

RELEASE IN PART  
1.4(B),B1,1.4(D),B6

**From:** H <hrod17@clintonemail.com>  
**Sent:** Monday, February 8, 2010 10:05 PM  
**To:** 'millscd@state.gov'  
**Subject:** Re: PM Bellerive on Donors' Conference, SOFA, adoptions, migrants, political dilemma and more

I read all the way down and am very concerned but not surprised. Have you shared the content w Bill? What do you think should be done--and by whom--to address these issues?

----- Original Message -----

**From:** Mills, Cheryl D <MillsCD@state.gov>  
**To:** H  
**Sent:** Mon Feb 08 21:45:58 2010  
**Subject:** Fw: PM Bellerive on Donors' Conference, SOFA, adoptions, migrants, political dilemma and more

See traffic b/l

**From:** Lindwall, David E  
**To:** Mills, Cheryl D  
**Cc:** Koh, Harold Hongju; Merten, Kenneth H; Foote, Daniel L  
**Sent:** Mon Feb 08 19:44:29 2010  
**Subject:** RE: PM Bellerive on Donors' Conference, SOFA, adoptions, migrants, political dilemma and more

1.4(B)  
1.4(D)  
B1

Cheryl, Bellerive hit me up before the beginning of a donors' meeting this morning to say that it's important that the US troops in country be covered by a bilateral agreement that defines, among other things, their immunities. [redacted]  
[redacted] He noted that we have had SOFAs covering every military exercise in Haiti since he has been in government. [redacted]  
[redacted]  
[redacted] His critics have been on the radio daily accusing him and Préval of selling out Haiti's sovereignty by allowing foreign troops into the country. [redacted]

[redacted]  
[redacted] From other statements he made today, [redacted]  
[redacted] David

Classified by DAS, A/GIS, DoS on 08/27/2015 ~ Class: CONFIDENTIAL ~ Reason: 1.4(B), 1.4(D) ~ Declassify on: 02/08/2025

This email is UNCLASSIFIED.

From: Mills, Cheryl D

Sent: Monday, February 08, 2010 7:10 PM

To: Lindwall, David E; Merten, Kenneth H; Kennedy, Patrick F; Brimmer, Esther D; Curtis, Meghann A; Robinson, David M; Jacobs, Janice L; Bond, Michele T; Reynoso, Julissa; Lambert, Christopher A; [redacted]

B6

Cc: [redacted] Lucke, Lewis (HAITI/TDY); Dei, Carleene (HAITI/DIR); De Pirro, Velia M; [redacted] Anderson, Gerald C; Koh, Harold Hongju

Subject: Re: PM Bellerive on Donors' Conference, SOFA, adoptions, migrants, political dilemma and more

Can you explain more on his goals for a SOFA given our joint communique

Adding harold koh

From: Lindwall, David E

To: Merten, Kenneth H; Kennedy, Patrick F; Brimmer, Esther D; Mills, Cheryl D; Curtis, Meghann A; Robinson, David M; Jacobs, Janice L; Bond, Michele T; Reynoso, Julissa; Lambert, Christopher A; Trivelli, Paul A AMB USSOUTHCOM/SC-CC (L)

Cc: 'Keen, Ken LTG USA USSOUTHCOM/SC-CC (L)' [redacted] Lucke, Lewis (HAITI/TDY); Dei, Carleene (HAITI/DIR); De Pirro, Velia M; [redacted] Anderson, Gerald C

Sent: Mon Feb 08 19:01:51 2010

Subject: PM Bellerive on Donors' Conference, SOFA, adoptions, migrants, political dilemma and more

I was in three meetings today with Prime Minister Jean Max Bellerive and he made the following points:

Donors' Confab: The GOH would like to hold the donors' pledging conference in New York on April 15. They have discounted their original date (March 22-23) because there is an IDB meeting in Mexico City on those same dates. There is a technical donors' meetings in Santo Domingo on April 14, and the GOH would like the pledging session to come after it. Bellerive said the GOH would also be open to doing the pledging session on March 31, though they prefer April 15.

Status of Forces Agreement: Bellerive asked me if we could propose to the GOH a SOFA covering US troops in Haiti. [redacted]

1.4(D)  
B1

[redacted] I told him we would consult and get back to him ASAP.

Adoptions: Bellerive signed the two lists of humanitarian parole letters I brought him, [redacted]

1.4(B)

[redacted] asking if we are close to finishing all the kids in the pipeline. In a later meeting with multiple donors Bellerive talked about the case of the ten Amcits being held for allegedly trying to take Haitian children out of the country without authorization. He said that this case is in the hands of the courts and that the Executive has no influence over the outcome, but said it is an example of the GOH's need to control the problem of child trafficking which he said has increased exponentially since the earthquake. He said the judge has three months to decide the case. He has already dropped the most serious charge of kidnapping, and now the charges "only carry a maximum of 15 years in prison." He said that the judge might determine that there isn't enough evidence in the case to try the Amcits. He said that the only

1.4(D)

B1

power the Executive has in the case would be a presidential pardon in the event they are found guilty. He would not speculate on whether Préval would consider a pardon if the Amcits are found guilty.

Migrants: He approved the return to Haiti of 62 Haitian migrants detained on Great Exuma and said repatriations should continue as pre-earthquake normal.

Relations with Dominican Republic: On instructions, I asked Bellerive in private what the GOH believed would be the appropriate role of the Dominican Republic in donor coordination mechanisms. [redacted]

1.4(B)

1.4(D)

B1

Political dilemma: The executive decree establishing a state of urgency expires on February 15 and can only be extended by Parliament. Parliament has been fiercely critical of the Préval/Bellerive government since the disaster, and [redacted] This leaves the government with the dilemma of how to handle extraordinary disaster needs (such as declaring land of public utility) after February 15. UN SRSG Mullet encouraged Bellerive to seek a "full consensus" with the opposition as "nothing short of unanimity" would be required to address the enormous challenges Haiti is facing. [redacted]

[redacted] Bellerive told the donor community that the GOH may soon have to choose between becoming totally ineffective (which he said they will not do) or taking actions that exceed the authority given to the Executive by the law (which he implied they are prepared to do). The government is meeting with the private sector to get their approval of their reconstruction strategy, recognizing that they will have great difficulty getting a consensus with the political parties. Bellerive said that the GOH is also evaluating what to do about upcoming elections and constitutional reform, but implied that they have more time to reach a decision on these matters. [redacted]

Préval to address the nation: The government is going to designate February 12 (the month anniversary of the quake) as a day of national mourning and President Préval will make his first formal address to the nation since the disaster. They are drafting his speech to be part mourning and part the vision of the future. Préval wants to announce that all the ministries are up and running as usual.

Ministries: The PM said that the Primature and the Ministry of Planning will be moving into the old US Embassy building. The courts will move into the old USAID building. The plan to move a number of the ministries out to Croix des Bouquets has met with very little enthusiasm from the main line ministries. They prefer to clear the rubble off of their properties in downtown Port-au-Prince and either build new buildings (EU is offering to finance) or put up temporary structures (Canada is offering to finance).

David E. Lindwall

Chargé d'Affairs

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SBU

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