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Before the U.S. House of Representatives Committee on Foreign Affairs

Hearing Entitled "Policy Recommendations on Haiti for the Biden Administration"

Presented on March 12, 2021

Chairman Meeks, Ranking Member McCaul, and Members of the U.S. House of Representatives Committee on Foreign Affairs we would like to thank you for giving us the opportunity to share with you accurate information about the situation of human rights denial in Haiti. Today, all civil, political, economic, and social rights are systematically violated.

On insecurity in Haiti:

The general situation of insecurity devastating our country in recent times is characterized by acts of violence against life and property. In 2020 alone, more than 1,085 people, including 37 police officers, have been murdered. In January and February 2021, the situation remained unchanged with at least 65 people shot dead, including three policemen.

In June 2020, armed gangs federated with the blessing of the ruling administration. And those who are part of this federation are indexed in acts of human rights violations, massacres, and armed attacks, recorded in the country since 2018. However, they lose no influence. They are heard by the authorities in power and their demands are met immediately. For example, they appointed a director-general to the Social Assistance Fund and demanded and obtained the dismissal of the Minister of Social Affairs and Labor.

Between 2018 and 2020, at least ten massacres were perpetrated in Port-au-Prince, the most dangerous city in the country, resulting in the murder of 343 people, the disappearance of 98 others, and the gang rape of 32 women. Two hundred and fifty-one children have been orphaned because of these bloody events.

Moreover, since 2020, kidnapping cases have increased exponentially. On average, four to five people are abducted every day. In general, kidnapped women and girls are victims of gang rape and subjected to cruel, inhuman, and degrading treatment.

After being released, many victims claimed to have been kidnapped by uniformed police officers and taken to confinement in vehicles assigned to the state service or bearing official license plates. Others claimed to have handed over ransoms to individuals accompanied by officers from specialized units of the Haitian National Police. And, in at least one case of kidnapping, two

foreign nationals who were kidnapped were released and taken to the judicial police by a known woman, member of the Government.

The families of the victims go into debt to pay high ransoms with no guarantee that their loved ones will be returned to them alive. And the very fact of carrying the ransom demanded from the kidnappers is in itself a perilous action, for sometimes those who are entrusted with this task are also held for ransom.

Despite an embargo on the import of weapons into Haiti, they enter the country freely and allow armed gangs to perpetrate their criminal actions. The latter have very large quantities of weapons and ammunition at their disposal and often boast that they are better armed than the police institution itself.

On the dysfunction of key state institutions

The Haitian judiciary, ravaged by corruption, influence peddling, and successive work stoppages, is completely dysfunctional. However, since 8 February 2021, the courts and tribunals have been on strike, in protest of the decision of the de facto President Jovenel Moïse to retire three (3) judges of the Court of Cassation and to arbitrarily appoint three (3) others, in violation of the provisions of the Constitution, establishing the irremovability of judges of this Court.

The impact of the dysfunction of the Haitian judicial system is enormous and it is those in pre-trial detention who suffer the most. As of 3 March 2021, 11,445 people are in prison, 9,673 of whom —that is, more than 84%— are awaiting trial.

The executive uses the non-renewal of judges' terms of office as a threat and bargaining tool. And, the judges close to the Government are the only ones whose terms are easily renewed.

In addition, since 2017, de facto President Jovenel Moïse has begun a process of dismantling state institutions created to fight corruption and asset laundering. Similarly, those with the power to control the actions of his administration have been weakened and/or totally undermined.

On the suppression of anti-government movements

In addition, anti-government demonstrations are systematically repressed. Indeed, when citizens decide to demand that their rights and freedoms be respected by those who are called upon to guarantee and realize them, the officers of the specialized police units are formally ordered to attack them, provoke them, chase them, and attempt to take their lives with the obvious aim of creating a climate of terror. Journalists, for their part, are often physically attacked by police officers. On the other hand, several street demonstrations were organized by armed gang members close to the Government and never dispersed. On the contrary, they were protected by the police institution.

