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| **Haiti Table of Contents\****(\*This TOC is a sample only and not a comprehensive listing.)* |
| **Elections** |
| **National Network for the Defence of Human Rights (RNDDH), *RNDDH Report on the Presidential and the Parliamentary Elections Nov. 28th, 2010* (Dec. 3, 2010) *available at* https://www.haitipolicy.org/RNDDH%20Nov%2028%20election%20report%20English.pdf?PHPSESSID=5a0dc834f6b8e4c9cc573f1e5e53b467*** “On the 27th of September 2010, the campaign was declared open. . . . The second phase of this campaign enameled in various parts of the country; clashes between supporters of candidates, and assaults and attacks against political leaders. At least *two* (2) people lost their lives in ***Beaumont,*** in ***Grand Anse.***”
* “the ***Haitian National Police*** (PNH) and the judiciary have shown a unique permissiveness in the face of rising violence in the country”
* “voting day was marred by several instances of irregularity, fraud and violence that must be reported”
* “The voting booths made of cardboard, and placed on benches and tables, were not in any way sufficient to ensure the secrecy of the vote”
* “In the township of ***Roche-a-Bateau*** in the ***Southern*** Department, the ***Ecole Nationale de Montas*** polling center witnessed a situation unlike any other. The proxies and staff of *three* (3) polling stations in this center forced voters to declare at the doors of the offices, the names of the candidates for whom they intend to vote”
* “Shrouded in agitation, the election was characterized by massive fraud, orchestrated by leaders of the **Communcal Electoral Office** (BEC) and the **Departmental Electoral Office** (BED), candidates, proxies, supporters and sympathizers of political parties, members of polling stations, etc. To do this, they also engaged in acts of intimidation and violence, some more spectacular than others”
* “In ***Drouillard,*** in **Cite Soleil**, the president of polling station #34, Sherline Peserville, was savagely beaten by INITE and REPONS PEYIZAN supporters for refusing to sign a batch of *fifty* (50) ballots”
* “At ***Delmas 2,*** individuals, mostly supporters and sympathizers of the party REPONS PEYIZAN entered the polling center ***Building 2004*** and wreaked havoc. They looted the ballot boxes, and ballots papers were torn up and strewn about”
* “The majority of supervisors proved adept at performing their tasks. Called by all the polling stations in which they manage operations, they had to make decisions (in the face of insufficient materials), to replace absent members of offices, to find agreement between the proxies of different political parties who claimed the right to enter all the polling stations”
* “The members of polling stations and proxies are generally young people. They display unprofessional behavior and serious disregard of the mission entrusted to them. They violate the Electoral Act, and clearly reveal their political affiliation and influence voters by asking them openly, or through cryptic phases and jokes, to vote in favor of their own candidate”
* “RNDDH lists *one hundred and seven* (107) polling stations that were vandalized or burned. This number is far from reaching reality. At least *four* (4) people were killed including *two* (2) on polling day. Approximately *ten* (10) people were injured”
* “in some parts of the country, many supporters and sympathizers of political parties such as. . . REPONS Peyizan were implicated in cases of irregularities, fraud and rare cases of violence”
* “Due to the gravity, and the systematic and repetitive nature of fraud and violence reported on November 28th, 2010, RNDDH believes that this was a premeditated operation on the part of the executive powers”
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| **Deborah Sontag, “Election Violence Flares in Haiti,” *N.Y. Times* (Dec. 8, 2010) *available at* https://www.nytimes.com/2010/12/09/world/americas/09haiti.html*** “Violent protests, ignited by preliminary presidential election results that were widely considered suspect, shut down the troubled country. . . and threatened the fragile stability that has held since the devastating Jan. 12 earthquake”
* “The unrest was provoked by the national electoral council’s announcement late on Tuesday that Mr. Preval’s protégé a former state construction company executive named Jude Celestin had edged out a popular singer, Michel Martelly for a spot in a January runoff against Mirilande Manigat, a former first lady”
* “But even before the results were announced, Mr. Martelly had vowed to challenge them, and many who took to the streets on Wednesday waved pink campaign posters with his picture and nickname, Bald Head”
* “The Nov. 28 elections were marred by disorganization, voter intimidation, the ransacking of polling stations and fraud”
* “Shortly after the preliminary results were released, the United States Embassy had expressed its own skepticism about the election results’ ‘irregularities’ and inconsistency with the findings of an independent Haitian group. . . The group found Ms. Manigat and Mr. Martelly to be the front-runners”
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| **PBS.org, “Haiti Unrest,” (Dec. 10, 2010) *available at*** **https://www.pbs.org/wnet/religionandethics/2010/12/10/december-10-2010-haiti-unrest/7663/*** “Violent demonstrations broke out in Haiti this week over allegations of fraud in the recent presidential election—this on top of the growing cholera epidemic”
* “The political unrest, protests in the streets, sometimes violent clashes have really created a situation where it’s hard for people to get around. Many of the relief groups and the faith-based groups have been on lockdown for several days”
* “There was an Episcopal delegation with the presiding bishop ft he US Episcopal Church. Their flight got—their plans got cancelled, postponed anyway. They are trying to figure out what to do. A lot of people can’t come and go because the airports have been closed. That’s how bad the situation has been”
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| **Clement Doleac and Sabrina Herve, “Elections in Haiti Pose Post-Electoral Crisis,” *Council on Hemispheric Affairs* (Dec. 10, 2015) *available at* https://www.coha.org/elections-in-haiti-pose-post-electoral-crisis/*** “Apparently aiming to impose the electoral agenda, Martelly himself chose the electoral authorities in the form of the Provisional Electoral Council. . . . He will control Parliament, and the candidate he hand-picked to succeed him, Jovenel Moise of the Parti Haitien Tet Kale (PHTK), who is likely to win the runoff on December 27. Needless to say, democracy remains in jeopardy”
* “The decrees regulating the electoral process and creating the makeup of the CEP were both mainly drafted and chosen by the executive power represented by President Martelly, after he first dissolved Parliament due to the fact that two thirds of the Senate seats and the chamber of deputies were vacant after elections were not held”
* “As reported by the International Crisis Group in February 2013 the lack of ‘ideolog[ical]. . . clarity leaves citizens unable. . . to choose between clearly defined platforms’ in this fragmented political landscape. . . . To some extent this diffusion of political input masks the fact that actual power rests in the hands of only a few well-positioned party leaders”
* “Understandably, therefore, most of the pollical parties and the opposition forces were skeptical about the CEP’s independence and the state of democracy in the country”
* “CEPR stated that the CEP also excluded from the presidential vote totals about 490 tally sheets amounting to 3.6 percent of the total, due to fraud, tampering, or clerical errors”
* “For months the CEP has flooded political parties with passes authorizing their delegates to sit inside the voting areas to ensure the impartiality of the electoral process. Those monitors, called ‘*mandataires*,’ traditionally have been too few, but this time the CEP printed around 1 million passes, according to CEP president Pierre Louis Opont”
* “The ridiculousness of this flood of monitors is more obvious when compared to the number of voters: electoral observers estimated a 25 to 30 percent turnout, which means that around 1.5 million voters went to vote, for nearly 1 million monitors to process, so more than half of the votes could have come from monitors”
* “As reported by the sole member of the CEP who refused to sign the preliminary results, Jacceus Joseph, the Tabulation Center could ‘have done more to address the allegations of electoral fraud. . . . ‘There is a deficit of credibility in the electoral process”
* “The partial legislative and local election in August received much less coverage than the preliminary presidential election, but has already given an immense advantage to pro-Martelly political parties in the future Parliament”
* “In the Chamber of Deputies, the pro-Martelly parties gained 45 seats of a total of 93, and control nearly 21 candidates going for a second round. This means that the pro-Martelly coalition will probably control more than 47 seats, a majority of seats in the Chamber”
* “In the local elections, President Martelly’s political party, the PHTK also won 30 mayoral races, and the capital Port-au-Prince, out of 140 municipalities”
* “With such a control of Parliament, the pro-Martelly political parties and candidates could become the big winners of those flawed elections”
* “Most of the main candidates in the preliminary presidential elections except Jovenel Moise. . . have rejected the preliminary election results. . . They have denounced massive frauds, backing up their assessment with tenacious facts. They say the preliminary elections were marked by ballot stuffing and by evidence that the political party monitors could vote multiple times, and also because of the way the CEP managed the ballots and the counting”
* “Pierre Esperance, the head of one of the largest human rights networks in Haiti, who had access to the Tabulation Center the day of the vote said that ‘In 97 percent to 98 percent, there is massive fraud and gross irregularities,’. . . . ‘there are irregularities that are so grave it tells you “This is something that was planned”’”
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| **Haiti Elections, A Resource and News Blog, “CEP Issues Reprimand to Parties- But Is It Enough?” (Aug. 26, 2015) *available at* haitielection2015.blogspot.com/2015/08/cep-issues-reprimand-to-parties-but-is.html*** “In a communique, the CEP ‘deplored’ the fact that candidates and their sympathizers had ‘disrupted’ the voting on August 9, ‘ransacking Voting Centers and stealing voting materials’”
* “The CEP identified 8 of 10 departments where such incidents occurred and identified the parties guilty of election-day disruptions in each department”
* “President Martelly’s PHTK was reprimanded for perturbing the vote in 6 different department on August 9, while Bouclier – a party widely perceived to be an ally of PHTK – was cited in 4”
* “Disturbingly, what the CEP’s communique seems to show is that causing trouble goes hand-in-hand with electoral success”
