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## Human Rights Council

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Agenda item 10

### Technical assistance and capacity-building

## **Written statement\* submitted by Centre Europe - tiers monde, a non-governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 August 2023]

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\* Issued as received, in the language of submission only.



## Human Rights Situation in Haiti

### I. Historical context

1. In 1804, following its military success against the French colonialist forces, Haiti created the first independent black republic in the world and abolished slavery. Having become a danger to the colonialist and slave-owning states of the time (notably the Europeans and the United States of America), Haiti underwent a long period of isolation and had a colossal “indemnity” imposed on it by France for having proclaimed its independence ii. Since then, Haiti has had to contend with numerous foreign military interventions (including that of the United States of America from 1915 to 1934), which have undermined its sovereignty and resulted in a systemic and chronic multidimensional crisis (political, economic, food, security, environmental, social and cultural), leading to widespread and systematic human rights violations.
2. After the 2nd World War, Haiti was subjected to the violent regime of the Duvalier family for three decades (1957-1986). The end of this era brought neither democratisation nor political stabilisation, as military coups and foreign intervention continued.

### II. The current context

3. Today, the country is faced with a social structure based on the power of criminal “gangs” iii. Since the 1980s, these armed groups have been exploited by political powers. This phenomenon is on the increase with the presidency of Jovenel Moïse, who is said to have operated in concert with gangs to maintain himself in power until his assassination in 2021.
4. Haitians are terrorised by gangs who kill, rape, loot, and control 60 to 80% of the capital, as well as the national highways. City dwellers take refuge in public squares where women and girls are raped, or head for the interior of the country. Affected by malnutrition and disease, these people sink into poverty. The closure of medium-sized and small businesses is disintegrating the country’s economic fabric, driving up the unemployment rate and reducing the population’s ability to provide for itself. In the face of violence, schools are closing their doors, driving down the school enrolment rate.
5. According to figures from the United Nations Integrated Office in Haiti (UNIHRO), 815 homicides and 637 kidnappings were recorded in the first quarter of 2023 iv. According to a report by the Haitian organisation Fondasyon Je Klere (FJKL), between July 2021 and April 2023, under Ariel Henry’s government, 2,845 people were violently murdered, including 84 police officers. The Réseau National de Défense des Droits Humains (RNDDH) recorded 1,005 people kidnapped in 2022 (the actual number is believed to be significantly higher). The kidnappings are a political tool designed to terrorise the population and block popular mobilisation. Between April 2022 and April 2023, FJKL and RNDDH documented 16 massacres. According to UN figures for April 2023, there are 130,000 internally displaced people scattered around the Port-au-Prince metropolitan area v.

### III. The situation in rural areas

6. Successive governments have neglected the needs and demands of peasant communities, which are deprived of the most basic services: drinking water, electricity, health services, schools, access to technical assistance, credit, infrastructure and agricultural inputs (irrigation or watering systems, farm roads, insurance against disasters, etc.).

7. These communities are suffering from malnutrition, even though they were supplying the towns with food. Given the security situation, they are unable to move freely to sell their produce. Peasants are increasingly forced to import food products, “benefiting” from the dumping that is killing off local production. This situation is leading to an unprecedented rural exodus, increasing poverty in the cities and fuelling gang violence.
8. Peasant communities are faced with the grabbing of agricultural land to create industrial and agricultural free zones that aim to “turn Haiti into a capitalist country, an export platform for the American market, (...)”vi. Peasants are arrested and tortured for opposing these projects, for living on land that they have bought, inherited or lived on for decades. The corrupt judicial system, at the service of the land grabbers, contributes to these dispossessions. The right to fair justice for peasant communities is flouted in the courts.
9. The dramatic situation in rural and urban areas is exacerbated by inflation, which averages 50%. According to UN data, in 2021 “Approximately 4.4 million people, or nearly 46% of the Haitian population, were suffering from acute food insecurity, of whom 1.2 million were in a state of emergency and 3.2 million in a state of crisis.”vii

