Law, Hamline University School of Law, St. Paul  
**Glenda Potter**, Director, Cambodian Legal Services Project, St. Paul  
**Peter Schey**, Director, Center for Human Rights and Constitutional Law, Los Angeles  
**Louis Smith**, Deputy County Attorney, Hennepin County Attorney's Office, Minneapolis  
**Richard Soli**, District Counsel, Immigration and Naturalization Service, St. Paul  
**Judge Robert Vinikoor**, Judge, Executive Office of Immigration Review, Immigration and Naturalization Service, Chicago  
**David Weissbrodt**, Briggs & Morgan Professor of Law, University of Minnesota Law School and Co-Director,  
University of Minnesota Human Rights Center, Minneapolis  
**Larry Yungk**, Resettlement Assistant, U.N. High Commissioner for Refugees, Washington

## Costs

Attorneys agreeing to take a pro bono asylum or humanitarian parole case during the coming year are entitled to the discounts noted below.

7.5 CLE Credits/Day	1 Day	2 Days	3 Days	4 Days
	\$150	\$250	\$350	\$400
I will take a pro bono asylum case.	\$100	\$150	\$200	\$250
NO CLE Credits (Lunch and Materials)	\$50	\$60	\$70	\$80

## Registration: Refugee and Asylum Law and Policy Seminar

Name \_\_\_\_\_

Ad-  
dress \_\_\_\_\_

Phone \_\_\_\_\_

I will register for \_\_\_\_\_ days, March \_\_\_\_\_ and enclose \$ \_\_\_\_\_ Special hotel rates available.

I would like to take a pro bono asylum case. Yes \_\_\_\_\_ No \_\_\_\_\_

Mail to MLIHRC, 400 Second Avenue South, Suite 1050, Mpls., MN 55401 Information: 612-341-3302.

*Minnesota Lawyers International Human Rights Committee Presents*

# ***Refugee and Asylum Law and Policy***

## ***30 CLE Credits***

**Date:** *March 23-26, 1992*

**Sponsors:** *Minnesota Lawyers International Human Rights Committee  
Office of the United Nations High Commissioner for Refugees  
University of Minnesota Human Rights Center  
American Society of International Law*

**Location:** *University of Minnesota Law School, Minneapolis, MN*

**Time:** *9:00 A.M.-5:15 P.M. daily*

**Credits:** *Approved for 30 Continuing Legal Education credits (four days)/  
7.5 credits per day*

This conference is designed for lawyers, refugee workers, law students, college faculty, and the general public interested in the worldwide refugee situation. A special perspective on refugee policy issues will be provided by representatives of the Office of the UN High Commissioner for Refugees. Their expertise will be supplemented by regional and local experts. The third and fourth days of the conference will concentrate on the law and policies of political asylum in the U.S. These sessions will incorporate the 7th Annual Political Asylum Training Seminar, devoted to training volunteer attorneys to handle pro bono asylum cases through the Committee. Participants are encouraged to register for all four days, but single days are also possible.

***DAY 1, MARCH 23, 1992: Introduction to Refugee Law and Overview of Operations  
of the United Nations High Commissioner for Refugees***

Introduction to Refugee Law; History of International Action on Refugees and the UNHCR; Other U.N. Refugee Agencies; Resettlement of Refugees; Work of the UNHCR and Job Possibilities; Internships with UNHCR in the U.S. and Abroad; Current Worldwide Refugee Situation; Voluntary Repatriation; Global Resettlement; UNHCR Global Assessment; UNHCR and US Perspectives on Who Should Be Resettled; US Overseas Resettlement Processing.

***DAY 2, MARCH 24, 1992: UNHCR Policy Issues, Refugee Benefits, and Humanitarian Parole***

UNHCR Policy Issues; Rapid Response to Crises; Safe Zones; Detention of Asylum-seekers; Problems and Solutions in Africa, the Middle East and other Regions; Public and Refugee Benefits; Humanitarian Parole and Procedure.

***DAY 3, MARCH 25, 1992: United States and International Law of Asylum***

International Refugee Law; Determination of Refugee Status; International Law of Refugees in U.S. Courts; Address on Asylum Law and Policy by Gregg Beyer, Director of Asylum, INS; Applying for Asylum; Interviewing Asylum Applicants; Interviewing Torture Victims; Role and Ethics of Advocate; Completing the Application for Asylum; Evidentiary Issues and Documenting Claims; Interview by the Asylum Officer; Post-interview Procedures.