* “President Martelly’s PHTK leads all parties with 25 first-place Deputy candidates going into the second round. Of those 25 leading candidates, 17 come from departments where PHTK engaged in electoral abuses, according to the CEP communique”
* “For PHTK’s Senate candidates, 4 out of 8 going to the second round come from departments where the party’s behaviour was criticized by the CEP”
* “In the absence of action taken to exclude the offenders, candidates from political parties issued warnings by the CEP will dominate the second round of the legislative elections in many departments”
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| **Institute for Justice and Democracy in Haiti, *Haiti at a Crossroads: An Analysis of the Drivers Behind Haiti’s Political Crisis* (May 2019) *available at* http://www.ijdh.org/wp-content/uploads/2019/05/IJDH-Report-Haiti-at-a-Crossroads-May-2019.pdf*** “Haiti is in the midst of an escalating political crisis that has repeatedly paralyzed the nation. Tens of thousands have been taking to the streets to protest President Jovenel Moise’s corruption, economic mismanagement, and impunity for human rights abuses”
* “Protesters are demanding President Moise’s resignation – a call that is backed by a coalition of political parties, many civil society organizations, and Senators and Deputies including from the President’s own political party”
* “Protesters are demanding systematic reforms to increase government accountability and responsiveness, to reign in widespread impunity for corruption and human rights violations, and to give Haiti’s impoverished and marginalized a meaningful voice in governance”
* “Official investigations [of PetroCaribe] have implicated much of Haiti’s political class, including numerous high-level officials throughout recent administrations, in the corruption scandal”
* “At the executive level, President Moise unlawfully fired the director of UCREF, the financial crimes unit that produced an investigative report during the 2016 elections implicating President Moise in money laundering, and replaced him with an unlawful ‘interim’ director more favorable to Moise. The new Parliament dominated by President Moise’s allies then passed a law that granted the executive *de facto* control over the entity, greatly undermining its independence”
* “Civil society is pushing for accountability form the streets in Haiti to social media around the world. Massive protests were held in August, November and December 2018, and February 2019, and are expected to continue”
* “Without a popular mandate to govern, President Moise and his appointees have instead relied on a patronage network to support them. In order to maintain this network of supporters, the government diverts funds from the treasury and from social programs, resulting in further economic problems for an already-impoverished country”
* “President Moise oversees a government responsible for grave human rights violations, including extrajudicial killings, violent evictions, and police abuses. The state-sponsored violence has targeted the poor and vulnerable and has been used to suppress the opposition movement and consolidate power for President Moise. Abuses have largely been carried out with impunity, and victims have been unable to obtain legal recourse in violation of their rights”
* “The Moise administration has responded to brutal rights violations with silence”
* “President Moise pushed out the UN’s chief officer in Haiti in 2018 after she spoke out on corruption”
* “On November 13, 2018, in the days leading up to long-planned nationwide protests, armed gangs carried out a brutal government-sanctioned massacre in La Saline, and longtime convening spot for anti-government protests. Assailants killed at least 71 people, including women and children, raped at least 11 women and looted more than 150 homes”
* “Witnesses [of the La Saline massacre] reported that perpetrators were transported to the areas in police vehicles, and that some wore official police uniforms. . . . A Galil automatic rifle used by a gang in the assault was traced to Haiti’s National Palace”
* “Human Rights Groups fear that the government’s increasingly-rapid revival of the notoriously brutal *Forces Armees d’Haiti* (FADH). . . is intended to provide the President with another tool to limit political dissent”
* “the 2010-2011 elections that brought Michel Martelly. . . into power were marred by fraud, irregularities and the exclusion of Haiti’s largest party. . . from participation”
* “The Haitian justice system suffers from pervasive corruption and chronic underinvestment, resulting in systematic impunity for human rights violations”
* “A recent report by RNDDH found that annual salaries for judges in the courts of first instance averaged between $4,800 and $7,520, which almost requires judges to accept bribes if they are to live a modest middle-class lifestyle. Allegations are rarely pursued since judicial agents are often complicit in acceptance of bribes and preferential treatment of the elite. . . . courts have exercised no restraint on governmental corruption and grave human rights violations”
* “The HNP has developed relationship with gangs and does not have adequate structures for officer accountability when abuses occur”
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| **Corruption** |
| **Kim Ives, “A Year of Corruption: Retrospective on 2017,” *Haiti Liberte* (Dec. 27, 2017) *available at* https://haitiliberte.com/a-year-of-corruption-retrospective-on-2017/*** “Five features characterized the year 2017 in Haiti: ‘corruption, corruption, corruption, corruption, and corruption,’ to paraphrase President Jovenel Moïse. . . . Such straight-faced hypocrisy adds to the surreal nature of 2017, during which the most patently corrupt politicians pretended to lead the fight against corruption”
* “Having won the controversial, anemic elections of Nov. 20, 2016, Moïse assumed office on Feb. 7 under indictment for money-laundering, which was painstakingly detailed in a 68-page report in August 2016 by the government’s Central Financial Intelligence Unit (UCREF). . . . Moïse succeeded in replacing [him] with a lackey on Jul. 6”
* “The next day, Moïse also replaced Lionel Constant Bourgoin as head of the government’s other watchdog agency, the Anti-Corruption Unit (ULCC), with Maj. David Baile, who sits on the board of Moïse’s Haitian Bald Headed Party (PHTK)”
* “Meanwhile, Haiti’s Senate president Youri Latortue, whom the U.S. Embassy has characterized as a ‘Mafia boss,’ ‘drug dealer,’ and ‘poster-boy for political corruption,’ headed a corruption-investigating Senate commission which issued a report in August 2016. But its finding were so deficient that a second Senate commission of inquiry. . . put out an Octover report on official misuse of funds from Haiti’s PetroCaribe account from 2008 to 2016”
* “The revelations in the new report that there was ‘large scale state fraud’ have caused a sensation”
* “as Sonel Jean-Francois [of the opposition] said: ‘In Haiti, all the power is centralized in Mr. Jovenel Moïse. He has the executive, he has the legislative, he has the judiciary’”
* “ ‘It is true that he will hold almost absolute power with the support of the majority of parliamentarians, most of whom have as bad a reputation as he does. Thus, he will be free from any constraint to continue the PHTK policy of turning over the country’s natural resources to the multinationals while paving the way for embezzlement of public funds”
* “a popular uprising against corruption and President Moïse has grown since September. . . . it clearly expresses the deep anger, frustration, and determination of the Haitian masses to continue fighting for justice and democracy”
* “Jul. 6, 2017: President Moïse fires Sonel Jean-Francois as head of the URCREF and, the next day, Lionel Constant Bourgoin as head of ULCC. They are replaced with Joseph Oldy Bellegarde & Maj. David Bazile, two PHTK lackeys”
* “Jul. 12, 2017: Klaus Eberwein, the head of the Fund for Economic and Social Assistance (FAES), apparently commits suicide in Miami. Some suggest that it may have been murder, because he was to testify before a Senate committee about corruption a few days later”
* “October 2017: Many demonstrators arrested by police during ongoing anti-government protests are imprisoned without charges in the National Penitentiary”
* “Nov. 7, 2017: Sen. Evalliere Beauplan’s Commission of Inquiry releases its report alleging ‘large scale state fraud’ in the spending from the PetroCaribe fund from 2008 to 2016”
* “Dec. 4, 2017: Hundreds march in a spirited anti-corruption demonstration in Port-au-Prince”
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| **Haiti Libre, “Haiti – FLASH: Haiti 12th Most Corrupt Country Out of 180,” (Jan. 28, 2020) *available at* https://www.haitilibre.com/en/news-29882-haiti-flash-haiti-12th-most-corrupt-country-out-of-180.html*** “In the latest Transparency International Corruption Perceptions Index 2019 report, Haiti ranks at the bottom of the 12 most corrupt countries in the world in 168th place out of 180 countries. . . . With a score of 18 out of 100, Haiti ranks 1st among the most corrupt countries in the Caribbean”
* “The index ranks 180 countries on a scale of 0 to 100, depending on the level of perceived corruption in the public sector”
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| **Jacqueline Charles, “That There is Corruption in Haiti Isn’t a Surprise. But Then a Senator Admitted it Openly,” *Miami Herald* (Oct. 4, 2019) *available at* https://www.miamiherald.com/news/nation-world/world/americas/haiti/article235434697.html*** “A pro-government Haitian senator recently went on the radio and made an unexpected admission: The Haitian government, of which he is a part, runs on corruption”
* “‘There is always money distributed for the ratification of a prime minister,’ Sen. Kedlaire Augustin said on the popular ‘Guest of the Day’ program on Vision 2000. ‘This is the practice. Without these actions, some senators may not be in favor of the government in question’”
* “Corruption is no longer a secret but an open and accepted practice, and whatever shred of public trust there was in government has evaporated”
* “Emile said Augustin’s surprising statement during an interview last month added fuel to an already blazing fire. It came days after a former ruling party ally who has joined the opposition, Sen. Sorel Jacinthe, told reporters that Augustin and four others had accepted $100,000 each to confirm President Jovenel Moïse’s latest pick for prime minister, Fritz William Michel”
* “Jacinthe also accused Senate President Carl Murat Cantave of offering him money to vote in favor of Michel. . . Michel has denied the bribery allegations along with other corruption accusations that he raked in more than $16 million in government contracts, which included the sale of goats for $500 a piece to the government while he was employed in the ministries of finance and agriculture”
* “But the fallout of the allegations, coupled with the admission of another member of Parliament, Sen. Willot Joseph, that he accepted $100,000 and saw nothing wrong with doing so, has showed that. . . Haitians’ tolerance of graft has limits”
* “[The people] are thinking, ‘How come the country does not have enough money to subsidize gas or support parents on back-to-school needs, while big money is buying congressmen’s votes?’”
