

# HASTINGS TO HAITI PARTNERSHIP

Working to advance the rule of law in Haiti by supporting legal education and the enforcement of human rights.



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## Ethics Symposium

Imagine engaging in-person in a dialogue about justice reform and professional integrity with three of Haiti's most influential legal trailblazers. HHP members had the opportunity to do just that right here at UC Hastings in February 2015 as part of the **Professional Ethical Integrity: Cornerstone for Rule of Law Reform Around the Globe Symposium**. During the two-day event, organized by HHP veteran **Professor Kate Bloch**, we were honored to have **Dr. Jomanas Eustache**, Dean of **L'École Supérieure Catholique de Droit de Jérémie (ESCDROJ)**, our partner law school in Haiti, **Me Carlos Hercule**, the Batônnier of the Port-au-Prince Bar and President of the Federation of Haitian Bar Associations, and **Me Mario Joseph**, Managing Attorney of the Bureau des Avocats Internationaux (BAI) participate in the symposium. With the translation skills of **Pierre Labossiere** and several of our own LL.M. students, including HHP member **Jean Elias Xavier**, over the course of the event, our guests spoke, not only of challenges facing the judicial system and lawyers in Haiti, but of pragmatic and specific proposals for change to support the rule of law. You can find their insightful commentary and/or a summary of it in volume 39 of the *Hastings International and Comparative Law Review*.

In addition to the formal portion of the symposium, on the second afternoon, HHP held a special gathering of our guests from Haiti to discuss the exciting progress towards launch of a



Pictured (from left to right): Judge Anthony Scirica, Third Circuit Court of Appeals; Mario Joseph, Bureau des Avocats Internationaux; Pierre Labossiere, Haiti Action Network; and Professor Morris Ratner.



Pictured (from left to right): Troy Elder, Jean Elias Xavier, Gabrielle Parris, Mario Joseph, Marguerite Baptiste, Nicole Phillips, Jessica Huang, Father Jomanas Eustache, Stacy Kowalski, Shannon Lankenau, Karen Musalo, Richard Boswell, and Kate Bloch.

criminal and social justice clinic (known as the **GRAALE Clinic**) under the auspices of ESCDROJ. During this discussion, **Roxane Dimanche**, who is one of the co-directors of the new GRAALE Clinic, along with HHP students and faculty participated in a dialogue with our guests about best practices for the new clinic. Our understanding is that the GRAALE clinic will be the first law school clinic in Haiti. Read more on page 4!

## Gold Mining in Haiti: HHP Involved in Study Assessing Human Rights and Environmental Risks

In December 2015, the **UC Hastings Haiti Justice Initiative**—in collaboration with **NYU Law’s Global Justice Clinic** and the Haiti-based **Mining Justice Collective**—published ***Byen Konte Mal Kalkile: Human Rights and Environmental Risks of Gold Mining in Haiti***. The report, spearheaded by Hastings **Professor Brian Gray**, is the result of more than two years of research following a renewed interest in exploring Haiti’s gold resources in recent years.

Professor Gray, along with students **Nancy Schneider** ('15) and **Derek Schaible** ('14) and HHP alum ('09) and Co-Legal Director of the Center for Gender & Refugee Studies **Blaine Bookey**, traveled to Haiti’s Massif du Nord, visiting the communities of Patrico, Roche Plate, Kadouche, and Kankok in March 2014. The delegation met with community associations, presenting on the environmental, social, and human rights risks of proposed gold mining in the country as well as taught the subject at our partners school ESCDROJ and the **Aristide Foundation University law school (UNIFA)**, where HHP Adjunct **Professor Nicole Philips** is a faculty member. ESCDROJ graduate, **Jean Frenel Vincent**, accompanied the Hastings delegation to the North and later visited Hastings, where he spoke with others in the Bay Area on the topic of Haiti’s environment.