***DAY 4, MARCH 26, 1992: Asylum Deportation Defense and Mock Deportation Hearing***

Asylum Issues in Deportation; Preparation for Deportation Hearing; Suspension of Deportation; Temporary Protected Status; Adjustment of Status; Federal District Court Challenges to U.S. Asylum Policies; Mock Deportation Hearing.

## U.S. should give Haitians temporary refuge, not repatriation



Agence France-Presse

Haitians on a U.S. Coast Guard cutter waited to be returned home.

STAR TRIBUNE  
FEBRUARY 25

By Nancy Etzwiler

International organizations from Amnesty International to the United Nations have decried the United States' forced repatriation of hundreds of Haitian refugees. Despite international treaty obligations preventing any country from returning a refugee "in any manner whatsoever" to conditions that threaten life or freedom, the State Department — with the assistance of the U.S. Supreme Court — is returning Haitian asylum-seekers against their will to very dangerous conditions.

In defense, the State Department has told Congress that there is no "documented" evidence that any Haitian has been persecuted upon his or her return. The government plays a clever word game.

Few independent observers are in Haiti, and the State Department has recalled the U.S. ambassador. The embassy operates with only a skeletal staff trained in immigration procedures. So it is virtually impossible to "document" any persecution of returnees. (The treaty prohibitions against forced return do not require documentation of the magnitude sug-

gested by the State Department.)

Recently some refugees who were repatriated by the United States have fled Haiti again. The United Nations high commissioner for refugees has investigated and found credible the claims that these individuals were beaten, threatened and imprisoned upon their return. Yet the State Department continues to repatriate hundreds of Haitians to a military regime that is uniformly fingerprinting, photographing and demanding the name and address of each returnee.

The refugees have been equally unsuccessful in securing enforcement of the treaty protections from the courts. The U.S. Supreme Court has repeatedly dissolved injunctions barring repatriation of Haitians, continuing its disregard for international law in favor of broad executive discretion in refugee matters.

It is an affront to human sensibilities and a violation of international law to take the position that, where it is unclear whether people might be killed, we should send a hundred or a thousand back to see what happens. The solution is not to recognize all Haitians as refugees; nor is it to re-

turn them all. Instead, the solution is already in the hands of the executive branch.

The attorney general was given the power by the Immigration Act of 1990 to grant "temporary protected status" to nationals from countries experiencing war, natural disaster or other extraordinary conditions until safety can be assured. The Bush administration has extended such status to nationals of several countries, including Kuwait and Liberia.

Temporary protected status is not a grant of political asylum or recognition of refugee status. It does not even extend federal public assistance to asylum-seekers. It permits only temporary stay and grants temporary work authorization to permit asylum-seekers to be self-sufficient. In this case it could offer safe haven until enough independent, international monitors are in place in Haiti to assure safe return, and until immigration authorities can staff the refugee camps with trained officers capable of determining whether the asylum-seekers are refugees, entitled to longer protection in the United States.

In the long run, the United Nations

and the international community must examine whether the post-World War II refugee treaty mechanisms can deal with the mass influxes of refugees so prevalent today. The flights of hundreds of thousands of Kurds, Somalis, Guatemalans and Vietnamese demonstrate that no one country can assume the world's refugee burden on its own. Early U.N. intervention and more equitable sharing among nations of the refugee burden might ease the strain.

But until that day arrives, the attorney general (or Congress through legislation) should extend temporary protected status to Haitians. Legislation just passed out of the House Judiciary Committee grants a form of temporary protected status to Haitians who arrived before Feb. 5. While the cutoff date is disturbing in light of the hundreds who would be ineligible because of forced repatriation, Congress should adopt this otherwise reasonable, humane solution.

Nancy Etzwiler is a former consulting attorney to the U.N. high commissioner for refugees and a member of the Minnesota Lawyers International Human Rights Committee.

### Criticism from MLC and Mexican Human Rights Commission



Logo, Comision Nacional de  
Derechos Humanos, Mexico

On 7 February 1991, the Mexican National Human Rights Commission issued its report and recommendation on the case of the homicide of Dr. Víctor Manuel Oropeza. The MLC published its own report on the case in December 1991 entitled *The Homicide of Dr. Víctor Manuel Oropeza Contreras: A Case Study of Failed Human Rights Reforms in Mexico*. The National Commission, in its report, reaches conclusions and recommendations nearly identical to those of the MLC.

