

**POLICY RECOMMENDATIONS ON HAITI FOR THE  
BIDEN ADMINISTRATION**

---

---

**HEARING**  
BEFORE THE  
**COMMITTEE ON FOREIGN AFFAIRS**  
**HOUSE OF REPRESENTATIVES**  
ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

March 12, 2021

**Serial No. 117-11**

Printed for the use of the Committee on Foreign Affairs



Available: <http://www.foreignaffairs.house.gov/>, <http://docs.house.gov/>,  
or <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

43-702PDF

WASHINGTON : 2021

COMMITTEE ON FOREIGN AFFAIRS

GREGORY W. MEEKS, New York, *Chairman*

BRAD SHERMAN, California	MICHAEL T. McCAUL, Texas, <i>Ranking Member</i>
ALBIO SIRES, New Jersey	
GERALD E. CONNOLLY, Virginia	CHRISTOPHER H. SMITH, New Jersey
THEODORE E. DEUTCH, Florida	STEVE CHABOT, Ohio
KAREN BASS, California	JOE WILSON, South Carolina
WILLIAM KEATING, Massachusetts	SCOTT PERRY, Pennsylvania
DAVID CICILLINE, Rhode Island	DARRELL ISSA, California
AMI BERA, California	ADAM KINZINGER, Illinois
JOAQUIN CASTRO, Texas	LEE ZELDIN, New York
DINA TITUS, Nevada	ANN WAGNER, Missouri
TED LIEU, California	BRIAN MAST, Florida
SUSAN WILD, Pennsylvania	BRIAN FITZPATRICK, Pennsylvania
DEAN PHILLIPS, Minnesota	KEN BUCK, Colorado
ILHAN OMAR, Minnesota	TIM BURCHETT, Tennessee
COLIN ALLRED, Texas	MARK GREEN, Tennessee
ANDY LEVIN, Michigan	ANDY BARR, Kentucky
ABIGAIL SPANBERGER, Virginia	GREG STEUBE, Florida
CHRISSE HOULAHAN, Pennsylvania	DAN MEUSER, Pennsylvania
TOM MALINOWSKI, New Jersey	CLAUDIA TENNEY, New York
ANDY KIM, New Jersey	AUGUST PFLUGER, Texas
SARA JACOBS, California	PETER MELJER, Michigan
KATHY MANNING, North Carolina	NICOLE MALLIOTAKIS, New York
JIM COSTA, California	RONNY JACKSON, Texas
JUAN VARGAS, California	YOUNG KIM, California
VICENTE GONZALEZ, Texas	MARIA ELVIRA SALAZAR, Florida
BRAD SCHNEIDER, Illinois	

SOPHIA LAFARGUE, *Staff Director*

BRENDAN SHIELDS, *Republican Staff Director*

# CONTENTS

	Page
<b>INFORMATION FOR THE RECORD</b>	
Statement of His Excellency Bocchit Edmond .....	4
<b>WITNESSES</b>	
Douyon, Emmanuela, Policy Expert, Activist, NOU PAP DOMI .....	15
Jozef, Guerline, President, Haitian Bridge Alliance .....	24
Auguste, Rosy, Program Director, National Network for the Defense of Human Rights (RNDDH) .....	34
White, Honorable Pamela W., Former U.S. Ambassador to Haiti, U.S. State Department .....	41
<b>APPENDIX</b>	
Hearing Notice .....	80
Hearing Minutes .....	81
Hearing Attendance .....	82
<b>STATEMENT FOR THE RECORD</b>	
Statement for the record submitted from Representative Connolly .....	83
<b>ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD</b>	
Statement for the record from the Center for American Progress .....	85
Article from the Miami Herald .....	89
Letters submitted to the Honorable Michelle Sison for the record .....	91
<b>RESPONSES TO QUESTIONS SUBMITTED FOR THE RECORD</b>	
Responses to questions submitted for the record .....	99



**POLICY RECOMMENDATIONS ON HAITI FOR  
THE BIDEN ADMINISTRATION**

**Friday, March 12, 2021**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:09 a.m., via Webex, Hon. Gregory Meeks (Chairman of the committee) presiding.