#### **IV. Interventions under UN cover - or not - and the role of the Core Group**

10. Interventions under the cover of the UN have continued for three decades: UNMIH (1993-1996), UNSMIH (1996-1997), UNTMIH (1997), MIPONUH (1997-2000), MICAHA (2000-2001), MINUSTAH (2004-2017), MINUJUSTH (2017-2019) and UNIHRO (2019-2024). One of the aims of these missions was to put an end to human rights violations “that jeopardise the peace, stability and security of Haiti and of the region”viii. They were also intended to “help” the country achieve political stability, ensure the security of its people, train its police force, improve prison conditions and combat corruption and arms trafficking.
11. It must be said that the many interventions over the past 30 years to “help” Haiti have been nothing but an abject failure. One of the reasons for this failure is that the promises made have not been kept. According to the UN Secretary-General, in 2019, only “\$32.4 million out of the \$252.2 million requested (i.e. 13%)” had been obtained to meet the needs of “2.2 million Haitians in vulnerable situations” under the 2018 humanitarian aid planix. The same applies to support and training for the Haitian police: “the national police force does not have the capacity required to carry out its constitutional mandates. Only 27.6% of the strategic development plan (2017-2021) was implemented in the first two years”x.
12. The UN expert on the human rights situation in Haiti, William O'Neill, made the following appalling observation: “Gangs control over 50% of the capital. They rule ruthlessly: kidnapping, extorting and terrorizing the population. Many areas of the city are off-limits to the Haitian National Police. In some instances, the police have colluded with the gangs. The impact on economic, social and cultural rights is devastating. Children cannot go to school, markets are closed or the merchants must pay a “tax” to the gangs, health clinics cannot operate and the basic activities of daily life entail great risks. (...) Conditions [in the Port-au-Prince and Cap-Haïtien prisons] are cruel, inhuman and degrading. The National Penitentiary in the capital in particular is horrific. (...) Over 80% of those in detention have never been tried or convicted of any crime. (...) Weak accountability combined with rampant corruption results in state institutions that fail to protect human rights. The population, understandably, has little confidence.”xi.
13. It is worth noting the responsibility of the Haiti Core Group (made up of the United States of America, Canada, France, Brazil, Spain, Germany, the European Union, the United Nations and representatives of the Organisation of American States). Created in 2004xii after the United States of America, French and Canadian troops overthrew the Haitian government, the Core Group has strongly influenced the country's political and economic affairs.

14. Supported by the Core Group, the current provisional government, led by Prime Minister Ariel Henry, is governing Haiti<sup>xiii</sup> against the will of its people. The group's initiatives include changing the country's Constitution, without any national or popular consensus, reducing the population's participation in the country's affairs, giving foreign powers the right to legally own land in Haiti, and promoting the grabbing of the country's natural resources. To make this political project a reality, the Haitian government has asked for foreign intervention to contain the gangs' actions.

## V. Conclusion

15. The Haitian people need genuine international solidarity to regain their dignity and their rights. In particular, it is vital to put in place all the necessary measures to protect the fundamental rights of the most vulnerable and marginalised populations: peasant and rural communities, workers, people in neglected neighbourhoods, women and girls, young people, etc.
16. Human rights and environmental standards are systematically violated in Haiti by the government and the national oligarchy, with the participation of foreign imperialist powers. The actions of these entities deny the Haitian people's right to self-determination, to food sovereignty and to a healthy environment. In other words, they deny the right to freedom and to life.
17. CETIM and its partners in the field are resolutely committed to the human rights of the Haitian people. They are also committed to an international campaign against a new occupation of the country under any form or pretext.
18. We call on the Human Rights Council and all UN Member States, in particular those involved in the intervention in Haiti, to:
  - put an immediate end to interference in the country's internal affairs. The Core Group must cease all interference and allow legitimate democratic institutions, social movements and political organisations to take the necessary steps to put the country back on the road to peace and democracy;
  - put an immediate end to any plans for an invasion of the country by foreign forces and thus respect the sovereignty, independence and territorial integrity of Haiti;
  - respect their international human rights commitments and protect the human rights of the Haitian people, in particular the economic, social and cultural rights of the most vulnerable sections of the population, as well as the right to self-determination of the Haitian people;
  - contribute to the process of democratic transition, starting with the establishment of a transition government with a clear and precise roadmap to create optimal conditions for the organisation of free and democratic elections.
  - contribute to the re-launch of agricultural production, while protecting the rights of peasants and rural populations, in the light of the provisions of the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas.

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1. This declaration was drawn up in collaboration with the following Haitian farmers' organisations: Tet Kole Ty Peyizan Ayiti, Movimiento Campesino de la Papaya (MPP) and Movimiento Campesino Nacional del Congreso de la Papaya (MPNKP).

2. See CETIM's joint written declaration, A/HRC/13/NGO/21, 22 February 2010.

3. See the Investigation report by the BINUH Human Rights Service and the Office of the United Nations High Commissioner for Human Rights, 10 February 2023, <https://www.ohchr.org/sites/default/files/documents/countries/ht/investigative-report-human-rights-abuses-committed-gangs-zone-brooklyn-july-december-2022.pdf>

4. See Report of the Secretary-General, S/2023/274, 14 April 2023, § 17.

5. *Idem*, § 41
6. See “L’échec des Nations unies en Haïti”, Benjamin Fernandez, *Le Monde diplomatique*, 12 janvier 2011.
7. A/HRC/WG.6/40/HTI/2, 10 November 2021, § 59.
8. See the Security Council Resolution S/RES/2692 (2023), of 14 July 2023.
9. See Report of the Secretary-General, “United Nations Mission in Support of Justice in Haiti”, S/2019/198, 1 March 2019, § 13.
10. *Idem*, § 57
11. William O'Neill's statement of 5 July 2023, <https://www.ohchr.org/en/statements/2023/07/press-statement-un-human-rights-expert-haiti-william-oneill>
12. See S/RES/1542 (2004) of 30 April 2004.
13. See <https://ici.radio-canada.ca/nouvelle/1846080/haiti-ambassades-core-group-democratie-gouvernement>