On the impossibility of holding elections in 2021

There are not many ways to express this: Elections cannot be held in 2021 in Haiti. Three (3) main reasons can be put forward:

Without taking into account the irregularities and scandals that marred the contracting process of the German firm called upon to distribute identification cards to voters, the Haitian State is unable to issue these cards. It took two years to register three million voters and issue less than two million cards. However, 7.5 million citizens are of voting age. And, if the elections are scheduled for November 2021, all cards should be distributed by August 2021, that is, within five months. This is difficult, if not downright impossible.

The electoral body set up on September 22, 2020 by de facto President Jovenel Moïse did not emerge from a political consensus, which would have given him the necessary legitimacy to effectively organize the elections. And, the members of this electoral body did not take an oath before the Court of Cassation, a sacramental act that is essential for the subsequent setting up of the electoral courts called to hear electoral disputes. It is worth recalling that these courts are made up of members of the Electoral Council, judges, and lawyers. In addition, the electoral council has an unconstitutional mandate to hold a referendum on a new constitution, which is prohibited under article 284-3 of the current Constitution.

The prevailing insecurity in the country is not such as to allow candidates to campaign in large constituencies controlled by armed bandits. For their part, voters will not be able to vote without constraints on election day. At this point, let us take the time to point out that the Ouest and Artibonite departments represent 60% of the Haitian electorate. They are both controlled by armed bandits allied with the Government.

The de facto President Jovenel Moïse should have held elections since 2019 for the renewal of parliament and mayors. He never did it because he wanted to create the chaos and instability that we have in the country today. Since January 2020, the Republic of Haiti has been governed by a single man who has granted himself the powers of the legislative and judicial powers in addition to the powers of the executive branch. And, if he has spent all this time in power without having held elections, it is not now, when his term of office has ended since February 7, 2021, that the country will expect him to fulfill the constitutional responsibility that fell to him.

And when it is a de facto president, desperately clinging to power, who has recently established his own personal intelligence agency, who declares that he is going to win the elections every time, regardless of when they are held, and who makes thinly veiled threats to the people in the opposition, we in civil society have good reason to be afraid because, quite simply, these are dictatorial intentions.

Conclusion

Since 2017, Haitian human rights organizations have not stopped denouncing the actions of Jovenel Moïse because the path he has taken since the beginning of his mandate has always been one of totalitarian power and single-mindedness.

But despite these denunciations, the American administration in particular, the international community in general, as well as the OAS and the UN, have always given their unconditional support to former President Jovenel Moïse, while endorsing all abuses of power to the detriment of the Haitian people, whose demands are clear, simple and just: the respect and realization of their rights.

Today, despite the end of his mandate, Jovenel Moïse refuses to leave and the human rights situation is worsening with political persecution and illegal and arbitrary arrests. In the meantime, he alone controls the country with:

- His personal intelligence agency;
- His coalition of armed gangs;
- His army, remobilized by his predecessor, and whose mission is to fire at close range in the direction of anti-government demonstrators;
- A brigade created to monitor protected areas but for some time now transformed into an armed militia threatening to intervene on the ground to quell anti-government demonstrations;
- A specialized unit of the police institution, normally assigned to the security of presidents and former presidents, but which has been made operational on the ground and involved in many cases of human rights violations;
- A weakened, politicized police force that has overwhelmingly taken up the cause of de facto President Jovenel Moïse and forgotten its mission to protect and serve the people of Haiti.

We ask the Biden administration to:

- Listen to civil society, instead of supporting a totalitarian government implicated in corruption and human rights violations;
- End support for a flawed electoral process that will undoubtedly lead to a post-election crisis and great political instability;
- On the contrary, support free, honest, democratic and transparent elections with a legitimate Electoral Council, resulting from a political agreement and inspiring confidence among the electorate;
- Recognize the illegitimacy of the process leading to the unconstitutional referendum planned by this totalitarian power;

- Prosecute and hold accountable all those in this regime that are implicated in the violation of human rights, corruption, and money laundering and who have ties to the United States;
- Investigate the flow of illegal weapons from the U.S. which are easily smuggled into Haitian territory.

Thank you very much, and I look forward to your questions.