



**To:**

**Joseph R Biden Jr, President of the United States**  
**Justin Trudeau, Prime Minister of Canada**  
**Kamala Harris, Vice-President of the United States**  
**Nancy Pelosi, Speaker of the House of Representatives**  
**Antonio Guterres, Secretary General of the United Nations**  
**Luis Almagro, Secretary-General of the Organisation of American States**  
**Charles Michel, President of the European Council**  
**Ursula von der Leyen, President of the European Commission**  
**Irwin LaRocque, Secretary General of the Caribbean Community**  
**Charles Schumer, Senate Majority Leader**  
**David Sassoli, President of the European Parliament**  
**Josep Borrell Fontelles, High Representative of the European Union**

**5<sup>th</sup> of February, 2021**

### **Defend Haiti's Democracy**

As we write this letter, a human rights disaster is unfolding in Haiti. The warning signs have been clear for more than a year. There is no doubt that Haiti has been faced with chronic political and security challenges. But the current levels of state-sponsored violence and authoritarian repression of lawful and peaceful dissent are of an order not seen in the country in decades. Immediate action on the part of the international community, including the Haitian diaspora, is required to address the present climate of lawlessness, instability and unconstitutionality and to prevent an escalation into full-blown bloodshed.

Eleven years on from the devastating earthquake that shook the country, Haiti is experiencing its worst political crisis in a generation.

The president, through his own party and allies, held a solid majority in both chambers. Yet his administration failed to hold the parliamentary and municipal elections scheduled for October 2019. As a result, there has been no functioning legislature since early 2020. For more than a year, the president has been ruling by decree, using that power to attempt an illegal reform of the constitution. He has installed people loyal to him in key positions within the public sector, including the judiciary, the police, the newly reactivated army, and all publicly elected officials, including the mayors. This level of authoritarianism is a stark reminder of the Duvalier years.

### **Deterioration of human rights in Haiti**

Extreme violence, kidnappings and even massacres have become a way of life for ordinary Haitians. Many local and international human rights organizations report that these abuses are often the result of a coordinated campaign between high-level government officials, security officers and gang leaders, acting with complete impunity.

Girls and young women are targeted for kidnapping and sexual assault at an alarming rate. Human rights defenders have documented increasing cases of children and young people forced to join armed groups and commit acts of unspeakable brutality. Subsistence farmers are afraid to cultivate their smallholdings, as the gangs attack and steal their produce at harvest time. As a result, the poorest in the country are going hungry. These atrocities are not simply opportunities for gangs to make money. They are also a tool for those in power to instill fear and to intimidate the population.

The United Nations and the United States have both finally called for the authors of the 2018 massacre in La Saline neighbourhood to be brought to justice, but to no avail. Last December, the U.S. Department of Treasury's office of Foreign Assets Control (OFAC) took the unprecedented step of sanctioning two former high-ranking government officials and a former police officer for their roles in the massacre. OFAC's announcement explicitly highlighted that *"widespread violence and growing criminality by armed gangs in Haiti is bolstered by a judiciary that does not prosecute those responsible for attacks on civilians. These gangs, with the support of some Haitian politicians, repress political dissent in Port-au-Prince neighborhoods known to participate in anti-government demonstrations."*<sup>1</sup>

President Moïse has expanded and transformed the Agents of the Protected Areas Security Brigade (BSAP, from its French acronym) into a repressive paramilitary unit which harkens back to the Duvalier-era Tonton Macoutes. Additionally, through another decree, the president established his own secret police, the National Intelligence Agency (ANI from its French acronym). ANI agents are not subject to existing laws, are immune from any oversight or criminal prosecution and report solely to the President. This move has been condemned by local human rights defenders, as well as Haiti's Federation of Bar Associations. The Core Group of Haiti's key international partners have also voiced their concerns.

With his term in office scheduled to end on the 7<sup>th</sup> of February, 2021, President Moïse is trying to remain in power beyond the end of his mandate. He is proceeding unilaterally with an illegitimate referendum on a new constitution, an act that is specifically prohibited by the current constitution. As the Haitian Conference of Catholic Bishops have just attested, *"The President has ... affirmed the uniformity of the law for all elected officials, including himself, thus proclaiming that the law is one for all. It seems to us that everyone agrees on the principle that no one is above the law and the constitution."*<sup>2</sup>

When we raise our concerns with international foreign policy-makers, we often hear of 'Haiti fatigue'. This notion implies that violence and repression are normalized and perceived as 'business as usual' for Haitians and that it is their responsibility to resolve these problems. By continuing to ignore state-sponsored assassinations, abductions and mass murders, the world will allow an authoritarian coup attempt to succeed and another unchecked dictatorship to flourish.