We are proud to be a part of this project, which further exemplifies the importance of our long-standing collaborations in Haiti and commitment to practical scholarship, as well as the integral (and highly educational role!) HHP students can play in supporting the work of advocates on the ground to advance human rights and the rule of law. Read the report here: <http://chrgj.org/documents/haiti-mining/>.



Jean Frenel Vincent and Nancy Schneider.



Pictured from our delegation at the far side of the photo are Blaine Bookey, Jean Frenel Vincent, and Nancy Schneider.

## ESCDROJ Celebrates 20 Year Anniversary

By: Moira Duvernay

HHP Alum

“Our partner law school in Haiti just turned 20! This past October, HHP Adjunct **Professor Nicole Phillips** and I traveled to Jérémie, with long-time partner and friend to HHP **Daniel Tillias**, to attend the commencement ceremony and 20-year anniversary celebration of ESCRODJ. I had not been back to Jérémie since I went as a student with the HHP delegations of 2002 and 2003. But going back to Jérémie felt like going home. The warm welcome, the old friends, and the beauty of the coastline – green and lush – made me regret letting so much time pass since my last visit. Invited to participate in the festivities and ceremony as “Marraine” or “Godmother” of the graduating class, I felt unworthy, but also overwhelmed with emotion and gratitude. A true highlight of my life, I shared the honor with the Parrain, or “Godfather,” one of my personal heroes and a champion of human rights, **Bishop Willy Romulus**, co-founder of ESCDROJ. Approximately 1,000 members of the community attended the mass and graduation ceremony held at the cathedral in the center of town. In my remarks, I tried to communicate in my slightly rusty Kreyol how much the ESCDROJ community has inspired our Hastings community over the course of our 15-year-plus partnership.

Returning to Haiti, and especially to Jérémie, has reinvigorated my commitment to working with our ESCRODJ partners to continue to foster exchange and support their efforts to strengthen the rule of law in Haiti through quality legal education. I hope you will join me!”

Donate here to support our partnership: <http://haiti.uchastings.edu/donate/index.php>.



Moira Duvernay and Nicole Phillips join the procession of graduates and professors.



Right photo: Moira and Nicole pictured with Father Jomanas Eustache, Co-Founder and Dean of ESCDROJ.  
Left photo: Moira passes out diplomas to the graduating class of 2015.

## Updates from Haiti's First Legal Clinic

Thanks to many of our alums and other supporters, last year, we raised over \$5,000 to support the launch of the GRAALE clinic at ESCDROJ. The clinic in Jérémie will be the first clinic we know of at a law school in Haiti and provide much needed, free legal services to indigent defendants, sexual assault survivors, and others in the community.

We are happy to report that two of the three repurposed shipping containers—that will house the new clinic—were finally put into place earlier this year. HHP Alum **Connie Kim** ('03) also impressively secured another shipment of books donated from a bar association in France that will be available in the clinic library. Mésianpil Connie! Now on to the construction and curriculum development phases!

Learn more about this initiative at: [haiti.uchastings.edu/Social-Justice-Clinic](http://haiti.uchastings.edu/Social-Justice-Clinic). Help us reach our goal of raising another \$5,000 this year to reserve naming rights to one of the pavilions at the clinic!



Roxane Dimanche (left photo) and Gabrielle Paul (right photo), GRAALE co-directors, pictured at the clinic construction site.

## ESCDROJ Visit to SF: Alcatraz and Beyond

Roxane Dimanche, ESCDROJ graduate and GRAALE Clinic Co-Director, visited Hastings again this year. While at Hastings, she conducted research for her memoire (dissertation) on traditional birth attendants in Haiti. We also had some time for (historical) fun.

HHP President, **Gabrielle Parris** and 1L Representative, **Michelle Morales** took Roxane to visit Alcatraz Federal Penitentiary. Roxane's current work in Haiti with GRAALE largely entails working with individuals who have been imprisoned and are awaiting trial. Since Alcatraz was known to have held some of the most notorious criminals in American history, we thought it fitting for Roxane to learn about the history and prison conditions of a maximum-security prison. As such, Roxane described the lack of basic human rights prisoners are given in relation to horrendous prison conditions and lack of proper due process.

