



DEPARTMENT OF STATE

Washington, D.C. 20520

RECEIVED
APR 30 1982
WASHINGTON OFFICE

3675

APRIL 6 - 1982

FA

Dear Mr. Speaker:

On behalf of the Secretary of State, I am transmitting hereby the Determination required under Section 721(b) of the International Security and Development Cooperation Act of 1981 concerning the continuation of certain assistance, credits and guarantees to Haiti, together with a Statement of Justification therefor.

Sincerely,

Powell A. Moore
Assistant Secretary
for Congressional Relations

Enclosure

RECEIVED
APR 21 1982
COMMITTEE ON
FOREIGN AFFAIRS

The Honorable
Thomas P. O'Neill,
The Speaker,
House of Representatives.

1982 APR -8 PM 1:31

RECEIVED

THE SECRETARY OF STATE
WASHINGTON

SUBJECT: DETERMINATION TO AUTHORIZE CONTINUATION
OF CERTAIN ASSISTANCE, CREDITS AND
GUARANTEES TO HAITI

Pursuant to Section 721(b) of the International Security and Development Cooperation Act of 1981, and the authority vested in me by Presidential delegation, I hereby:

- (1) determine that the Government of Haiti is cooperating with the United States in halting illegal emigration from Haiti;
- (2) determine that the Government of Haiti is not aiding, abetting, or otherwise supporting illegal emigration from Haiti;
- (3) determine that the Government of Haiti has provided assurances that it will cooperate fully in implementing United States development assistance programs in Haiti (including programs for prior fiscal years);
- (4) determine that the Government of Haiti is not engaged in a consistent pattern of gross violations of internationally recognized human rights; and
- (5) authorize the expenditure of funds available for fiscal year 1982 for Haiti to carry out chapter 1 of part 1 or chapter 2 or chapter 5 of part II of the Foreign Assistance Act of 1961, as amended, and the extension of credits and guaranties for the fiscal year 1982 for Haiti under the Arms Export Control Act.

This determination together with the justification therefor shall be reported to the Congress immediately. This determination shall be published in the Federal Register.



April 5, 1982

Justification for Determination to Authorize
Continuation of Certain Assistance,
Credits and Guarantees to Haiti

Section 721 (b) of the International Security and Development Cooperation Act of 1981 provides that funds available for the fiscal year 1982, to carry out chapter 1 of part I or chapter 2 or chapter 5 of part II of the Foreign Assistance Act of 1961 may be expended for Haiti, and credits and guarantees extended for the fiscal year 1982 under the Arms Export Control Act may be approved for use in Haiti only after the President has made certain determinations, based on the following information.

- 1) The Government of Haiti is cooperating fully with the United States in halting illegal emigration from Haiti. In September, 1981, the Haitian Government signed a cooperative agreement permitting the U.S. Coast Guard to interdict and return to Haiti stateless or Haitian vessels bearing intending illegal migrants. The Haitian Government has continued to give extensive publicity to interdiction activities as well as vocal support. Haitian Government officials have facilitated Red Cross access to all those individuals returned under the interdiction program. In addition, the Haitian Government has continued to cooperate fully in accepting the return to Haiti of individuals deported or excluded or voluntarily returning from the Continental United States.
- 2) We have no information that would support an allegation that the Haitian Government is aiding, abetting, or otherwise supporting illegal emigration from Haiti. Haitian Government officials have been given strict orders to enforce the laws vigorously and put on notice that conspiring with migrant smugglers will result in dismissal and prosecution.
- 3) President Duvalier has promised the full cooperation of the Haitian Government in implementing U.S. development assistance programs in Haiti, and the Government has kept its promise. Agency for International Development programs in Haiti continue to focus on some of the

basic needs of the country, including food production, reforestation and family planning. Implementation of prior year programs is also proceeding satisfactorily, as is evidenced by the drawdown of the AID pipeline from \$29.9 million (as of September 30, 1980) to \$20.9 million at the end of FY 81.

4) We consider that the Government of Haiti is not engaged in a consistent pattern of gross violations of internationally recognized human rights, although there are significant human rights problems in that country. While press laws seriously restrict freedom of expression, some fairly harsh criticism of Haitian Government policies is permitted. The majority of individuals who were arrested in the November 1980 crackdown against political and journalistic opposition figures have either been released, or tried under Haitian law for their alleged offenses.

Haiti has allowed international organizations to visit its penal institutions and interview the remaining prisoners who have not yet been tried. No new political arrests were reported in 1981. Follow-up checks on Haitians returned under the interdiction program have indicated they are not being harassed or prosecuted by the authorities.