

STATEMENT OF ENDICOTT PEABODY, ESQUIRE  
ON BEHALF OF THE GOVERNMENT OF HAITI BEFORE THE  
SELECT COMMISSION ON IMMIGRATION AND REFUGEE POLICY  
DECEMBER 4, 1979

Mr. Secretary, Members of the Select Commission, I am Endicott Peabody of the law firm of Peabody, Rivlin, Lambert & Meyers, counsel to the government of the Republic of Haiti, on whose behalf I appear. I welcome this opportunity to speak with the members of the Commission concerning the issues raised on today's agenda. In particular, I wish to express the concern of Haiti for many of its citizens who in recent years have found their way to the United States as undocumented aliens and thus feel the immediate impact of the immigration laws of this country.

As a member state of the American community of nations, Haiti has always maintained a keen interest in the evolving policy of the United States towards immigration and refugees from Western hemisphere countries. Haiti recognizes that the United States has always represented a land of hope and opportunity for many Latin Americans who have sought to pursue their own economic hopes in the U.S. It is equally undeniable that so long as there remains such a dramatic difference in the standards of living between the U.S. and her neighbors to the south, this economic attraction will continue. It is a positive step that America has sought in the last three decades to

open its doors on a more equitable basis to immigrants of all nations.

In this regard, I might interject that the government of Haiti respects the basic right of any of its citizens who may aspire to come to America for whatever reason. The government is forcing no one to leave Haiti; neither is it impeding anyone's lawful departure under proper immigration procedures. The government recognizes the frustration of some in Haiti who find economic progress at home too slow when compared with the attraction of America. But, the government does not want to and will not stand in the way of anyone seeking to find work abroad. Its principal concern, however, is that those who do come, do so safely.

The United States can no longer be expected to receive and accept every person of any nation who may find life better here. This practical limitation is why immigration quotas have been set in this century. A thorough review to insure their equitable administration is no doubt the charge of your Commission. The Haitian government supports any recommendation this Commission may suggest to insure that no person's country of origin or color may ever handicap his or her wish to come to America. The Haitian government assures you that it intends to continue its full cooperation with the U.S.

government in the orderly processing of such persons who may wish to emigrate from Haiti to America legitimately.

In addition to these legal immigrants, unfortunately, there are in excess of 8,000 others from Haiti who have entered this country in recent years without permission and who, upon arrest or apprehension, have claimed political asylum. The story of their journey is a tragedy that is reported repeatedly in the American press. Many persons reportedly pay \$500 to \$1,500 to a ring of smugglers who allegedly offer passage to Florida by way of the Bahamas or Cuba in exchange for what might be a lifetime of savings. Some never see America. They are abandoned at sea or left to die on deserted islands in the Bahamas or the Florida Keys.

The Haitian government deplures this trafficking in human suffering. Those who would profit from the suffering of others must be stopped. The Haitian government is most willing to cooperate with the U.S. officials in the apprehension of anyone involved in this illicit human trade. Indeed, the government of Haiti is actively pursuing the prosecution of persons within its jurisdiction who have been caught smuggling people to America. Such vigilance at both ends of the smuggling route will expedite the elimination of this problem.

Among these same refugees are others who, unable to pay for passage, attempt the trip themselves in small, open boats. They, too, face the dangers of 800 miles of open sea. The Haitian government is doing all that it can to turn back such adventurers for their own safety. However, the country has a long coastline and its meager naval resources are inadequate to the task. It would be misleading to represent here that the Haitian government can do any more than it already is doing to stop its citizens from risking the journey.

Once in America, the illegal Haitian immigrants are often times the further victims of those who would exploit the status of an illegal alien. They find work at sub-standard wages or live on charity. Their need for housing and social services becomes a burden on the community. Many finally end up in jail.

For all of these unfortunate individuals, the claim of being a political refugee from Haiti seems a convenient ploy by which to attempt to remain in the U.S. The Haitian government categorically denies that these people are political refugees under any definition of that term now found in U.S. law. Nor would the proposed new definition of refugee found in the Refugee Act of 1979 now before Congress alter that fact.

Virtually all of these people leave Haiti not out of fear of persecution, but because they want jobs in America.

It is a tragedy, but Haiti does not have jobs for these people. The Haitian government does not desire to interfere with anyone's attempt to find work. Any such refugees who have left Haiti are permitted to return to their homes in Haiti and are not prosecuted for leaving without authorization.

The Haitian government is doing all that it can to improve economic conditions at home. They will continue to improve thanks in part to the generosity of the American government and people. In the meantime the concern of the Haitian government is that the illicit traffic in its citizens to America be halted. The current immigration laws of this country must not be circumvented by such illegal means. Additionally, efforts must be continued to permit those who may wish to emigrate to find new homes in other countries as temporary workers or permanent settlers.

The Haitian government asks that those Haitians who are here in America be treated with fairness and compassion. It does not seek to interfere with the judicial and administrative processes of this government in the processing of their claims for asylum. The Haitians in Florida are not political refugees. They are Haitians who have come in search of a dream. The government only asks that the dream not be destroyed through unfair treatment during the pendency of their claims.

Thank you Mr. Secretary.