Chairman MEEKS. The Committee on Foreign Affairs will come to order.

Without objection, we are glad to welcome our colleague, the Chair of the House Financial Services Committee, the Honorable Representative Maxine Waters, to participate in today's hearing after our Members have had their opportunity to participate and question the witnesses.

Without objection, the Chair is authorized to declare a recess of the committee at any time. And all Members will have 5 days to submit statements, extraneous material, and questions for the record, subject to the length limitations in the rules.

To insert something into the record, please have your staff email the previously mentioned address, or contact full committee staff.

As a reminder to Members, please keep your video function on at all times, even when you are not recognized by the Chair. Members are responsible for muting and unmuting themselves. And please remember to mute yourself after you finish speaking. Consistent with House rules, staff will only mute Members, as appropriate, when they are not under recognition, to eliminate background noise.

I see that we have a quorum. And I now recognize myself for opening remarks.

Pursuant to notice, we meet today to hear from distinguished witnesses on their policy recommendations on Haiti for the Biden Administration.

It has been more than 11 years since Haiti suffered the devastating earthquake that killed hundreds of thousands, displaced more than a million people, and cost billions of dollars in damage. I am grateful that there is a continued U.S. assistance to Haiti, and I am inspired by the resilience of the Haitian people. We must sadly recognize that the situation in Haiti has continued to deteriorate in the decades since the earthquake.

Moving forward, we must be frank with ourselves and with the Haitian people as we assess the strengths and the shortcomings of our assistance programs in Haiti.

Today, Haiti faces a multi-pronged crisis. President Moïse has ruled by decree for 14 months. Top government officials have been sanctioned by the U.S. Government for committing human rights

violations. And Haitian parents are afraid to send their children to school or travel to work, not just because of the pandemic, but because kidnappings and gang violence has spiraled out of control.

Under the last Administration, a U.S. foreign policy—our U.S. foreign policy turned a blind eye to matters of human rights abuses and corruption. We witnessed the Haitian Government cover up corruption allegations, tamp down on the rights of journalists, and violently break up peaceful protests with virtually zero condemnation.

With the Biden Administration, America is once again willing to speak out against these actions. But there will be little time to waste.

In the first year of President Biden's term Haiti is slated to hold a constitutional referendum, as well as a parliamentary and Presidential election. How the United States responds to these challenges early on will play a pivotal role in establishing buy-in and trust from Haitian civil society and the Haitian people at large. However, the solutions to the crisis in Haiti will not come from Washington, New York, or Geneva, these solutions must come from and for the Haitian people.

As Members of Congress, we must listen to Haitian civil society, as well as our constituents in the Haitian diaspora. I am proud to have a vibrant Haitian community in my district of southeastern Queens, New York. And I value the perspective they share. We must work multilaterally to elevate those voices and take seriously their concerns.

One concern I hear frequently is skepticism about Haiti's readiness for elections. While I would love nothing more than to see free, fair, and inclusive elections held immediately, we must listen to the outcry of Haitian voices who are telling us that elections this year will be neither free, fair, or inclusive, that the voices of civil society and the opposition continue to be shown.

Instead of focusing on holding a constitutional referendum that many in Haiti and in the international community have denounced as unconstitutional, President Moïse must take the initiative and begin serious dialog to discuss what a peaceful transition of power can look like.

I have called on the Biden Administration to recognize that holding elections for elections' sake in Haiti will lead to the same outcome as in the 2015 election. In order to move away from the political paralysis that has gripped Haiti over the last few years, the Haitian people need to believe that their voices matter.

Finally, I want to reiterate my concerns that several of my colleague, and I expressed to Secretary Mayorkas last month. It was about the continued expulsion of Haitian migrants under Title 42 of the Public Health Services Act. Last month at least 966 Haitians were deported to Haiti, the vast majority of which were Title 42 expulsions, without any authority, no screening whatsoever. Given all the challenges Haiti already faces, it is untenable for the United States to continue expelling Haitian migrants under Title 42.