* “‘For the Haitian people, the Senate is a bunch of thieves. . .,’ said Sen. Patrice Dumont, a first-term senator who has been outspoken about the scandal gripping the chamber”
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| **Sandra Lemaire, “Haiti Senator Admits Accepting Bribe for Parliament Vote,” *VOA News* (Sep. 13, 2019) *available at* https://www.voanews.com/americas/haiti-senator-admits-accepting-bribe-parliament-vote*** “Haitian Senator Willot Joseph, a member of the ruling PHTK party (Pati Ayisyen Tet Kale), admitted Friday that he accepted a $100,000 bribe from Prime Minister-Designate Fritz William Michel in exchange for a yes vote on his nomination”
* “‘I don’t have any problem with [accepting] money that comes my way without having to sign for it, or any kind of paper trail. I take it and I don’t have to be a hypocrite [about it] with anyone,’ Joseph said”
* “Opposition Senator Surel Jacinthe told reporters Wednesday, ahead of the Senate vote, that Senate President Carl Murat Cantave personally came to his home to offer him $100,000 in exchange for a yes vote. He also named several other colleagues whom he alleges were offered bribes and accepted”
* “Asked if he personally had ever accepted money in exchange for a vote, [Senator Cantave] claimed there wasn’t a single lawmaker who had rejected such an offer”
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| **Georges A. Fauriol, “An Anatomy of Corruption: Haiti,” Center for Strategic and International Studies (Nov. 29, 2018), *available at* https://www.csis.org/analysis/anatomy-corruption-haiti*** “A network of corruption permeates all sectors of public governance, the magnitude of which is confirmed by Transparency International’s 2018 Index raking Haiti as the second most corrupt country in the hemisphere after Venezuela. This impacts all sectors of society”
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| **Alex Daugherty, “Congress Holds First Hearing on Haiti in Six Years Amid Political Instability,” *Miami Herald* (Dec. 11, 2019) *available at* https://www.miamiherald.com/news/nation-world/world/americas/haiti/article238204744*** “Rep. Frederica Wilson entered a meeting room in Washington and asked a group of Haitian activists about efforts to impeach their embattled president, Jovenel Moïse”
* “Emmanuela Douyon, an economist and activist with Petrochallenger and Nou Pap Domi anti-corruption grassroots movement, laid out a scenario that makes the allegations against Trump look miniscule in comparison”
* “‘They voted against [impeachment],’ Douyon said of the Lower House of Deputies in the Haitian Parliament that is controlled by the executive. ‘Parliament members received money for their vote. There is a corrupt Parliament where the majority allies with the president and they are taking money from the president and their party to vote when he needed their support’”
* “Pierre Esperance, the executive director of the Haitian National Human Rights Network, said Moïse uses armed gangs to combat political dissent. Esperance said the government’s actions have led to the deaths of 187 protesters since July 2018, with 42 of them shot execution-style”
* “‘These armed gangs bolster the political interests of their protectors by attacking the population. . .’ Esperance said. ‘Armed gangs, with the protection of the government authorities, have carried out five massacres over the course of President Moïse’s administration’”
* “One of those massacres happened in the La Saline neighborhood in November 2018. Several members of Congress wanted to know if anyone, including two individuals appointed to their posts by Moïse, had been prosecuted. None has, Esperance answered.”
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| **Gangs “Bandits”** |
| **Bureau des Avocats Internationaux (BAI) & Institute for Justice & Democracy in Haiti (IJDH), *Human Rights and Rule of Law in Haiti: Key Developments June through November 2021* (Nov. 30, 2021) *available at* http://www.ijdh.org/wp-content/uploads/2021/12/IJDH-Human-Rights-Update-November-2021.pdf*** “the government has continued to dismantle the country's accountability systems, which has fueled unprecedented violence by gangs”
* “Dr. Ariel Henry, a long-standing PHTK government official whom Moïse had appointed but had not yet invested in the prime minister’s office, took over de facto authority, despite there being no constitutional authority for his rule. Civil society considers Henry’s government merely another iteration of the PHTK, which has a history of collaborating with gangs and engaging in politicized violence”
* “Armed gangs have taken over nearly half of Port-au Prince and approximately 60 per cent of the entire country”
* “Haiti’s national police have been unable or unwilling to confront the gangs – at best, they are outgunned and outnumbered; at worst, they are complicit.”
* “As a further consequence of the PHTK’s corruption and attack on accountability mechanisms, police are severely under-resourced and under-paid; even specialized police units intended to combat gang violence are too afraid to go into gang-controlled neighborhoods because the gangs are so much better equipped”
* “Somewhere between 90 and 162 gangs are reported to operate in Haiti”
* “Jimmy Chérizier, a former police officer-turned-leader of the G9, in particular wields increasingly more power, styling himself as a political leader. His continuing freedom in spite of a 2018 arrest warrant is a particularly salient illustration of the government’s inability or unwillingness to address Haiti’s insecurity”
* “The United Nations Integrated Office in Haiti (BINUH) reported an increase of criminal gang activities from the period of May to August 2021, with 549 intentional homicides (an increase of 5 percent from the previous reporting period). In a particularly egregious display of mass violence, gang members killed nineteen people in Port-au-Prince over June 29-30, with at least two of the murders deemed targeted assassinations”
* “The government of Haiti has been unwilling and unable to effectively confront gang violence, despite nation-wide demonstrations calling on the government to address the catastrophic insecurity. The Haitian National Police (PNH) is underpaid and under-resourced, and itself sometimes a target of gang violence: for example, between June 1 and 6, gangs attacked six police stations in and around Port-au-Prince, killing four officers”
* “Human rights and media reports document collusion between the PHTK governments and gang leaders, with politicians “sponsor[ing] gangs to control territory, secure economic monopolies and deliver voters during elections.” Police are also accused of complicity with gangs”
* “The uncontrolled kidnappings have resulted in protests about the government’s inaction, with human rights observers denouncing the PHTK as complicit and criticizing the PNH’s failure to respond adequately”
* “The government uses the police – and, often, gangs – as weapons to suppress dissent and consolidate power.”
