

# Haiti: Did the U.S. Provide a “Green-Light” for Duvalier’s Return in 2011?

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*Update: Jean-Claude Duvalier did not appear in court as planned on February 7, 2013. He was represented by his lawyer who read a letter in which Duvalier explained his absence. His audition was reported for the 4<sup>th</sup> time and will be held on February 21, 2013. Duvalier could face arrest if he fails to appear in court on that date.*

*Thousands of Haitians marched through Port-au-Prince on February 7 to protest President Michel Martelly’s patent corruption and drift toward a repressive neo-Duvalierist dictatorship.*

*At the same time, former President-for-Life Jean-Claude “Baby Doc” Duvalier will be personally appearing in the capital’s Appeals Court to answer a challenge by his regime’s victims.*

One year ago, Investigating Judge Carves Jean ruled that Duvalier should not be prosecuted for the many crimes against humanity committed under his 15-year rule from 1971 to 1986, including extrajudicial executions and jailings. Human rights groups like Amnesty International and its Haitian counterparts cried foul, as did over a dozen of people who had filed human rights complaints against Duvalier following his return to Haiti in January 2011. They appealed the decision. Ironically, Judge Jean Joseph Lebrun, the head of the Appeals Court, set the hearing for final arguments against Judge Carves Jean’s ruling for the 27<sup>th</sup> anniversary of the Duvalier regime’s fall.

Feb. 7, 1986 was the day when, after a three-month nationwide uprising against his regime, the playboy dictator and his haughty bourgeois wife, Michelle, drove their Mercedes-Benz through a cordon of journalists at the airport to board a U.S.-provided C-130 cargo jet that flew them, with her furs and his cars, into a golden exile in France.

The Duvaliers divorced but lived the good life off the some \$800 million (according to best estimates) that they and their cronies embezzled from the Haitian treasury. In fact, Judge Carves Jean did charge Duvalier for his “economic crimes,” but the maximum sentence if he were ever found guilty (an unlikely event under Martelly’s regime) would be only five years.

Duvalier returned to Haiti on Jan. 16, 2011 thanks to a Haitian diplomatic passport furnished to him five years earlier by one of his former Haitian Army generals, Hérard Abraham. The former general, whom President Jean-Bertrand Aristide fired in 1991, had been resurrected 13 years later as the Foreign Affairs Minister under the de facto regime of Prime Minister

Gérard Latortue, installed by Washington following the Feb. 29, 2004 coup d'état against Aristide.

U.S. State Department cables provided to *Haiti Liberté* by the media organization WikiLeaks in 2011 reveal that the U.S. Embassy was very “concerned” about Duvalier’s return to Haiti in early 2006, when the de facto regime was about to hold presidential elections on Feb. 7, 2006.

In Santiago, Chile, for example, U.S. Ambassador Craig Kelly “expressed [U.S.] concerns about the Interim Government of Haiti’s (IGOH) decision to approve the issuance of a diplomatic passport for former president and dictator Jean-Claude ‘Baby Doc’ Duvalier,” Kelly wrote in a Jan. 11, 2006 [Confidential cable](#). He asked the Chilean government “to approach the IGOH to make clear that Duvalier’s return would undermine efforts to assist Haiti in its transition to a stable, democratic society.”

The U.S. also talked to France, which “understood and shared our ‘political’ concern that Jean-Claude ‘Baby Doc’ Duvalier might use a diplomatic passport to return to Haiti,” reported a [Jan. 12, 2006 cable](#) from Paris.

In a meeting with then Dominican President Leonel Fernandez, the U.S. Ambassador “urged Fernandez not to allow Duvalier to obtain a visa for the Dominican Republic so as to pass through en route to Haiti,” a [Jan. 17, 2006 cable](#) marked “Secret” reports.

Meanwhile, the cables detail several meetings that U.S. Embassy officials held with Latortue and his officials about Duvalier. What becomes clear in the diplomatic record is that the U.S. Embassy was primarily concerned about appearances, and the bad press Duvalier’s return would generate. “The visuals are bad,” argued U.S. Chargé d’Affaires Timothy Carney in a [Jan. 17, 2006 cable](#) from Port-au-Prince, and “Baby Doc is a risky, potentially divisive, presence.” Carney was reporting on a meeting he’d had the day before with Abraham, who “concluded by refusing to revoke the passport already issued to Duvalier, but confirming that he would do everything in his power to transmit the message to Duvalier that he should not to return to Haiti at this time.”

The most telling bit of the cable is where Carney quotes Abraham as saying that Duvalier “lacks appropriate guarantees, security and otherwise, to secure his reentry into the country.”

Fast forward exactly five years to Jan. 16, 2011. When [Duvalier arrived in Haiti](#) on that day, the U.S. acted as surprised as everybody else and divulged nothing about its opposition to the diplomatic passport provided to Duvalier five years earlier by the very coup regime it had installed in power.



*Michel Martelly and Jean-Claude “Baby Doc” Duvalier*

The Haiti cables that WikiLeaks obtained only covered a period from April 2003 to February 2010, so we don't know what the Embassy was saying in the days just before Duvalier's "surprise" return, which it surely knew was in the offing. But, judging from the 2006 cables, one can reasonably assume that Duvalier would only have returned to Haiti if he'd received the "appropriate guarantees, security and otherwise, to secure his reentry into the country."

Those "guarantees" could only have come from Washington. Then President René Préal, a former anti-Duvalierist militant, surely didn't give them. He launched a "serious effort to put together a case against Duvalier" during the four months that he remained in office, according to human rights lawyer Mario Joseph, whose International Lawyers' Bureau (BAI) helped build the prosecution's dossier. But Préal was replaced on May 14, 2011 by Martelly, and at that point the prosecution against Duvalier "ground to a halt," Joseph said.

The new neo-Duvalierist president was installed through an illegal election in which the U.S. brazenly intervened to bump out the candidate of Préal's party, Jude Celestin, who came in second-place in the first round, and replace him with Martelly, who came in third.

Did the U.S. (and France) feel that the time was right for Duvalier to come back to Haiti, as they were engineering the election of Martelly? Did they offer Duvalier "guarantees" ?

One thing is for sure: the U.S. and its allies did not fight to block Duvalier's return from France in 2011 the way they fought like hell to block Aristide's return from South Africa two months later, as *Haiti Liberté* [revealed when dissecting](#) WikiLeaked cables in 2011.

"The cables show how Washington actively colluded with the United Nations leadership, France, and Canada to discourage or physically prevent Aristide's return to Haiti," we wrote in our Jul. 28, 2011 edition. "The Vatican was a reliable partner, blessing the coup and assisting in prolonging Aristide's exile."

The history of the U.S. Embassy showing Duvalier the door in 1986 and then likely opening it

for him in 2011 makes one wonder what the U.S. will be doing behind the scenes.

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