



General Situation of Human Rights in Haiti

Meeting with the State Department of the United States of America

The National Human Rights Defense Network (RNDDH)

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General Introduction

Pierre Espérance

Executive Director

RNDDH

1. The National Human Rights Defense Network (RNDDH) is particularly concerned about the systematic human rights violations in the country and the uncertain development of the general situation which seems to be completely elusive to the State authorities.

2. This is a situation where:

- Repeated massacres and armed attacks in disadvantaged neighborhoods;
- Kidnappings that spare no one: doctors, police, schoolchildren, merchants, teachers, etc.;
- Spectacular assassinations;
- Rapes, gang rapes and robberies.

3. This is unfortunately what constitutes the daily lot of the Haitian people who suffer the inability of state institutions to provide the appropriate responses to these violations: the police and justice have been weakened by the current authorities. Never have so many massacres been recorded under a single regime and, more than ever, impunity reigns supreme in the country.

4. I will leave it to my colleague Rosy Augustus to provide you with more details on these facts but, I want to seize this opportunity to assert peremptorily to your attention that the administration of Jovenel Moïse has decided to make alliance with several armed gangs, for political and electoral matters.

5. Finally, I would also like to say that although the indicators of the rule of law have been in the red since 1986, human rights defenders have never experienced such a situation of denial of human rights in the country, after the departure of former dictator Jean Claude Duvalier.

Thank you. I will turn it over to my colleague Rosy Auguste.

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Marie Rosy Kesner Auguste

Head of Programs

RNDDH

1. The National Human Rights Defense Network (RNDDH) thanks you for this opportunity to share with your precise information on the situation of human rights in Haiti.
2. We know that the State Department of the United States is particularly well informed on Haiti but, we remain convinced that we can, by our reading of the situation, allow you to shed light on certain shadowy points.
3. From the outset and without differing, we will tell you that the general living conditions of the population are catastrophic because, the economic and social rights as well as the civil and political rights of the Haitian people are constantly violated.
4. Haitians, impoverished by a state structure that has never put people at the center of interests and by the succession to power of corrupt politicians, are now living in extreme poverty.
5. The most favorable statistics estimate that one third of the Haitian population is subject to an acute food crisis. The rights to decent housing, education, health, and work of the population are systematically violated.
6. In addition to this extreme poverty in which wade a large segment of the Haitian population, citizens are constantly the target of armed bandits. At least one hundred seventeen (117) people were murdered between January and March 2021, including twenty (20) police officers.
7. Since 2018, eleven (11) massacres and armed attacks have been carried out in disadvantaged neighborhoods by armed gangs close to Moïse government. And the toll of these events is very heavy: at least three hundred fifty-six (356) people were murdered. One hundred three (103) others are missing and at least thirty-two (32) women and girls have been gang raped.
8. Kidnappings are today the cruelest manifestation of the trivialization of life and the disregard of human dignity. No one is spared, and all social strata are affected by this phenomenon. And, in general, women and girls are raped during their confinement.
9. Huge sums of money are being paid to the kidnappers when there is no guarantee that the victims will be released.
10. These life-threatening and property-threatening acts are perpetrated by armed gangs, which for the most part enjoy the blessing of the authorities in power, that is, the very ones who invited them to unite in June 2020.
11. Members of these armed gangs are becoming increasingly arrogant. They sow terror at will, pursue

their victims in the street, in broad daylight to abduct them, and simply shoot down people who do not agree to be taken away.

12. The Judicial Police invite the relatives of the abducted victims to negotiate the ransoms demanded by the kidnappers. Yet it is in fact a whole social class – that is, the middle class – that migrates to the underprivileged, because of the kidnapping.

13. No response proportional to the drama of the country is given by state authorities.

14. On the one hand, the various programmed which should have made it possible to improve the living conditions of the population have only given rise to corruption scandals. And, while the spotlight is on the behavior of the judicial authorities in the treatment of the La Saline massacre that occurred on the night of 13 to 14 of November 2018, 10 other massacres and armed attacks took place in the deprived neighborhoods of Port au Prince including La Saline in 2019 and 2020.

15. It was also after the sanctions had been taken by the Treasury Department of the United States, against two (2) officials involved in this massacre, that the last armed attack of Bel-Air occurred. Finally, on February 13, 2021, Fednel Monchéry, one of the officials indexed in this massacre, was arrested during a routine check. He was immediately released on the intervention of his protectors. He was the former Director General of the Ministry of the Interior and Territorial Communities.

16. For several years, the Haitian judicial system has been totally dysfunctional. The impact of this dysfunction is enormous for people in illegal and arbitrary pre-trial detention. For example, as of March 3, 2021, over 84% of the prison population is awaiting trial.

17. Cascading strikes by judicial staff have profound consequences for the country. For example, as a result of the 3 strikes recorded in 2020, several criminal sessions were dismissed and only one hundred seventy-two (172) detainees could be tried in criminal hearings.

18. This judicial apparatus, maintained under the control of the executive authorities, notably for the renewal of the mandate of judges, and of which some members are involved in reprehensible acts, is of no use in the resolution of this endemic insecurity.

19. Yet it is in these general conditions of insecurity and impunity that the state authorities want to organize the elections, while knowing that the departments of West and Artibonite controlled by armed bandits in their pay, alone represent 60% of the Haitian electorate. In addition, talking about elections also considers other crucial factors such as:

- Irregularities and corruption scandals that had tainted the recruitment process of the German firm DERMALOG, for the registration of citizens and the preparation of maps;
- The inability of the Haitian state to issue these cards to voters because it took 2 years to register 3 million of the 7.5 million citizens of voting age;
- The illegitimacy of the electoral body set up by Jovenel Moïse, not the result of a political consensus, set up with members who have not been sworn in before the Court of Cassation and who have an unconstitutional mandate to hold a referendum.

20. Today, the country is ruled by a single man who is obsessed with maintaining power, despite the end of his mandate and despite the visible collapse of the state. He said in early 2021 that he had activated his National Intelligence Agency (ANI) which provides him with information on members of the political opposition. He recently informed the population that they were unable to leave power to protect their supporters and allies.

21. The Haitian people have already shown repeatedly that they are able to decide what is good for them. We are aware that the country needs partners to come out of this crisis but, it is necessary that these partners are friends ready to listen to the Haitians and especially ready to understand that their aspirations are about good governance, the organization of free and inclusive elections, the fight against corruption, the control of the sale and circulation of firearms on the national territory, the adoption of accountability mechanisms and the realization of their civil rights, political, economic and social.

22. This is why RNDDH recommends that you:

- End support for a fundamentally flawed electoral process that will surely lead to a post-election crisis and major political instability with the risk of more victims of political persecution increasing the number of illegal immigrants in the region;
- On the contrary, support free, transparent, and inclusive elections with a legitimate electoral council based on political consensus;
- Position yourself clearly and unambiguously on the unconstitutional organization of the referendum planned by this authority;
- To prosecute all those involved in this regime in the violation of human rights, corruption, and money laundering in the United States;
- Investigate illegal weapons from the United States of America that are easily smuggled into Haiti.