* “One rampant element of institutionalized corruption is collaboration with gangs, which are now “completely embedded in [Haiti’s] political, business and security sectors.” Politicians and business elites, who themselves hold significant political power, have been accused of colluding with gangs”
* “Police agents are also accused of supporting gangs’ criminal activities”
* “the PHTK has dismantled Haiti’s judiciary almost to the point of non-function: the judiciary lacks independence and fundamentally fails to provide justice, accountability, and due process of law to Haitians”
* “Judicial action regarding investigations into human rights abuses is rare, and perpetrators, particularly government officials, operate with impunity”
* “Haiti remains noncompliant with past judgments of the Inter-American Court of Human Rights”
* “The UN reported numerous instances of sexual abuse and GBV against women and girls by gang members, including cases of rape and sexual slavery during the violence in June 2021,163 and women reported increased vulnerability to GBV following the August earthquake”
* “While men remain the primary kidnapping victims, at least 100 women and children have been abducted thus far in 2021, exceeding the total for 2020”
* “On August 14, 2021, a 7.2 magnitude earthquake struck Haiti with devastating impact. Around 2,200 people were killed, over 12,000 injured, and hundreds remain missing. An additional 30,250 families were left homeless as a result of the earthquake”
* “Gangs in Martissant further delayed assistance and increased costs by blocking aid delivery along gang-controlled roads connecting Port-au-Prince to the south, which necessitated the use of costly barges and helicopters”
* “Those who have asylum claims are likely to face persecution upon return. Returnees from gang-controlled areas are coming back to catastrophic insecurity, while those from the south are returning to homes destroyed by the earthquake”
* “[U.S. Special Envoy to Haiti who resigned on September 22, 2021] Foote. . . called attention to Henry as the heir of the PHTK party, which he faulted for driving many of Haiti’s current challenges”
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| **Judith Mirkinson and Seth Donnelly, *The Lasalin Massacre and the Human Rights Crisis in Haiti*, National Lawyers Guild and Haiti Action Committee (Jul. 21, 2019) *available at* https://65c874.p3cdn1.secureserver.net/wp-content/uploads/2019/07/The-Lasalin-Massacre-ONLINE-7-11-19-Nat-NLG-2.pdf*** “On November 13, 2018, police and other paramilitary personnel entered the neighborhood of Lasalin. . . . What followed was a massacre of the civilian population. Buildings, including schools, were fired upon and destroyed, people were injured and killed, with some burned alive, women were sexually assaulted and raped, and hundreds were forcibly disappeared. . . Bodies were either burned, taken away to be disappeared, buried, never to be found, or in some cases left to be eaten by dogs and pigs”
* “the attack on Lasalin was government-orchestrated and supported, with police collaborating with and weaponizing criminal elements”
* “According to many Lasalin residents and survivors, the coordinator of the massacre was Pierre Richard Duplan, alias Pierrot, of the PHTK. . . Duplan had failed in his bid to become the mayor of Port-au-Prince and was now the government delegate for the West Department”
* “We found a clear pattern of paramilitaries/death squads being armed and abetted by the government in order to terrorize the population and prevent opposition”
* “[NLG Human Rights Attorney] Walter Riley expressed: ‘We have eyewitness reports that these attacks are not simply gangs as they are being referred to by the press and the US Embassy, but part of militias backed by some in the Moise administration”
* “Former Police leader Jimmy Cherizier (Barbecue) publicly stated that he had a number of police officers in his group block escape routes from Lasalin during the November operation. This statement corroborates the testimony given by survivors in Lasalin accusing him and other police officers of participating in the massacre”
* “The [RNDDH] December 1, 2018 report concludes with a decisive classification of the November 1st killings as a ‘state massacre’ and categorically states that the killings could not have occurred without the current government’s support – on all levels – for the perpetrators”
* “Since the Petro Caribe protests which began in the summer of 2018, hundreds have randomly been thrown in jail, without charges, never having seen a judge”
* “Jeanne went on to say. . . ‘The group that perpetrated [the massacre] is Chabon. They are connected with the government and are working with the government in the Ministry of the Interior This group [Chabon] was supportive o Martelly during the election. They [the people of Lasalin] did not want Martelly to come into Lasalin, but this group was very supporting of Martelly…What they [Chabon] claim is that they have to control this community because this way they would really control the situation. And they want this community to become PHTK [ruling government party]. But this will remain opposition’”
* “From Jean, a young man. . . ‘what’s going on here in Lasalin is political. It’s really orchestrated by the actual government that pays these guys to perpetrate all of these violations….And now they have all kinds of systems to torture people, like the burning of people. They would set the person on fire while alive. . . .All of this is being orchestrated by a department delegate named Pierrot who is under the PHTK [and] who wanted to become a mayor under the party but couldn’t elected’”
* “Jean further explained to us that community members are also demanding that Bout Jan Jan, a leader of the community who provided protection be freed. ‘Martine Moise, the wife of President Jovenel Moise, tried to bribe Bout Jan Jan so that he would discourage people who protest against the government. Bout Jan Jan did not do this. Consequently, he was arrested”
* “Since then killing and massacres by the police and paramilitary affiliates have been reported in different parts of the country, targeting popular neighborhoods and grassroots activists”
* “Hundreds of people have been arrested since the first anti-government demonstrations began in August. Often, those arrested are summarily thrown in jail with no paperwork or any charges. Families are forced to wait days in order to determine where their relatives are being held”
* “It is our finding, based on our investigation, that the Lasalin massacre was directed and facilitated by the Moise/PHTK government. Lasalin was chosen as the target for this massacre because of its significance as a base of resistance and a staging ground for anti-government protests”
* “it has been confirmed that leaders of the killings arrived with the police and the subsequent massacre had both police protection and participation. Reginald Boulos has also publicly admitted to financing paramilitary leaders involved in the massacre. Pierre Duplan, the PHTK delegate for the West Department of Haiti, has also been implicated as a coordinator of the massacre. While the government may support his prosecution and try to paint the massacre as one carried out by a ‘rogue’ official and ‘rogue’ police officers in coordination with ‘gangs,’ it is clear that responsibility extends to the highest level of the ruling party and government”
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| **Immigration and Refugee Board of Canada, *Haiti: Acts of Revenge Committed by Gangs or by Other Organized Crime Entities; Ability of Gangs or Other Organized Crime Entities to Track Down Their Targets, Including Those Who Return to Haiti After a Long Absence (2015-June 2018)* (Jul. 3, 2018) *available at* https://www.refworld.org/cgi-bin/texis/vtx/twmain?page=printdoc&docid=5b6158d04*** “acts of revenge [translation] ‘are among the methods of control used by gang leaders’”
* “The Assistant professor stated that the purpose of revenge may be to [translation] ‘punish’ or ‘dissuade’ those who oppose, or who might be tempted to oppose, armed groups”
* “an official from the National Human Rights Defense Network. . . stated that acts of revenge are generally motivated by political rivalries, the settling of scores, or romantic relationships”
* “gangs. . . are often hostile to other forms of local leadership. . . Other sources also stated that the motives for revenge may be political”
* “The Chancellor also stated that, in some rare cases, simple ‘outsiders’ could be targeted”
* “Defenseurs Plus stated that those who report criminals to the police are [translation] ‘particularly targeted’”
* “Sources stated that acts of revenge may take a number of forms. The professor stated that revenge may be ‘mild’, such as theft, destruction of property and voodoo curses, or ‘severe’, such as murder and sexual assault. The same source stated that acts of revenge are often public, in order to have a deterrent effect on the group’s opponents”
* “Sources stated that threats may precede acts of revenge or may constitute [translation] ‘verbal assault’”
* “Sources stated that physical assaults are among the common acts of revenge”
* “Sources stated that acts of revenge may take the form of damage to a person’s material possessions. . . such as their houses. . . The Assistant Professor stated that some people are victims of theft or looting”
* “Among the other acts of revenge, sources mentioned murders . . . assassinations. . . . The Chancellor stated that ‘revenges usually take [the] form of killing[s]’. . . The Assistant Professor stated that, albeit rarely, the murdered body of a child of the target of the act of revenge is sent to them. . . . Some sources also mentioned sexual assault among the acts of revenge. . . .The Assistant professor also mentioned kidnappings and acts of torture”
* “In the case of political revenge, Defenseurs Plus stated that [translation] ‘the threat depends on the political circumstances, an individual’s power, or his links to power’, as well as on his visibility. . . . the Project Leader reported that, in cases of political revenge, if those seeking it are serious, if they lose track of someone, they attack the family”
* “According to the Assistant Professor, when revenge is exacted by an armed group, the victim can be a person who has acted contrary to the interests of the group, for example by testifying against it in a trial or by talking to the police about its activities. . . . In correspondence with the Research Directorate, the Executive Director of [IJDH], writing on his own behalf, also indicated that victims could be people suspected of having cooperated with the police”
