

Resolution prepared by Ann Fagan Ginger of Meiklejohn Civil Liberties Institute
Adopted at the Portland National Lawyers Guild Convention
October 29, 2005

RESOLUTION ON
U.S. GOVERNMENT VIOLATIONS
OF HUMAN RIGHTS OF
KATRINA VICTIMS

Whereas, National Lawyers Guild Lawyers and student members from Louisiana, Alabama, Mississippi and Texas have been forcibly displaced by Katrina; and

Whereas, all National Lawyers Guild members are saddened by the attacks on the lives of people of color and people with low income first by nature and second by U.S. government actions and failures to act.

Now, therefore, be it resolved by the National Lawyers Guild Convention of 2005 that all Guild members and friends study the facts and the law about the following rights of Katrina victims and the following violations by the U.S. government:

1. **Failing** to continue **funding work on old levees** and flooding regions where African American and poor people lived including the Ninth Ward in New Orleans;
2. **Failing** to make a workable comprehensive **emergency plan**, and delaying evacuation plans and inadequate relief efforts leading to more deaths;
3. **Deploying** many **National Guard troops** from Gulf states to **Iraq**, leaving too few to serve locally;
4. **Putting an incompetent head of FEMA** in charge of U.S. relief work and instructing relief workers to answer questions of displaced people by telling them to "check that with ..." some agency that could not be reached;
5. **Ordering** thousands of untrained government employees to the area to **define people as "looters"** (and even "cockroaches") from poor and African American communities, and to round them up and send them to massive coliseums with no human rights protections;
6. **Ordering** citizens to **evacuate by car**, when thousands had no cars;
7. **Imposing martial law** and sending police/military to treat victims as prisoners, not as internally displaced persons suffering severe emotional and spiritual trauma, and further traumatized by threats of arrest, guns pointed at them, and gun shots fired over their heads;
8. **Failing** to protect the civil rights of evacuating citizens who were seeking peacefully to obey U.S. Government evacuation orders and were stopped by **Gretna police department** and city government and Louisiana Bridge security forces from leaving New Orleans via the Crescent City Connection Bridge leading to Gretna, and had their food and water confiscated;
9. **Failing to retrieve dead bodies** immediately, even when pointed out, making identification of decomposing bodies difficult or impossible, then refusing, in Louisiana, to use two methods of identification used in Mississippi and elsewhere;
10. **Sending people to coliseums** with thousands of others, **without toilets, water, food**, air conditioning, blankets, or trained social workers;
11. **Ordering citizens to get into buses**, without being told the destination and forbidden to get off sooner and passing up elderly and disabled people waiting by the side of the road;
12. **Failing to immediately send available buses** equipped with water, food, and

- supplies to disaster areas and prohibiting entry of water, food and supplies brought by private individuals and organizations;
13. **Immediately announcing no-bid contracts** with large, white-owned corporations already fulfilling contracts to "rebuild Iraq" and not based in the Gulf Coast to rebuild, with no local input or guarantee of jobs to locals;
 14. **Making threats to the media** when they tried to take photos of some areas, of the body retrieval operations, or actions by officers, and confiscation of cameras and photos;
 15. **Enforcing the curfew unequally** by arresting and **even shooting at black residents** for not obeying the curfew in Algiers, Louisiana while permitting white residents to ride around in pick up trucks with guns, leaving the impression that David Duke and the KKK were active;
 16. **Announcing** confusing and contradictory **requirements for people in need of cash assistance** and financial relief and material support and setting impossibly short deadlines to file applications for assistance for destroyed homes before people could possibly return to their homes and estimate how much damage had been done;
 17. **Failing** to carry out the **mandates of the government's 9/11 Commission**, which, according to the Republican chair of that Commission, former New Jersey Governor Thomas Kean, and the Democrat vice-chair Lee Hamilton, former Indiana Congress member, would have helped deal with the confusion that followed Katrina.

And let it be further resolved that Guild members let every government official at every level know that we demand a new policy for dealing with all future natural catastrophes and to stop all types of violations of human rights.

[emphases added]

Note: Provisions of the International Covenant on Civil and Political Rights allegedly violated in Government dealings with some victims of Katrina: Preamble, Articles 2.1, 3, 4.1, 6.1, 7, 9.1, 10.1, 12.1, 17, 23.1, 24.1, 26; and the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Elimination of all forms of Racial Discrimination.

[The 17 points are based on facts collected by the New Orleans and West Coast offices of the People's Institute and the law researched by Meiklejohn Civil Liberties Institute.]



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