In Haiti, it is common to wait up to a year for a preliminary hearing. Even when attorney representation is available, the chances of confidentiality are slim due to lack of private room availability. Cells hold more than

40 individuals at one time with only a bucket to use for sanitation. Even though Alcatraz no longer hosts any prisoners, the difference in prison conditions compared to Haiti were palpable.

In fact, this issue is currently being addressed at the Inter-American Court of Human Rights in *Yvon Neptune v. Haiti*, a case Hastings helped litigate. The Inter-American Court ruled in 2008 that Haiti's inhumane prison conditions, violates human rights and set out reparations for Mr. Neptune, ex Prime Minister of Haiti. The court recently issued a follow up order finding Haiti has not complied fully with its order to improve detention conditions. As a result, a few delegation members are conducting research on this topic to find out what extent the government has implemented the court orders. In the near future, Roxane hopes to take a delegation to visit a prison in Haiti to gain some insight into what Haitian prisoners are forced to live in.

### 3L Spotlight: Stacy Kowalski

"The semester before I went on the delegation, I was lucky enough to get to take part in the human rights policy delegation to study children's rights in Guatemala through the **Hastings Refugee & Human Rights Clinic**, directed by HHP co-founder Professor **Karen Musalo**. The way that we were taught to prepare for such a trip in the clinic—by thoroughly studying the laws, how they are actually implemented (and not implemented), the gaps in protection, and how to interview people working on these issues locally, in order to prepare a report—was really beneficial in directing how I approached our months before the trip to Haiti.

But the truth is nothing could have really prepared me for Haiti. Everything I had studied about foreign influence and destruction in Latin America and the Caribbean in undergrad was suddenly so real. More than five years after the earthquake, the Western hemisphere's epitomical NGOistan was still in utter shambles—even in areas untouched by the earthquake, like Jérémie. But it was heartening to meet with Haitian organizations working to protect human rights, in spite of the many obstacles before them, and to meet with lawyers bringing cases seeking redress for violation of those rights. These advocates strengthened my resolve to take in all these experiences to learn while in law school so that I could go on to do this type of work after graduation. A couple of months after our trip to Haiti I was able to work with the Center for Gender Refugee Studies to help with research on sexual and gender-based violence in Tajikistan. Nearly a month in Tajikistan studying violence against women was, at times, a pretty intense experience, but I remembered, as I had learned to do in Haiti, to focus on the strength of those who devote their lives to curbing these abuses, barriers notwithstanding.

"HHP was such an important part of my law school experience."

I feel so privileged to have had each of these opportunities while in law school. They truly validated my choice to go to law school and have guided my path as I now approach graduation. These experiences will stay with me as I set out as a new attorney, drawing on the endurance and resilience of the Haitian, Tajik, and Guatemalan advocates that shaped both my law school career and my forthcoming legal career."

## Introducing This Year's HHP Delegation

Eight students—from diverse backgrounds and with various legal interests—were selected to make the trip to Haiti with **Professors Nicole Phillips, Kate Bloch, Jennifer Dunn, and Dean Nancy Stuart**. Unfortunately, because of the political instability related to elections in Haiti, it was decided students would not be travelling to Haiti this spring break. This semester, students have been working diligently on programs to present at ESCDROJ centering on maternal health, access to justice, and ethics. Students will continue working on these projects and some will present their programs to Hastings students. While we are saddened we will not be visiting ESCDROJ, we'd still like you to meet this amazing group of students! Meet our 2016 Haiti Delegation:



### Mary Ariasaif

Mary Ariasaif is a 2L at UC Hastings. She is passionate about international human rights issues in undeveloped countries and criminal justice reform here in the United States. She hopes to pursue a career as a public defender or to work abroad helping undeveloped countries expand the legal process and rule of law.