* ““Among those close to a target who can also be identified for revenge, sources mentioned family members. . . . Some sources added that vulnerable members of the target’s family, specifically women and girls, are at greater risk. . . .According to The Assistant Professor, the wife, girlfriend, mother or daughter of a target ‘may be sexually assaulted, sometimes in the presence of the person being threatened, as an act of revenge’”
* “According to The Executive Director, a target’s associates can also be a target for revenge”
* “With regards to political revenge, Defenseurs Plus also stated that supporters and colleagues of a political figure run the risk of being targeted”
* “The Executive Director stated that assailants can look to the victim’s social networks as a way to find them, including informal networks in their neighborhood”
* “According to the Assistant Professor, rumors are rife in Haiti and are an effective way of locating people because ‘Haitians tend to be geographically tied to a small area and so anyone outside of their [usual] circle will be quickly recognized’”
* “The Executive Director indicated that some victims of acts of revenge reported that the police had helped their assailants to find them. The Chancellor stated that, while it was a rare occurrence, some prominent gang leaders, who work in state institutions, use police files and personal information for their own purposes”
* “Some sources state that, in Haiti, no state protection exists for targets of revenge. . . . Other sources have stated that there is some protection, but that it is inadequate”
* “According to some sources, the Haitian Police lack the resources to provide protection for those targeted by revenge. . . . ‘[i]n fact, the police typically encourage the person to hide or leave the country.’. . . ‘the Haitian police, a ‘weak’ and ‘underpa[id]’ institution, was easily corrupted and that many police officers were involved in abductions and crimes”
* “‘the probability of prosecution is not high enough to provide a substantial deterrent to organized crime revenge’”
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| **Pierre Esperance, “Wrong US Call – Haiti Needs a Credible Transitional Government,” Justsecurity.org (Jul. 22, 2021) *available at* https://www.justsecurity.org/77552/wrong-us-call-haiti-needs-a-credible-transitional-government/*** “It is no secret in Haiti that Henry and his newly appointed cabinet – of which 12 of the 17 members come from Moise’s party, the Parti Haitien Tet Kale (PHTK), and the other five are from PHTK allies – do not have popular legitimacy or constitutional mandate to rule Haiti even for an interim period. PHTK has spent years dismantling our democratic institutions and providing protection, money, and guns to gangs in exchange for terrorizing our population to quell dissent”
* “Cutting off support to PHTK will also help address the second challenge: the gangs that PHTK empowers and protects”
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| **Amy Wilentz, “Assassination, Earthquake, and Storms: Haiti’s Plague Season,” *The Nation* (Aug. 16, 2021) *available at* https://www.thenation.com/article/world/haiti-earthquake-corruption-henry/*** “Another problem for Haitians trying to help each other during the earthquake’s aftermath are the gangs that have taken control of the southern exit of the capital—and who thus block all access to the country’s biggest hospitals and best services”
* “These street gangs are the leftovers of the Martelly/Moise era and have been underwritten and armed by members of the *mafya* and their government cronies; they’re an essential part of the *mafya*’s business plan”
* “[The Clintons] helped certify the questionable elections of both post-earthquake presidents and thus allowed the rise of the corrupt and negligent Martelly-Moise administrations, and their criminal supporters… and the consequent ascension of the angry young shantytown gangs who now control the streets and highways of Haiti”
* “For the moment though, the Moise assassination has left the same element in charge of Haiti who were in charge when Moise was alive. That single chess piece has been eliminated, but the rest of the team is still in place”
* “Politically, bringing the assassins to justice is almost an impossibility for Henry, who was part and parcel of the governmental apparatus surrounding the late president, and—as prime minister—represents in a way the culmination and the continuation of Moise’s rule, his appointment to that position having been Moise’s last act in office”
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| **Jason Beaubien, “Haiti’s Slain President Presided Over the Collapse of Security in His Country,” NPR (Jul. 20, 2021) *available at* https://www.npr.org/2021/07/20/1018275532/haitis-slain-president-presided-over-the-collapse-of-security-in-his-country*** “Many Haitians say that killings, kidnappings and random shootings are at levels they’ve never seen before”
* “According to security officials, criminal gangs dramatically expanded their control over parts of Port-au-Prince during Moise’s time in office. Some of Moise’s critics say this was no accident. They charge that the former president not only allowed gangsters to operate freely but worked with them to destabilize some of the most destitute neighborhoods in the capital, particularly areas loyal to his political opponents”
* “Things were already unstable in Haiti before the assassination of Moise. Now they’re even more unstable. Attorney Samuel Madistin says that this is no accident. He says Moise gave the gangs carte-blanche to do just about whatever they want”
* “‘Those gangs have impunity, official impunity,’ Madistin declares smacking his desk with his palm. ‘There’s been no trials for any gangs for three years’”
* “Madistin is a criminal defense attorney. He says usually he handles 50 cases or so a year. But after Moise took office, the number of trials started to dry up. Just as Moise let parliament dissolve and never held elections to reinstate it, the slain president allowed the judicial system to collapse, Madistin says”
* “Courts shut down as judges weren’t appointed to fill empty seats. Prosecutors stopped filing charges. Suspects languished in jail. Madistin says he hasn’t had a single case go to trial since 2018. ‘And every day you have people killed, you have people raped every day, kidnapped every day,’ Madistin says, and the government does ‘nothing to stop this bad situation. Nothing!’”
* “The criminals feel so untouchable that after Moise’s assassination the leader of one of the largest gangs in the capital, Jimmy ‘Barbecue’ Cherizier, held a press conference to weigh in on the political crisis. . . .Getting arrested or held accountable for the reign of terror he’s unleashed was the last thing on the gangster’s mind”
* “‘While he was in power [Moise] really worked very hard to destroy or weaken a lot of the country’s institutions, including the security apparatus. . . And this moment shows us that he was successful. The security apparatus of the Republic of Haiti was not able to save the president’”
* “And the assassination sent a chilling message to ordinary Haitians that ‘nobody else is safe. . . . If they get mad at you, they can enter your house and shoot you easily. That’s the message this is sending right now to the people’”
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| **Jacqueline Charles, “In Haiti, Armed Gangs Tax the Poor, Extort the Rich and Do the Bidding of the Powerful,” *Miami Herald* (Jan. 25, 2022) *available at* https://www.miamiherald.com/news/nation-world/world/americas/haiti/article255109942.html?fbclid=IwAR1VuVqLLHJ\_n3AwxvpjSDr8jz0Z5hl36pdMaGdy9\_FI5\_MkJB870b6gcTY*** “Wearing the required white suit and black tie of Haitian leaders, Jimmy ‘Barbecue’ Cherizier, a former cop turned wanted gang leader, walked up Sunday to the monument commemorating the assassination of the founding father of the nation, Jean-Jacques Dessalines, and placed the traditional wreath at its base before giving a military salute”
* “Playing the official role of a head of state and brazenly showing his power, Cherizier showed up accompanied by cameras, a crowd and his own delegation – heavily armed, hooded gang members dressed in T-shirts marked ‘Justice for Jovenel’”
* “Hours earlier, armed gunmen had blocked access to the historic site by the country’s acting prime minister, Ariel Henry. Forced to flee the area under a hail of gang gunfire, Henry, also dressed in the customary white suit, had to settle for laying the traditional wreath at the altar of a museum in downtown Port-au-Prince where Dessalines’ remains are kept”
* “It illustrates how the state authorities in Haiti have been made irrelevant by gangs that tax citizens, dictate when they can or can’t take to the streets and even block government officials from fulfilling their obligations”
* “‘They are the government,’ Gedeon Jean, a human-rights activist who monitor Haiti’s kidnappings, said about the armed groups that now encircle almost every section of the capital and other key cities. . . ‘They are the ones who decide to kill someone if someone has done something to you; they decide whether and when to tax you’”
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| **Peter Beaumont, “Killers Lurk in the Shadows as Haiti Chaos Takes Sinister Turn,” *The Guardian* (Dec. 5, 2019) *available at* https://www.theguardian.com/global-development/2019/dec/05/killers-lurk-in-the-shadows-as-haiti-chaos-takes-a-sinister-turn*** “In a place where gangs are better armed than the police. . . a sense of impunity is running riot, from the white collar criminals and corrupt politicians at the apex down to the poorest slums”
* “For now, however, the trajectory is not negotiation or political process, but rising political violence that has already claimed dozens of lives”
* “Amnesty and other human rights organizations say they have validated claims of indiscriminate live fire on demonstrators by police. And other, shadowy gunmen also appear to be at work”
* “In neighborhoods like the capital’s Martissant, long notorious for its insecurity and lethal gang violence, credible local human rights groups suggest that political figures are arming and paying gunmen to settle scores against opponents on the street”
* “According to a November report by the human rights group Fondasyon Je Klere, there may be reasons to fear that political assassinations are returning to the country’s politics”