The first recommendation calls for the unconditional release of the two young men accused of Oropeza's murder and detained on that charge since July. The National Commission investigation found evidence to indicate the innocence of the current defendants, but found no evidence to support the charges except for the confessions of the defendants, which the National Commission concluded were coerced.

The recommendation of the National Commission is a critical ninety-four page document addressed to both the Governor of the state of Chihuahua and the Federal Attorney General. It rec-

ommends that both the state and federal authorities carry out the proper prosecutions against those police agents accused of various abuses of power — including torture — during the homicide investigation.

The National Commission's investigation determined the police investigating the homicide committed the following abuses, among others: illegal detention of dozens of youths, housebreaking, illegal seizure of evidence, incommunicado detention, coercion of confessions, fabrication of crimes and motives, and failure to follow a federal court order. The National Commission also cited numerous procedural infractions and recommended administrative and, if appropriate, criminal sanctions against the police investigators and experts who failed to preserve important evidence at the scene of the crime, lost evidence, and failed to carry out routine tests.

The National Commission also recommended that the state authorities re-investigate the murder of Dr. Oropeza and that such investigation adequately address possible political motives as well as the possible involvement of family members.

The National Human Rights Commission is a governmental human rights ombudsman which President Salinas created by presidential decree in June 1990. The National Commission has full power to investigate and issue recommendations on complaints of government abuses of human rights. The National Commission has no authority to enforce its recommendations, however, or to prosecute abusers on its own. The Government authorities to whom the recommendations are issued have thirty days to provide the Commission with proof that they are carrying out the recommendations. A delegation of MLC lawyers will be in Mexico City the week following this deadline on the Oropeza case and will make further inquiries on the case at that time.

### Lawyers Urgently Needed to Assist Haitians

Beginning in April, volunteer lawyers are needed to travel to Miami and possibly Jackson, Mississippi to assist Haitians in obtaining political asylum. Asylum experience is helpful but not necessary. Expenses including travel and lodging for two weeks will be paid by the National Conference of Catholic Bishops, Office of Migration and Refugee Services, Catholic Emergency Legal Aid to Haitians Project, 3211 4th Street Northeast, Washington D.C.

MLC members are encouraged to consider this opportunity. Please call Thomas L. Gallagher, 1-800-428-3717.

### Ford Renews Support

The Ford Foundation renewed its support in February with a three year grant for the legal and educational programs of the MLC. The grant will also support the Committee's efforts to improve communications and information management and to diversify the Committee's funding base. The Committee will receive \$75,000 per year through February 1995.

### Delegation to Help Guatemalans Go Home

In July a delegation of health workers will be accompanying Guatemalan refugees on their return to their native villages in Guatemala. Dr. David Harris will lead the delegation, sponsored by *Witness for Peace*. Dr. Harris would like to encourage a lawyer to be part of the delegation and participate in accompanying refugees. Fluency in Spanish is an asset, but not essential. If interested, please contact David L. Harris, M.D., at the Department of Surgery, Interstate Medical Center, Red Wing, MN 55066. Telephone: 612-388-3503 (office), 612-388-5863 (home).

## from the director's desk

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Laura Waterman Wittstock

The Haitian Underground Press continues to function despite grave personal risks from the military-led government which has been in place since the October coup ousting democratically-elected President Jean-Bertrand Aristide. Representatives of the Haitian underground press will be honored at the dinner.

The Minnesota Lawyers Committee has worked for several years on the issue of children's rights in Haiti. A scheduled mission in October 1991 was aborted because of the coup. Unable to pursue its children's agenda in the context of the political violence that characterizes Haiti, the Committee has joined in the international movement to protect refugees and to promote the reinstatement of the legitimate democratic government in Haiti.

Laura Waterman Wittstock is President and CPO of MIGIZI Communications, Inc., a Minnesota nonprofit corporation serving American Indians and the public at large throughout the U.S.