### Justin Globerson

Inspired by his time spent living, traveling, volunteering, and working abroad, Justin Globerson is committed to pursuing a legal career that empowers brave individuals who choose to leave their homeland in search of a new beginning. His experience with pro bono legal services, cross-cultural exchange, and language immersion attracted Justin to the 2016 Hastings to Haiti Delegation where he hopes to share, learn, and better understand how legal structures can be used to improve the quality of life of people living in both underserved and disaster-stricken communities.



### Janeene Iles

Janeene Iles is a 1L and new member of the Hastings to Haiti Partnership. During her undergraduate studies, Janeene studied International Law and Human Rights and French. She lived abroad for two years in France, however this will be her first time visiting Haiti. She is thrilled to put her French background to work and to engage with the Haitian law students. Janeene is currently interested in learning more about practice fields in the private sector, including international transactional, litigation, global securities, and emerging global companies. Janeene hopes to practice abroad, ideally in Geneva or Paris, once gaining practice skills here in the US and is excited about incorporating her passion for human rights throughout her legal career.



### Thereza Marcondes

Thereza Cristina Bohlen Bitencourt Marcondes is an LL.M. student, previously an attorney in Brazil for almost 10 years. She is passionate about the positive impact that law can have in human rights, in particular minorities. Supporting a project that, ultimately, improves the lives of those who need the most is a reason she is going on the HHP delegation. But she also knows that she will learn more than teach. Working with human rights requires a lot of empathy, and empathy requires understanding and sharing. The HHP delegation will enrich her culture and make her more knowledgeable about the reality of the people that she wants to fight for.



### Michelle Morales

Michelle Morales is a 1L at UC Hastings College of the Law. Her hope is to work in the international legal field and incorporate both areas of human rights and criminal law. She has a passion for helping others and learning how to appreciate the diversity our world has to offer.



### Gabrielle Parris

Gabrielle Parris is a 2L and currently the president of the Hastings to Haiti Partnership. This will be the second time that Gabrielle is traveling to Haiti on the delegation. Gabrielle's grandfather is from Barbados and her grandmother is from Puerto Rico so she has a strong connection to the Caribbean. Gabrielle is interested in international human rights, refugee and asylum law as well as international development. Traveling to Haiti to work one on one with Haitian law students in the advancement of the rule of law feels like a perfect fit.



### Hector Ruiz

Growing up in El Paso, Texas on the U.S.-Mexico border was a constant reminder of the stark disparity in the quality of life between the United States and many other places abroad, where there are often fewer to no opportunities to advance, in addition to serious security concerns. This shaped Hector Ruiz's humanitarian perspective, which ultimately influenced his decision to pursue a career in international human rights advocacy. In the last couple of decades, El Paso's neighboring town of Ciudad Juárez, Mexico has suffered an alarming increase in violence against women and drug cartel related persecutions. Because of the direct impact this had on Hector's immediate family, he became inspired to advocate for those who continue to suffer human rights violations around the world, especially those whose suffering has remained in impunity. Participating in the Hastings to Haiti delegation will make a significant contribution to his legal understanding of some of the conditions that influence refugees' need to flee their homes.



### Tyra Singleton

Tyra Singleton is a 2L and the Treasurer of Hastings to Haiti Partnership. She is interested in corporate finance, bankruptcy, maritime law, real estate, tax, and estate planning. Tyra has never been out of the country, so she is looking forward to broadening her perspective, creating lasting memories with her fellow delegation-mates, and working with Haitian students on legal and human rights issues.

Help support HHP and our partner school in Haiti by donating time and other in-kind contributions! Learn more here at <http://haiti.uchastings.edu> and email us at [hastingstohaiti@gmail.com](mailto:hastingstohaiti@gmail.com) with any questions!

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