

Statement of

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Hearing

Haiti at the Crossroads: Civil Society Responses for a Haitian led Solution

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Chairman Meeks, Ranking Member McCaul, and distinguished members of the House Foreign Affairs committee,

Thank you for the opportunity to appear before the committee today to talk about the Haitian crisis, its impact on the Haitian people, and, more importantly, our recommendations on a way out of the crisis and our vision for Haiti's future. My name is Velina Elysée Charlier. I represent NouPapDomi, a Haitian civil society organization that advocates for social justice, anti-corruption, and accountable governance in Haiti.

1-The Haitian Crisis: A country on the brink of total collapse

Over the past 5 years, Haiti has been caught in a multidimensional crisis that has been escalating dramatically. Today, the country has reached a dangerous tipping point with varying social, economic, and political impacts. Due to the complexity and magnitude of the crisis, I will break it down into four different components for the committee, where each component constitutes a crisis in itself. While Haiti is on the brink, make no mistake, this is not just a story of the failure of Haitians but also about policy decisions made right here in Washington.

A. *Unprecedented levels of insecurity and gang violence.*

Haiti is currently facing unprecedented levels of violence and insecurity. Every day, the Haitian population is experiencing an alarming number of killings and kidnappings by gangs that control large parts of the country, particularly Port-au-Prince and its neighborhoods.

A report from the United Nations Integrated Mission in Haiti (BINUH) states that between January and May of 2022 alone, 540 people were kidnapped and more than 780 were killed, not to mention the thousands of families that have been displaced from their homes. At the beginning of July 2022, more than 300 people were killed and hundreds of houses were destroyed by gangs in Cite Soleil - one of the poorest neighborhoods in Port-au-Prince.,

This “gang issue” is a complex phenomenon but is essentially political. Since 2011 - when the PHTK regime came into power - we have observed the government's instrumentalization of gangs. Rather than fighting the gangs, the government used, strengthened, and armed them to exert total control over popular neighborhoods, which allowed them to suppress any form of popular uprising. Several human rights reports have documented the role of the police and government officials in various mass killings perpetrated in poor communities such as LaSaline and Cite Soleil.

Moreover, the illicit trade of weapons and ammunition, especially coming from the United States, has become a lucrative business involving high-profile individuals in the political and business sectors in Haiti.

B. The reign of corruption and impunity.

Alongside the first issue of unprecedented levels of insecurity and gang violence, is the long-standing problem of corruption and impunity, which is endemic in the system of governance in Haiti. Organized crime, illicit trade, and illicit financial flows go hand in hand with corruption in the public administration. Over the past decade, various corruption scandals have been uncovered, the most recent of which is the embezzlement and mismanagement of billions of dollars from the Petrocaribe fund, as highlighted in the 2019 audit reports of Haiti's High Court of Auditors. (Petrocaribe is a regional energy program initiated by Venezuela to provide petroleum products to Haiti on preferential terms that should have gone towards financing development projects.). This very scandal is why NouPapDomi - the civil society organization I represent - was formed and continues to work to fight corruption and promote accountable governance in Haiti.

Illicit trafficking of drugs and arms, and embezzlement of public funds have permitted the establishment of a political and economic cartel that has seized political power and works to maintain its grip on the oversight and judicial institutions to perpetuate this culture of corruption and impunity. This has taken place with the full support of the international community and the US administration.

C. Extreme poverty and social inequality.

Poor governance and widespread corruption have further weakened state institutions, making them unable to deliver essential services and meet the population's basic needs. Today, more than 45 percent of Haiti's population - around 4.6 million people - are in a situation of chronic food insecurity. Inflation is rising at a staggering rate of nearly 30%. The government's recent decision to increase the fuel price by more than 128% will further exacerbate the high cost of living for Haitians in the context of the global crisis with the impacts of covid-19 and the war in Ukraine. The socioeconomic situation is also key to understanding the rise of gangs and insecurity. The social contract between the state and the population must be restored if insecurity is to be sustainably addressed.

D. Political stalemate, state failure, and democratic backsliding

Currently, the “State” is non-existent in Haiti. All of the institutions that constitute the apparatus of the State, as provided for by the constitution, are dysfunctional. The Parliament is not functional as elections have not been organized to elect new parliamentarians. The Supreme Court, the apex of the judiciary, was dismantled by former President Moïse. A de facto Prime Minister heads the executive without any constitutional basis or legitimacy. The latter, who has been identified as a person of interest in the investigation of the assassination of former President Moïse, runs the country without checks and balances, in full impunity. The only legitimacy he enjoys comes from the international community, in particular the United States, which shows him unwavering support, despite his inability to address the crisis in Haiti.