On the ground, courageous human rights defenders are documenting the vast scale of severe human right abuses and sharing the evidence with all who will listen. Ordinary Haitian citizens protest where and when they can. But many people cannot leave their homes to protest, for fear of being attacked by gangs. Likewise, voicing dissent can be fatal, as was the case for the head of the Port-au-Prince Bar, Monferrier Dorval, who was gunned down execution-style in August 2020.

### **The time to defend democracy is now**

The international community has a small window of opportunity to prevent this crisis from devolving into a humanitarian catastrophe.

We call on the United Nations, the European Union, the Organisation of American States, the Caribbean Community, the United States Government, the Government of Canada, and other international stakeholders to act urgently, so that ordinary Haitians have a chance to build the peaceful and democratic society they deserve. The three critical priorities identified by key civil society actors are:

1. **Facilitate a peaceful transition of power.** In the current context of gang violence and political dysfunction, it is unfeasible to organise legitimate elections in the short-term. An inclusive transitional government with a cadre of men and women known for their trustworthiness, competence and integrity is essential to emerge from this crisis.
2. **End the violence.** Immediate action is required to persuade the Haitian authorities to bring perpetrators of crimes to justice, sending a clear signal that violence and lawlessness will no longer be tolerated.
3. **Restore democracy and the rule of law.** A cessation of violence will help create the conditions for the restoration of democracy and the rule of law, through a credible and inclusive electoral process. Only this will allow all Haitians to participate fully in building democratic processes and institutions.

Across the world, democracy is under attack. As recent events in the United States attest, even in countries with strong checks and balances, democratic values are fragile and require a broad range of partners to ensure they are upheld. This situation of widespread and brutal repression cannot be resolved by Haitians alone. Stronger support is needed on the part of the international community for human rights defenders in the country's still burgeoning democracy.

The people of Haiti, the Haitian diaspora and the international community must all work together to defend Haiti's democracy. If we fail, Haiti will be condemned to another decade of violence, despair and impoverishment.

**Signed:**

**Organizations and their representatives:**

**Asosiyasyon Fanm Ayisyen non Boston (AFAB)/Association of Haitian Women in Boston**

**Cajuste Joseph, Association Haitienne de France (AHF)**

**Choupa Belizaire, Governance Group**

**Groupe de Réflexion et d'Action Pratique pour le Développement d'Haïti**

**Family Action Network Movement (FANM)**

**Fondation Julia et Jade**

**Fondation Mapou**

**Haitian Studies Association/Asosiyasyon Etid Ayisyen/Association des Etudes Haitiennes**

**Jean Robert Argant, Collectif 4 Décembre**

**Jean Robert Sistanis, Observatoire haïtien des droits humains (OHDH)**

**Konbit Lakay**

**Nou Pap Domi**

**Nou Vle Viv**

**Observatoire Citoyen de l'Action des Pouvoirs Publics Haitien (OCAPH)**

**One Young World**

**Sant La, Haitian Neighborhood Center Inc.**

**Sisters of Mercy of the Americas Justice Team, Silver Spring, MD**

**Stanley Augustin, Observatoire de la Jeunesse Haïtienne (OJH)**

**Wiler Rivière, Groupe de Recherches et d'Animation Sociale (GRAS)**

**Individuals:**

**Arnold Antonin, Filmmaker and Activist**

**Georgette Mulheir, Global Expert in Child Rights and International Development**

**Frandley Denis Julien, Esq.**  
**Johnny Celestin, Governance and International Development Expert**  
**John Miller Beauvoir, Democracy and Governance Practitioner**  
**Dr. Lesly Kernisant, Community Activist**  
**Dr. Monalisa Ferarri, Community Activist**  
**Raymond Laurent, Journalist**  
**Robert Philomé, Journalist**  
**Sabine Lamour, Sociologist and Feminist**

### **Contact Defend Haiti's Democracy**

**Website:** [www.defendhaitidemocracy.org](http://www.defendhaitidemocracy.org)

**Twitter:** @HaitiDefend

### **Spokespeople**

#### **Haiti:**

**Gabrielle Paul, Esq.**

+509.3687.4686

[georgespaul@gmail.com](mailto:georgespaul@gmail.com)

Gabrielle Paul is the President of the Julia et Jade Foundation in Haiti.

#### **North America:**

**Johnny Celestin**

+1 646 543 6805

[Jcelestin1@hotmail.com](mailto:Jcelestin1@hotmail.com)

Johnny Celestin is an expert in governance and international development.

#### **Europe:**

**Georgette Mulheir**

+44 7802 625 777

[georgette@georgettemulheir.com](mailto:georgette@georgettemulheir.com)

Georgette Mulheir is a global expert in children's rights and international development.

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<sup>1</sup> <https://home.treasury.gov/news/press-releases/sm1208>

<sup>2</sup> <https://jcomhaiti.com/message-des-eveques-catholiques-dhaiti-ceh/>