* “Je Kelere lists a number of incidents to underline its concerns, including several involving passengers in cars without number plates firing on demonstrations. The group also cites the killing on 29 September of the political activist Josemano Victorieux, known as ‘Badou’”
* “Jean Clauzel and the other activists have a good reason to be concerned. . . ‘The situation is not good at all,’ says Jean Clauzel. ‘It’s why many of the activist are trying to stay away from trouble. I’ve moved multiple times and I’ve only slept around seven nights in this house in total. If they find me, I’m worried they will kill me”
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| **Jacqueline Charles, “Anatomy of Haiti’s Kidnapping Epidemic: No One Seems Immune,” *Miami Herald* (Mar. 8, 2020) *available at https://www.miamiherald.com/news/nation-world/world/americas/haiti/article240941336.html**** “Last month, word circulated among business people in Ganthier and parts of the Croix-des-Bouquets area where the gang operates that it had now formalized its extortion efforts by listing the required ‘taxes’”
* “Last year, two separate human rights organizations in Haiti, the [RNDDH] and Fondayson Je Klere concluded that criminal gangs, already linked to multiple massacres, rapes and for-ransom kidnappings, were becoming guns for hire for Haiti’s political forces”
* “‘I think you’ve got a situation in Haiti where the government has ceded almost everything to the gangs; [the government] kind of functions in name and on paper only,’ said Keith mines, director of the Latin America program at the United States Institute of Peace in Washington”
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| **Jim Wyss, “Gangs Now Run Haiti, Filling a Vacuum Left by Years of Collapse,” Bloomberg News (Sep. 2, 2021) *available at* https://www.bloomberg.com/news/articles/2021-09-02/gangs-now-run-haiti-filling-a-vacuum-left-by-years-of-collapse*** “‘In Haiti, more than a failing state we have a non-existent state,’ said Joseph Harold Pierre, an economist”
* “it’s clear there will be no solution in Haiti until the government can tame the gangs”
* “According to the [RNDDH], there are more than 90 gangs in the country, likely with thousands of members and far more powerful than the police. Rape and kidnapping are common”
* “‘Haiti has regressed in terms of the rule of law, because all key state institutions were destroyed under the Jovenel Moise administration,’ he said. ‘The police, the judicial system, all of them. We have no functioning institutions’”
* “Since 2018 the courts have operated about four months out of the year, he said, and impunity is rampant”
* “Now ‘gangs are the biggest employers’” [Haiti Central Bank Governor Jean Baden Dubois] said in an interview”
* “The recent gang violence has been unprecedented, said President [of Food For the Poor] Ed Raine. For almost four months, all land routes to the south were virtually choked off, halting food delivery [to the south]”
* “Pierre, the former elections minister, says that, for years, sectors of the government, elements of the opposition and members of the private sector have been financing and ‘working in complicity’ with the gangs”
* “The groups will undoubtedly plan a role in the upcoming elections, as about 60% of the electorate is currently living in gang-controlled areas”
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| **InSight Crime, “Jimmy Cherizier, Alias ‘Barbecue,’” (Aug. 19, 2021)*** “Cherizier has collaborated with the ruling Haitian Tet Kale Party (Parti Haitien tet Kale – PHTK) and police. . . . He is now positioning himself to take advantage of a power vacuum left by former President Jovenel Moise’s assassination”
* “He came on to the map in November 2017, when he participated in a supposed anti-gang operation that led to the extrajudicial killing of at least 9 innocent civilians in the Grand Ravine neighborhood”
* “A year later, Cherizier allegedly participated in the La Saline Massacre with his Delmas 6 gang and a number of other groups. Witnesses reported he was spotted talking with former government official, Joseph Pierre Richard Duplan and other gang leaders during the attack”
* “This was the worst massacre to rock Haiti in more than a decade, with at least 71 people killed. Cherizier was fired a month later, and a warrant was issued for his arrest. However, he evaded capture and participated in a four-day attack across Port-au-Prince’s Bel-Air neighborhood in November 2019”
* “Ahead of these massacres, Cherizier received material, logistical, and financial support from senior officials in the government of President Jovenel Moise. He received money, weapons, police uniforms, and government vehicles to carry out the attacks”
* “The massacres – which largely targeted opposition neighborhoods across Haiti’s capital – served mutual benefits for senior state officials and Cherizier”
* “Cherizier and a number of gangs he had united attacked the Pont-Rouge, Chancerelles, La Saline and Fort Dimanche neighbourhoods to expand territorial control, with the support of national police. A number of individuals were burned and shot to death, and scores of houses were incinerated”
* “The attacks were an immediate precursor to the G9 and Family’s formation. . . . the coalition has allowed gangs to expand territorial control and offered politicians a unified weapon to stamp out opposition”
* “On July 7, Cherizier and the G9 faced a turning point when their alleged political sponsor, President Jovenel Moise, was assassinated. . . . He now looks set to take advantage of the power vacuum that has been left behind”
* “He has stepped in as a peacemaker to quell internal divisions, and mobilized gangs to commit targeted killings. He has long acted as a bridge between the capital’s gangs and state officials, allegedly bringing both parties together to commit state-sponsored massacres”
* “Previously, state officials have provided gangs with weapons to carry out targeted massacres. Cherizier has been a key intermediary in this process”
* “Other G9 gang leaders have acted as his principal allies. . . . Eleven other criminal organizations in Port-au-Prince . . . . provide support to Cherizier and other gang leaders when necessary. This union is referred to as the G20”
* “Under Cherizier, the G9 is alleged to have ensured votes and quelled social unrest. In return, state officials are suspected to have granted members of the G9 immunity from law enforcement. Even after Moise’s assassination, Cherizier is still likely to maintain some of these ties”
* “Cherizier also operates with the support of police officers, who have reportedly facilitate his travel and ensure his safety, including during the course of criminal activities”
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| **Congressional Research Service, *Haiti’s Political and Economic Conditions* (Mar. 5, 2020)** |
| **Ingrid Arnesen and Anthony Faiola, “In Haiti, Coronavirus and a Man Named Barbecue Test the Rule of Law,” *The Washington Post* (Aug. 14, 2020)** * “Jovenel Moise is president of Haiti, but ask the people of the terrified shantytowns who’s in charge in this impoverished Caribbean capital, and they’ll point to a man called Barbecue”
* “Jimmy ‘Barbecue’ Cherizier has come to symbolize the accelerating erosion of Haiti’s already challenged rule of law during the coronavirus pandemic. Accused of orchestrating massacres that left dozens of men, women and children dead, he has succeeded in accomplishing the once unthinkable: uniting the warring gangs of Port-au-Prince into a powerful new confederation aimed at what he calls ‘revolution’”
* “But critics say he’s not targeting the government – he’s going after its opponents”
* “Human rights activists and political opponents say the U.S.-backed Moise has done little to check the rise of Haiti’s anarchic gangs, at least in part because their growing influence has appeared to serve the president’s interests”
* “As he brings Port-au-Prince to its knees, Cherizier is also terrorizing poor neighborhood where opposition to Moise runs deep – potentially neutralizing any challenge to his party’s continued rule”
* “in Cite Soleil, victims and human rights groups say G9 gang members have looted and burned down shack and stalls, systematically raped women, killed at random, and dismembered or torched bodies”
* “When Cherizier’s men took to the streets in June, witnesses claimed to have seen them ride in the same armored vehicles used by the national police and special security forces. Justice Minister Lucmane Delile denounced the gangs and ordered the national police to pursue them; within hours, Moise fired him”
* “[Cherizier] has not been charged in a 2018 massacre that left dozens dead in La Saline, or any other killings”
* “ ‘The government has said nothing about [Cherizier’s rise], and the international community has turned a blind eye,’ said Pierre Esperance, director of Haiti’s National Human Rights Defense Network. ‘There is no rule of law anymore. The gangs are the new Macoutes. It feels like there is a manifest will to install a new dictatorship’”
* “Moise has postponed legislative elections indefinitely. The opposition says his term ends in February, but he says he can stay in office a year beyond that. ‘There’s no possibility of holding elections while he’s in power,’ says Andre Michel, spokesman for an alliance of opposition parties. The opposition is calling for Moise to resign and a transition government to be put in place”
* “Rep. Maxine Waters (D-Calif.) sent a letter to U.S. Ambassador Michele Sison in May denouncing what she called Cherizier’s ‘politically motivated’ death squad”
* “The coronavirus crisis has opened a window of opportunity for Barbecue. As a police officer, Cherizier. . . allegedly led a feared gang that for years was involved in murder, rape, extortion and kidnapping. While Haitians were locked down, he helped unify street gangs under the G9 Family and Allies umbrella. Gang members began rolling into anti-government hotbeds in sophisticated armored vehicles with automatic weapons and tear gas. The National Network for Defense of Human Rights and witnesses say homes were torched, weapons fired and at least 111 people killed. Police say they are unable to explain why their vehicles appear to have been used in the operation”
* “Lenese Leo, 38, says she was caring for her 8-month-old daughter on July 12 when bullets slammed into their shanty. When the shooting stopped, she said, the infant lay on the floor bleeding from the head. . . the child died in her arms.”