Some of these ills and crises that I have spoken about - corruption, impunity, weak governance and extreme poverty - are not new to Haiti nor to those of you who have been observing Haiti for many years. But what is different about this current crisis and moment in Haiti is the instrumentalization of the gangs by the government for political purposes, the complicity between the current political cartels and the gangs, and the failure of the state has led to unprecedented levels of insecurity, violence, kidnapping and poverty. I would be remiss not to mention the role of the international community in this crisis. It has failed to denounce these practices by our governments (past and present) and has often contributed to bringing to power and supporting unpopular leaders through fraudulent elections.

To address this situation, it is essential to curb corruption and impunity by reforming and strengthening public institutions, through credible and inclusive elections.

2- The Haitian Crisis: The Impacts

A. Social Unrest, Protests and Migration

This situation of insecurity, rampant kidnapping, poor governance, and socio-economic vulnerability has exacerbated social grievances, leading to social unrest. The recent wave of protests in different cities in Haiti following the increase in fuel prices was driven by these grievances, as opposed to the narrative promoted by the government that they were simply the product of a corrupt elite promoting instability.

Another impact of this crisis involves an increase in the influx of Haitian migrants to neighboring countries, including the U.S. The risk of hundreds of Haitians risking their lives to reach the coast of Florida is real, and we are seeing an upward trend in this regard. The U.S. Coast Guard reports encountering more than 7,000 Haitian migrants between October 2021 and June 2022, an increase of nearly 300 percent over the previous year. In June this year, at least 17 Haitian migrants died when their boat capsized off the Bahamas.

B. Impact on Women and Girls

Women and girls are the primary victims of gang violence in Haiti. Reports from human rights organizations illustrate the horrific conditions women and girls face in gang-controlled neighborhoods. According to a report by the National Human Rights Defense Network, in July 2022 alone - more than 52 women and girls were raped in Cite Soleil during confrontations among rival gangs. In April this year, the organization documented more than 18 cases of women raped and 17 executed. The numbers are also alarming for other gang-affected communities, such as Martissant, Bas-Delmas, La Saline, etc.

Gang violence also causes women to flee their neighborhoods and homes to other areas, often to live in makeshift camps. These precarious environments make them more vulnerable and exposed to all types of sexual abuse.

The current crisis exacerbates and worsens the situation of women in several areas. For example, access to education, health care, and justice, which was already highly deficient for women, has become nonexistent for most of them.

3-The Haitian crisis: The US Policy towards Haiti

The policy of the international community and the United States towards Haiti has been a constant for years and has not changed. It has always followed a paternalistic and interventionist approach that often fails to serve the best interests of the Haitian people.

Through its embassy in Port-au-Prince, the United States has continued to support leaders who have emerged from fraudulent elections or corrupt governments that have lost all popular legitimacy. The general impression of the population is that the United States does not listen to the Haitian people and only sides with the leaders who obey them.

The unconditional support of the U.S. administration for the PHTK regime since 2010 is a case in point. Despite the denunciations of Haitian civil society and the mass protests that gathered millions of Haitians to speak up against corruption and the abuses of the PHTK regime, the U.S. administration has consistently and systematically supported the PHTK regime for more than 10 years. The effects of this support are undeniable. The Haitian people have been stripped of their legitimate right to hold their leaders accountable, and the leaders became ultimately accountable only to the international community. This practice further erodes the Haitian social contract and poses a threat to the survival of Haitian democracy.

The U.S. stance in the current Haitian crisis is to support Prime Minister Ariel Henry, even though he has no constitutional mandate or popular legitimacy. This declared and unconditional support for Mr. Henry provides him with a form of legitimacy that empowers him to refuse any domestic dialogue process that could help resolve the Haitian crisis.

4- Nou Pap Dòmi and the Montana Accord.

Nou Pap Dòmi (NPD) believes organizing elections is necessary to re-establish a functioning state and help the country to exit this crisis. It is even more crucial for the vitality of democracy and the renewal of the political class. However, NPD believes that elections in and of themselves are not a solution to Haiti's problems, and it can even be counterproductive if they take place without the proper conditions in place and meaningful popular participation. Flawed elections have contributed to the Haitian crisis. Past elections have been tainted by flagrant fraud, in which the international community has been an active player, bringing unpopular and corrupt leaders to power.

