

# Supreme Court rules U.S. can return Haitians

By Laurie Hansen  
Catholic News Service

WASHINGTON — The United States can continue forcibly returning Haitian boat people picked up at sea while opponents fight the two-month-old policy in the courtroom, the nation's top court has ruled.

The Supreme Court delivered its 7-2 ruling on Aug. 1, three days after an appeals court decision had declared illegal the Bush administration's policy of sending the Haitians home without first interviewing them to determine if they had faced persecution in Haiti.

Church migration officials had applauded the appeals court decision.

The Supreme Court said the case would be decided quickly and gave the government until Aug. 24 to defend its policy. The challengers will have until Sept. 8 to make their case.

In an appeal to the Supreme court, the Justice Department had said the appeals court ruling could "encourage another massive surge in out-migration from Haiti in overloaded, unseaworthy boats."

It also argued that the appeals court ruling could cause harm to U.S. foreign policy, immigration policy and the federal treasury.

But justices Harry Blackmun and John Paul Stevens disagreed, saying the potential dangers awaiting the Haitians outweighed the government's assertions of harm to U.S. policies that would occur while the court considered the appeal.

"The plaintiffs in this case face the

real and immediate prospect of persecution, terror and possibly even death at the hands of those to whom they are being forcibly returned," wrote Blackmun.

Before the Supreme Court ruling, Cardinal Anthony J. Bevilacqua of Philadelphia, a member of the U.S. bishops' migration committee, praised the appeals court decision, adding that "Haitian refugees should be accorded the same rights" as all other refugees.

He also called on the United States and other "influential nations" to intensify efforts to stabilize Haiti's economic and political situation "so that Haitians will not feel compelled to leave their country."

The 2nd U.S. Circuit Court of Appeals July 29 ordered that an injunction be granted preventing the U.S. Coast Guard from turning back any Haitian refugee "whose life or freedom would be threatened."

But a day later the Justice Department already had appealed to the Supreme Court and asked the federal appeals court in New York to stay the lower court ruling. The appeals court lifted for two days the ruling it had made, in order to give the administration the chance to pursue its case with the Supreme Court.

That appeals court objected to President George Bush's May 23 order that the U.S. Coast Guard must return boatloads of Haitians fleeing their country without first interviewing them to see if they feared persecution if returned home. Previously the refugees had been taken to a U.S. naval base at

Guantanamo Bay, Cuba, where immigration officials screened them in a tent city.

The Coast Guard has picked up nearly 40,000 Haitians at sea since a military coup last year ousted democratically elected President Jean-Bertrand Aristide.

Since then the Supreme Court has been asked three times to overturn a lower court order that, in effect, had opened the way for refugees to flee to the United States.

Both times previously, the justices gave the Bush administration the relief sought from the lower-court orders blocking repatriation.

Upon hearing about the appeals court decision, Jesuit Father Richard Ryscavage, executive director of the bishops' department of Migration and Refugee Services, called for a major expansion of U.S. in-country processing of refugees in Haiti.

He also urged the State Department to undertake a comprehensive information campaign in the Haitian capital of Port-au-Prince and the countryside to inform potential asylum-seekers of procedures for applying for refugee status.

"Obviously we're glad the court has reversed current policy and we're hoping it won't be overturned by a higher court," Walt Grazer, deputy director of MRS, told Catholic News Service July 30.

Grazer said MRS opposes interdiction of Haitian boat people on "moral, legal and humane grounds."



AP/Wide World Photos  
City Soleil residents wait in line at a distribution center for U.S. food donations rationed out in Port-Au-Prince Oct. 12, 1991. The Supreme Court ruled Aug. 1 that the U.S. government can continue to return Haitian refugees picked up at sea.

## Bosnians 'are condemned to die of hunger,' report says

By Cindy Wooden  
Catholic News Service

ROME — Catholics and Muslims in northwestern Bosnia-Herzegovina "are condemned to die of hunger" and women religious there face continuing threats from Serbian forces, said a report from the Caritas office of neighboring Croatia.

"The situation in the Diocese of Banja Luka is worsening dramatically day by day," said the July 28 statement, signed by Monsignor Vladimir Stankovic, Croatian Caritas president, and Father Pero Ivan Grgic, a priest from Banja Luka.

During the month of July, the diocesan Caritas office "did not have any success" getting emergency food and medical supplies into the area, northwest of Sarajevo, the statement said.

Information that "confirms that the brutal violence against religious women is being repeated" continues to reach church authorities, Monsignor Stankovic and Father Grgic said in the statement sent to Catholic News Service in Rome.

In late June Pope John Paul II offered prayers for a group of sisters from the diocese who, he said, were subjected to "every kind of maltreatment."

Vatican Radio reported at the time that the younger members of the convent in Nova Topola, a town near Banja Luka, had been raped.

The July Caritas statement noted that although Bishop Franjo Komarica of Banja Luka had not received any "official or written threats," he had

been informed by local authorities that no guarantees of security could be given to any ethnic Croatian, most of whom are Catholic.

"The bishop practically has no possibility of controlling what happens to the priests and faithful in most of his diocese. He does not know where five of his pastors are and whether or not they are alive," the statement said.

The emergency food and medical supplies, which are crucial for the people's survival, cannot be transported without promises of safe passage by Serbian forces.

Not only are the promises not forthcoming, the statement said, but Serbians had stopped trucks, taken the goods and turned relief workers back.

"The international humanitarian organizations are impotent or even are not committed to delivering foodstuffs and medicines to this part of Bosnia," it said.

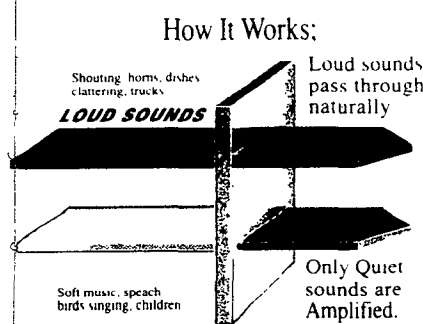
In the Krajina region of Bosnia, which includes Banja Luka, Serbian authorities keep lists of all non-Serbs in the area and "have established an agency for the transfer of inhabitants so that the ethnic cleansing would be accomplished in a completely systematic, organized and quasi-legal manner," the statement said.

Ethnic cleansing is a practice by which people are driven out of their towns because of their ethnic backgrounds.

The United Nations has said Croats and Muslims are partly responsible for the practice, but Serbs have received the most blame.

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