* “In Haiti, family members of gang victims often avoid reporting deaths, for fear of reprisal. But Leo and her partner have instead insisted on an autopsy and shared their grief on social media. She says they now get death threats”
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| **TeleSUR, “Haiti: Political and Social Organizations Call for More Strikes,” (Feb. 4, 2021) *available at* https://www.telesurenglish.net/news/Haiti-Political-and-Social-Organizations-Call-for-More-Strikes-20210204-0015.html*** “Haiti's opposition and social organizations Thursday reiterated the calls for general mobilizations to demand the end of President Jovenal Moise's mandate”
* “The Pitit Dessalines party leader Moise Jean-Charles called for protests in the run-up to Feb. 7 when the President is due to finish his term”
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| **Immigration and Refugee Board of Canada, *Haiti: The Petit Dessalines [Pitit Desalin] Political Platform, Including its Establishment, Structure, Founding Members and Leaders, as Well as its Program; Whether the Platform Issues Membership Cards; Whether the Party’s Candidates Ran in Municipal, Legislative and Presidential Elections and, if Applicable, Those Who Were Elected; The Treatment of its Members by the Authorities (2014-July 2016)* (Jul. 22, 2016) *available at* https://irb-cisr.gc.ca/en/country-information/rir/Pages/index.aspx?doc=457159*** “The Pitit Dessalines platform. . . is described on its website as [translation] ‘a coalition of political parties’. . . . Haitian media describe the organization as a [translation] ‘political structure’”
* “Several sources report that Jean-Charles Moise is the head of the Pitit Dessalines”
* “Sources describe Jean-Charles Moise as a vocal opponent of Michel Martelly”
* “Radio Metropole reports that during their first press conference in December 2014, the leaders of Pitit Dessalines stated that they wanted to [translation] ‘pursue and especially encourage anti-governmental mobilization, which has, for the last 3 years, tried to overthrow the regime of ‘tet Kale’,’ the political party of President Martelly”
* “Jean-Charles Moise described the party as [translation] ‘“a political movement mobilized against the government in power’”
* “The Haitian media report that Pitit Dessalines is seeking to bring about a [translation] ‘“peaceful revolution”’ in Haiti. Sources state that Pitit Dessalines was part of the radical opposition against President Martelly’s administration”
* “Sources report that Jean-Charles Moise was Pitit Dessalines’ presidential candidate in the October 2015 presidential elections and that he came in third place”
* “Sources report that the October 2015 elections were tainted by fraud, irregularities and violence, and that the results were rejected by Haitian civil society”
* “While he was still senator, Jean-Charles Moise was arrested, questioned and detained for approximately half a day in January 2015 during a demonstration against the Martelly government in Port-au-Prince”
* “In March 2015, the Pitit Dessalines platform stated that it had peacefully thwarted a police raid on the party’s offices. . . . According to platform representatives, the purpose of the raid was to intimidate party members before the publication of the list of political parties authorized to run in the next elections”
* “According to Pitit Dessalines, over 30 activists and party members were arrested in November 2015 on the order of the police chief”
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| **Alex Daugherty, “Congress Holds First Hearing on Haiti in Six Years Amid Political Instability,” *Miami Herald* (Dec. 11, 2019) *available at* https://www.miamiherald.com/news/nation-world/world/americas/haiti/article238204744*** “Rep. Frederica Wilson entered a meeting room in Washington and asked a group of Haitian activists about efforts to impeach their embattled president, Jovenel Moïse”
* “Emmanuela Douyon, an economist and activist with Petrochallenger and Nou Pap Domi anti-corruption grassroots movement, laid out a scenario that makes the allegations against Trump look miniscule in comparison”
* “‘They voted against [impeachment],’ Douyon said of the Lower House of Deputies in the Haitian Parliament that is controlled by the executive. ‘Parliament members received money for their vote. There is a corrupt Parliament where the majority allies with the president and they are taking money from the president and their party to vote when he needed their support’”
* “Pierre Esperance, the executive director of the Haitian National Human Rights Network, said Moïse uses armed gangs to combat political dissent. Esperance said the government’s actions have led to the deaths of 187 protesters since July 2018, with 42 of them shot execution-style”
* “‘These armed gangs bolster the political interests of their protectors by attacking the population. . .’ Esperance said. ‘Armed gangs, with the protection of the government authorities, have carried out five massacres over the course of President Moïse’s administration’”
* “One of those massacres happened in the La Saline neighborhood in November 2018. Several members of Congress wanted to know if anyone, including two individuals appointed to their posts by Moïse, had been prosecuted. None has, Esperance answered.”
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| **RNDDH, Virtual Meeting with the United Nations Security Council (Sep. 8, 2021) *available at* https://web.rnddh.org/wp-content/uploads/2021/09/3-Intervention-Orale-Briefing-Conseil-de-Securite-des-NU-8Sept2021-ENG.pdf*** “Every day, we bury our brothers and sisters murdered by armed bandits benefiting from the complacency of the police and judicial authorities”
* “Every day, we also witness the kidnapping followed by the imprisonment for ransom of our loved ones. Women and girls, when they are abducted, are gang raped”
* “Since 2018, thirteen (13) massacres and armed attacks, perpetrated in disadvantaged neighborhoods by armed bandits, have been documented by my organization, the RNDDH. They resulted in the murder of . . . 487. . . people, the disappearance of . . . 129. . .others and the collective rape of . . . 33. . . women and girls. . . . 679. . . children became orphans”
* “No effort is made by Justice to judge and condemn those involved in the various acts that threaten lives and human dignity”
* “the ruling regime has decided to strengthen armed gangs and weaken state institutions such as the police and justice”
* “Today, armed gangs in this coalition are very powerful and arrogant. They are never short of weapons and ammunition. They are negotiating exorbitant sums, a truce of a few weeks while demanding every day more means from the State authorities”
* “the election campaign in the summer of 2015 was full of violence. The candidates, their supporters and supporters clashed. At least 9 armed conflicts, 5 assassinations, 2 assassination attempts, 9 wounded by bullets, 2 wounded by knives, 17 wounded by stones and 10 cases of beatings recorded”
* “During the election that followed on August 9, 2015, in 21% of the 500 voting centers. . . cases of massive electoral violence and fraud were recorded: Electoral process interrupted due to gunfire, stuffing of ballot boxes, attacks by armed individuals at polling stations, intimidation of voters, etc.”
* “The United Nations Mission and the National Police of Haiti, recognizing the gangsterized of the country, have themselves said to have recorded in 2019. . . 162. . . armed gangs. The majority of these gangs operate in the departments of the West and the Artibonite which regroup alone 60% of the Haitian electorate. Consequently, no electoral campaign, no inclusive and democratic vote can be freely carried out in these areas controlled by armed gangs”
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| **Rural Politics** |
| **Richard A. Haggerty, ed. *Haiti: A Country Study*, “Urban Dominance, Rural Stagnation,” Washington: GPO for the Library of Congress, 1989 *available at* http://countrystudies.us/haiti/70.htm*** “National political institutions and decisions focused on Port-au-Prince, and they were far removed from the lives of most Haitians”
* “Data from 1984 suggested that the government spent about 65 percent of its revenues in Port-au-Prince, a city with roughly 20 percent of the nation’s population”
* “The role of section chiefs involved much more than conventional police functions. As the sole government representative in rural areas, the section chief levied taxes and fines, mediated disputes, and served as a civil registry. . . . He was well situated to collect bribes. . . . The 1987 Constitution set up rural government councils in an attempt to curb abuses by section chiefs and to mediate the interests of rural citizens in the political process. These councils, however, were also subject to graft and corruption”
* “Certain local officials, such as section chiefs. . . did not depend on salaries for their income; in a sense, they purchased from the state the privilege of collecting revenues by virtue of their authority and their power to grant favors”
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| **USAID Haiti, *LOKAL Program Evaluation: Final Report, Appendix A* (Mar. 2012) *available at* https://reliefweb.int/attachments/5ccbf6ca-ce86-3dc1-aaff-3e28b7f76c98/PDACT440.pdf*** “Three Councilors make up each CASEC”
* “Councilors are responsible for the administration of the Communal Section and are directly elected by its citizens for a term of four years”
* “In general, the CASECs and ASECs serve a representational role, giving voice to non-urban populations. The Constitution describes them as the smallest administrative unit of decentralized government, but does not confer financial autonomy”
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| **Human Rights Defenders/Activists** |
| **Mark Snyder and Other Worlds, “‘Now They’re All Dead’: Threats of Assassination to Human Rights Advocates in Haiti,” *Institute for Justice and Democracy in Haiti* (Aug. 21, 2013) *available at* www.ijdh.org/2013/08/topics/law-justice/now-theyre-all-dead-threats-of-assassination-to-human-rights-advocates-in-haiti/*** “‘Those before you were strong. Now they’re all dead. Stop what you are doing, or the same will happen to you.’ Those were the words delivered to Rena Florvilus, Director of Education and Advocacy of the Haitian human rights organization Defenders of the Oppressed (DOP)”
* “The threat echoed numerous others that have been leveled against the DOP office and its staff since they took on the case of a young man who died in police custody”
* “Florivus is one of several Haitian human rights defenders being accused of committing the very crimes they are investigating. In the past year, other lawyers have received threats of arrest or death to silence their probing into corruption and human rights violations taking place under Haiti’s current administration”
* “Despite the intimidation and threats, DOP – whose focus is on accompanying Haiti’s civil society groups and neglected population—continue their work, but not without a price. Those being targeted live under the constant stress of wondering if an assassin’s bullet awaits them each time there is a knock at the door or as they dart outside the office into their awaiting transportation. In transit, a silence falls over their vehicles each time they pass a police patrol or checkpoint”
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| **Kolektif Anakawona, “Chase Those Crazy Baldheads Out of Town: Resisting the Rise of Authoritarianism in Occupied Haiti,” (Jun. 12, 2019) *available at* https://www.cadtm.org/Chase-those-crazy-baldheads-out-of-town-Resisting-the-rise-of-authoritarianism*** “On February 7, 2019, thousands of Haitians took to the streets of Port-au-Prince and other major cities. . . to demand the prosecution of governmental officials and business elites who embezzled over $4.2 billion of Venezuela’s PetroCaribe loan to Haiti over the last ten years”
* “They called for the removal of current president Jovenel Moise of the *Parti Haitien Tet Kale* (Haitian Party of Baldheads, PHTK)”
* “Dissenters declared a countrywide lockdown (*“Peyi Lok”*)—what we might call a general strike. All commercial activities ceased for ten days. Armored men (various police corps and presidential security forces) responded by killing dozens of unarmed rebels. The *Reseau National de Defense des Droits Humains* (National Defense Network of Human Rights) reports that 40 people were murdered and 82 injured”
* “An estimated $4.2 billion borrowed for development and not one completed project. . . . This against 58.5% of the population living under the poverty line with $2.41 per day, a 40.6% unemployment rate. . .”