In order to organize credible, honest, and fair elections, we must avoid repeating the same mistakes of the past and ensure a transition process that will lead to fair and credible elections. Since all branches of the state - Executive, Legislative, and Judicial - are dysfunctional - and in the absence of provisions to ensure the institutional continuity of public powers, NPD believes that Haiti must go through a groundbreaking transition. NouPapDòmi supports establishing a consensual and inclusive government to ensure a disruptive transition that can lead to the organization of credible, transparent, and fair elections.

In this spirit, NPD participated in the process that led to the Montana Accord, to which it is a signatory. NPD adheres to and supports this Accord because it is a national initiative that has not

been built under pressure or the influence of outside forces. The Accord promotes the national ownership of the country's decision-making process and proposes a transition that will break with the cycle of corruption, impunity, and misuse of national resources. Contrary to the idea that Haitians are incapable of ruling the country, NPD believes that there are responsible, competent, and patriotic citizens in our country who are fully equipped to lead the country on the path to development and progress.

For decades, the international community has been violating Haiti's self-determination and sovereignty. That must end. We need cooperation in a spirit of solidarity and mutual respect, and not de facto occupation under the guise of partnership. The Haitian people want to be able to take the destiny of their country and that of the future of our children in hand. A sustainable solution to our crises can only be determined in Haiti by Haitians.

5- Recommendation and pathways out of the crisis

All of the above considerations lead us to draw these conclusions and formulate some recommendations to get Haiti out of the crisis, which seems to be stalled and has disastrous consequences on the population.

We call on Congress to contribute to implementing these recommendations, as they will make a significant effort to resolve the crisis and contribute to the development of Haiti as a whole.

In the short-term, the Biden Administration could help Haiti through the following measures:

- a) Stop propping up Prime Minister Ariel Henry and the current government, as it is obstructing the path towards a sincere, national dialogue between Haitians.
- b) Provide support for investigating acts of corruption and embezzlement, drug trafficking, and illegal firearms trafficking.
- c) Use appropriate U.S. legal instruments to impose sanctions on high-profile individuals involved in corruption and who support and facilitate gang violence in Haiti, particularly government officials and members of the oligarchy.
- d) Adopt drastic measures to halt the illicit trafficking of weapons and ammunition from the United States to Haiti.

e) Provide support for the investigation of the assassination of President Jovenel Moïse to identify, arrest and judge the intellectual and material authors of this crime. It is worth recalling that many of those implicated in the assassination claimed to work for or have the support of various US government agencies. Congress has an instrumental role to play in helping uncover the truth about what took place.

In addition, other structural measures must also be taken to enable Haiti to emerge from this situation in a sustainable manner, these include:

f) The international intervention to which the country has been subjected for decades and which is becoming more and more pronounced is counterproductive and has greatly contributed to bringing Haiti to the brink of collapse. The failure is therefore also that of the international community. It would be good if international partners could learn to question their interpretation of the situation from time to time. For example, the assumption that the recent protests and demonstrations are orchestrated by invisible forces that have manipulated the people reflects, at best, a tendency to infantilize the Haitian people as incapable of making the right decisions for their future.

g) The situation in Haiti is unique and complex. We need adapted and innovative solutions. There are Haitians who have the competence, vision, and commitment to put the country on the path to a better future. We must therefore allow the Haitian people to decide what is good for their country and not impose on them leaders who only defend their own interests. Working with and listening to progressive forces of the nation and not the same corrupt figures who have led the country to the disaster we are experiencing today would be a step in the right direction.

h) The Montana Accord is a Haitian proposal and is the most viable and credible solution to get the country back on track to constitutional normalcy. We believe that, without U.S hands on the scale, a real Haitian solution will be able to emerge. The rhetoric we have heard of the U.S not choosing sides ignores the reality and the role of the international community in bringing the situation to where it is today. We do not ask for intervention but rather the END of ongoing intervention.

i) It is necessary to put things in perspective and establish responsibilities. The international interference has done a lot of damage to the country as well. Haitian people are tired of this interference and are asking for a change in the international policy towards Haiti. We want to move

from the stage of assistance to an active international cooperation where Haitians become the real actors who define and implement the major projects for the development of their country.

j) The various international interventions have not helped to solve the problems, but rather have exacerbated them. Despite the weaknesses of the National Police (the PNH) which has been trained and equipped by the United States - it must not be replaced but be strengthened.

Finally, we thank you again for the invitation; we hope that this discussion will not be one more discussion but rather the initiation of a real process of consultation with the Haitians to reflect together on the forms of support needed for a lasting solution to the crisis. We have spoken in front of Congress before, yet U.S policy has remained unchanged. This must be more than just talk, we need to see real changes.