

EXTERNAL

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LETTER WRITING ACTION

**Further information on
Haitian asylum seekers
USA (Guantánamo)**

(see AMR 51/05/93, 2 February 1993 and
AMR 51/20/93, 25 March 1993)

In February and March this year, Amnesty International expressed its concern at the refusal of the US authorities to permit more than 200 Haitian asylum-seekers to enter the USA to pursue asylum claims despite the fact that they had been found by the US authorities to have "plausible claims" to refugee status. They were held at the Guantánamo Naval Base in Cuba. The reason for denying the Haitians leave to enter the USA was that most were HIV-positive or had AIDS. (Others were dependants of infected adults or were untested individuals.)

On 16 March 1993, in response to an application by lawyers acting for the asylum-seekers, Federal District Judge Sterling Johnson Jr issued an interim ruling ordering the US administration to improve conditions for asylum-seekers with AIDS at Guantánamo or to evacuate them to the US mainland; the authorities were given ten days to comply with the ruling. Following this ruling, over 30 asylum-seekers were allowed to go to the USA.

In a further ruling on 8 June Judge Johnson found that the US government policy was unconstitutional and violated the Haitians' right to due process. He ruled that the Haitians should be released and the camp at Guantánamo closed.

On 9 June 1993, the US administration announced that it would not appeal the ruling, so removing the final barrier to the entry of the Haitians. All of the asylum-seekers have now arrived on the mainland.

Thanks to all those who appealed. No further action is required.