* “State corruption and predation of course are not new in Haiti”
* “Martelly declared Haiti ‘open for business’ especially for extractivist export-oriented enterprises like agribusiness, tourism, mining, and textile factories in free trade zones. . . . Under Martelly’s administration, two-thirds of the PetroCaribe funds were laundered”
* “In 2011, Michel Martelly was confirmed as the president alongside the 99-member Chamber of Deputies and 11 out of the 30 senate seats, none of whom were from his party PHTK”
* “By 2015, when the terms of another third of the Senate and the entire 99-seat Chamber of Deputies concluded, Martelly dissolved the legislature and ruled by decree. In consequence, ‘the opposition’ joined protestors in 2016 to reject the questionable election of PHTK presidential candidate Jovenel Moise, who was under investigation at the time . . . for money laundering”
* “corruption and (il)legal violence profoundly shape life in the Caribbean country”
* “Since 2013, organizations like *Mouvemont de Liberte d’Egalite des Haitiens por la Fraternite* (Movement for Liberty and Equality of Haitians for Fraternity, MOLEGHAF) based in the ‘popular neighborhood’ of Belair coordinate street protests against election fraud, corruption, and occupation”
* “To disassociate themselves from the political machinery (what they call ‘politics’) PetroChallengers define themselves as ‘engaged citizens’ comprising a ‘social’ rather than a ‘political’ movement”
* “With the release on May 31, 2019 of the Superior Court’s 600-page report on the misuse of 77% of PetroCaribe funds, *Nou Pap Domi* is officially (like ‘the opposition’) demanding the resignation of President Jovenel Moise”
* “PetroChallengers seek to expose the opacity and corruption that uphold the colonial state, and as such to heighten the contradictions of the ‘system’ that permits only a few to over-accumulate capital, in this case through national debt, while most fail to reproduce themselves socially”
* “As Haitian-American anthropologist Michel-Rolph Trouillot reminds us, contrarily to the dominant discourses on Haiti that travel throughout the world, the Haitian state is neither a failed or weak one. It does what it was designed to do since inception; it oversee the contradictions of capitalist accumulation for some, and premature death, for most”
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| **Violence Against Women** |
| **Sophie Cousins, “‘We are Fighting the System’: Haiti Lawyers Taking Rape to the Courts,” *The Guardian* (Apr. 18, 2022) *available at* https://www.theguardian.com/global-development/2022/apr/18/haiti-sexual-violence-rape-gangs-victims-women-lawyers*** “Sexual violence linked to armed gangs in Haiti is not new but the situation has significantly deteriorated since the assassination of the president last year, which has left the country in a power vacuum”
* “gangs use women as weapons of war to get revenge, to show what they’re capable of”
* “An assessment of Haiti by the UN high commission for human rights in 2021 found gang-related sexual violence was increasing. ‘Rape was used as a weapon to humiliate, terrorise and reinforce the control of gang members over local populations. In some areas, the feeling of impunity is so pervasive that rapes have been perpetrated in broad daylight,’ it said”
* “‘We have an obstacle in getting justice and that is the judicial system’”
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| **Borja Lopetegui Gonzalez, “First Person: Visions of Hell, in Haiti,” *UN News* (Apr. 3, 2022) *available at* https://news.un.org/en/story/2022/04/1115382#:~:text=Samuel%20(not%20his%20real%20name,risk%20of%20kidnapping%2C%20or%20worse.*** “Over the last year, as the security system has deteriorated, I have also had to be careful which roads I take to get to work. This is the case for me, and other colleagues who live in areas affected by rising insecurity such as downtown Port-au-Prince, Carrefour, Mariani, Merger, Gressier, or Leogane”
* “The authorities have lost control of main transportation routes to the south and east of the city, through areas such as Martissant and Croix des Bouquets, and gangsters are pillaging the population, raping women and shooting at passengers on buses or in cars”
* “I don’t feel that we have the leaders in a position of authority to restore order”
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| **Children** |
| **Elijah Davis, “Jurisdiction Research: Haiti,” *Representing Children Worldwide Yale University* (Dec. 21, 2015) *available at* https://rcw.law.yale.edu/jurisdiction-research/haiti*** “Constitution of the Republic of Haiti. . . ARTICLE 261: The law ensures protection for all children. Any child is entitled to love, affection, understanding and moral and physical care from its father and mother. ARTICLE 262: A Family Code must be drawn up to ensure protection and respect for the rights of the family and to define procedures of the search for affiliation”
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| **Jacqueline Charles “‘He Hasn’t Even Been Baptized Yet,’ Says Mother of Haiti’s Latest Victim of Gang Violence,” *Haitian Times* (Aug. 4, 2020) *available at* https://haitiantimes.com/2020/08/04/he-hasnt-even-been-baptized-yet-says-mother-of-haitis-latest-victim-of-gang-violence/*** “A notorious gang linked to several protection rackets, rapes and assassinations and known as 400 Mawozo sprayed the minibus they were traveling in with bullets as Gervais, 19, cradled her sick child, who was headed to a hospital”
* “little Godson’s life was cut short at four months old when a bullet pierced his neck”
* “a centenarian who recently celebrated a birthday was killed, as well as an 8-month old baby in the Norway, Belekou, district of Cite Soleil who was killed by a well-known gang member. After the child’s parents went public with their grief, they were threatened by the gangs, who have also threatened journalists and human rights advocates in recent days”
* “[The attorney of the 8-month old’s parents said] ‘I contacted the justice of the peace for Cite Soleil so that he could do an investigation at the site where the child was killed and he stated his inability to go. He said even the police had abandoned the area’”
* “The fact that there has been no investigation or even an autopsy three weeks after the killing. . . shows the indifference of the government when it comes to guaranteeing the security of its citizens”
* “‘You don’t sense a will on the part of the authorities to address this situation and to discourage the bandits and gangs that are wreaking havoc on the population’”
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| **Telesur, “Haitians Block Streets to Protest Kidnappings,” *Haiti Liberte* (Apr. 28, 2021) *available at* https://www.telesurenglish.net/news/Haitians-Block-Streets-to-Protest-Kidnappings-20210427-0007.html*** “The Center for Human Rights Research and Analysis has recorded 157 kidnappings in Haiti during the first quarter of the year”
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| **Haitians in the Dominican Republic** |
| **Wilhelmina Agyapong, “Troubled Haitian-Dominican Bilateral Relations Await Progress,” *Council on Hemispheric Affairs* (Feb. 27, 2014) *available at* https://www.coha.org/troubled-haitian-dominican-bilateral-relations-await-progress/*** “Hate-crimes, including an enhanced murder rate against Haitians by Dominicans increased from 2010-2013. Several cases of killings were also reported in which Dominican police officers killed Haitian civilians”
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