MIGIZI produces the first regularly scheduled Indian offering carried over National Public Radio's Satellite system. It also produces the weekly local television public affairs program

*The United States Supreme Court is not the place to go if you are seeking protection as a refugee. In two recent decisions the Court (1) narrowed the grounds for political asylum (INS v. Elias-Zacarias, see February Observer at 5), and (2) upheld the forcible return of refugees to Haiti. These stingy legal opinions leave no room to wonder about this Court's empathy for refugees. The sign reads "DO NOT ENTER."*

*Any question about the Executive branch equally has been put to rest. It was the U.S. State Department, after all, that encouraged the Supreme Court to return the Haitian refugees. The Executive branch continues to play the tune that anyone from a non-white country, without a Ph.D., is an "economic refugee."*

*So now refugees seeking protection in the U.S. are left to plead their case in Congress, an uncertain venue at best. It is a venue that reflects the ambivalence of U.S. citizens toward the plight of refugees. On a case-by-case basis, the U.S. public may be compassionate, but that same fickle public seems to reject the notion that large numbers of refugees should be allowed to live here, especially when those refugees are from different racial and cultural backgrounds.*

*Congress does not need to choose between sending refugees back to desperate situations or allowing them to stay in the U.S. forever. The vehicle of "temporary protected status," for instance, is a short-term solution for crisis situations such as Haiti, protecting those refugees already in the U.S. from being deported before the violence subsides in their home country. In addition to saving lives, this temporary refuge encourages the U.S. to improve, instead of exacerbate, the internal tensions within countries whose citizens are waiting to repatriate.*

*Another step toward stability in the refugee area is to contribute heartily to the U.N. High Commission for Refugees (see "Elements," p. 3). By supporting multilateral institutions that are coping with refugees worldwide, we will ensure greater protection for refugees and thereby diminish the pressure on our own borders.*

"Madagimo" for KARE-TV, Minneapolis.

Wittstock has acted as education consultant to Indian tribes, tribal schools, public schools, the U.S. Department of Education, and adult education programs. She presently is a consultant for the Urban Coalition.

She has written articles on American Indians, women, alcoholism, education, media, and the arts as well as children's fiction.

The 1992 dinner is the culmination of the Committee's year-long focus on free expression which included spon-

sorship of the October Human Rights Film Festival at the Walker Art Center and a November seminar series at Robins, Kaplan, Miller & Ciresi.

The June 1 dinner will be held at the Atrium, International Market Square, Minneapolis. It is the Committee's major fundraising event, bringing together individuals, law firms, and corporate sponsors to celebrate the international human rights movement.

Dinner tickets are \$100, \$150 for individual and guest. Law firm and corporate tables are \$1,000. For ticket information, please call 341-3302.

## calendar

## Volunteer Opportunities

Wednesday, March 11: Missions Committee meeting at the MLC offices, 8:00 a.m.

Thursday, March 12: Human Rights Awards Dinner meeting at Robins, Kaplan, Miller & Ciresi, 2800 LaSalle Plaza, 7:30 a.m.

Monday, March 16: Public Relations Committee meeting at the MLC offices, noon.

Wednesday, March 18: MLC Board of Directors meeting at the Hennepin County Bar Association offices, 514 Nicollet Mall, Suite 350, 7:30 a.m.

Thursday, March 19: Meeting on Racism in Western Europe at the MLC offices, 8:00 a.m.

Monday, March 23 to Thursday, March 26: Refugee and Asylum Law Seminar, U. of M. Law School. See insert in this issue for details. Further information: Rich Thomas, 341-3302.

Thursday March 26: Joshua Schoffman, Legal Director, Association for Civil Rights in Israel, will speak at the Jewish Community Center, Minneapolis, 7:30 p.m. Louis Newman, 929-5471.

(1) Asylum and Refugee Project: provide legal representation to indigent asylum applicants and refugee families; provide translation services in all languages. (Rich Thomas)

(2) Burma: work to improve human rights in Burma following Committee's sending representatives to conference there. (Barb Frey)

(3) Pretrial Detention Standards: assist in drafting international pretrial detention standards. (A background or interest in criminal law and procedure is important.) (Sonia Rosen)

(4) Human Rights Awards Dinner: research/plan an aspect of the Human Rights Awards Dinner; 1992 theme free expression. (Mary Foster)

(5) Public Relations and Media: assist in communicating the Committee's programs. (Mary Foster)

(6) Death Penalty Defense Project: assist with appeal of death row client in Texas or Louisiana. (Sonia Rosen)

(7) Haiti: campaign for human rights protection in unstable political situations. (Sonia Rosen)

(8) Children's Rights: research on child labor practices in Latin America and the Caribbean. (Sonia Rosen)

(9) Cable T.V.: assist in producing Committee's monthly cable T.V. program. (Sonia Rosen)

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**Minnesota Lawyers  
International Human Rights Committee**

400 Second Avenue South, Suite 1050  
Minneapolis, MN 55401  
612-341-3302

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