The problems Haiti faces are complex and are only getting more challenging. These difficulties will require a new approach from the Biden Administration, with active engagement from Congress, particularly this committee. An increased collaboration with Haitian

civil society, the Haitian-American diaspora, and important regional partners like CARICOM.

In my capacity as Chair of this committee, I will be working to make sure this Administration works closely with Congress to do what is the best for the people of Haiti.

I look forward to hearing from our distinguished witnesses on how we can make that happen. And I want to thank Ranking Member McCaul for his partnership in addressing this important topic.

Now, I will be submitting for the record a document from the Government of Haiti. And I want to be clear, this document does not reflect my views, nor my assessment of recent events. But in the interest of a full and complete hearing record with multiple views, I am submitting it for the record.

[The information referred to follows:]



Embassy of the Republic of Haiti  
Washington, DC

STATEMENT OF HIS EXCELLENCY BOCCHIT EDMOND  
HAITI'S AMBASSADOR TO THE UNITED STATES  
HOUSE FOREIGN AFFAIRS COMMITTEE HEARING ON  
POLICY RECOMMENDATIONS ON HAITI FOR THE  
BIDEN ADMINISTRATION  
WEDNESDAY, MARCH 10, 2021

AMB. BOCCHIT EDMOND  
EMBASSY OF THE REPUBLIC OF HAITI



Embassy of the Republic of Haiti  
Washington, DC

**Wednesday, March 10, 2021**

**Dear Chairman Meeks and Ranking Member McCaul:**

Thank you for the opportunity to provide the Haitian Government's position on the record for the hearing entitled "*Policy Recommendations on Haiti for the Biden Administration.*" The role of the House Foreign Affairs Committee is incredibly important in promoting democracy in Haiti and globally. For that, I wish to express my deepest gratitude for this Committee's continuous engagement with the Embassy of the Republic of Haiti in Washington, DC. The Republic of Haiti's Government has long considered the United States as one of its vital strategic partners and allies.

I believe the hearing is timely. It is time to end the political gridlock in Haiti and restore the basic functioning of its Government and reestablish the rule of law to pursue peace and prosperity for the Haitian people. This can only be done by drafting a new Constitution that represents the reality of Haiti and organizing free, fair, and inclusive elections.

This letter seeks to address the referendum on the new Constitution, upcoming elections, the retirement of the judges in accordance with the law, and the replacement of those who violated the Constitution by engaging in politics, insecurity challenges, and freedom of the press.

**Referendum on the New Constitution and Electoral Calendar**

The Moïse administration is committed to holding presidential and parliamentary elections in 2021. The Government intends to do everything possible to improve the socio-political climate to ensure that the deadlines are met and that the elections can be held in optimal conditions and with the broadest possible participation of candidates and voters.

Eminent Haitian civil societies, political leaders, and 87% of the population, in a recent national poll, have expressed support for a new Constitution. Consequently, the Government has named the Provisional Electoral Council (CEP) from a list of citizens proposed by civil society organizations of various sectors. The CEP's mandate is to organize a referendum on a new Constitution proposed by an independent consultative committee. The CEP is completely independent and has complete control over all election decisions. As you know, the CEP has been recognized by the international community, including the Organization of American States (OAS) and the United Nations. In fact, the United Nations Integrated Office in Haiti (BINUH) signed an agreement with the Government to support the referendum and the electoral process.



Embassy of the Republic of Haiti  
Washington, DC

The CEP released the electoral calendar, as follows:

- **June 27, 2021: Referendum on the new Constitution**
- **September 19, 2021: First round of presidential and parliamentary elections**
- **November 21, 2021: Second round of presidential, parliamentary, and local elections**
- **January 22, 2022: Final election results**

To ensure the success of the upcoming elections, the Government has established an elections Basket Fund managed by the United Nations Development Programme (UNDP). On February 2, 2021, the Government of Haiti deposited its initial \$20 million contributions. By April, another \$20 million will be contributed by the Haitian Government. Furthermore, President Moïse has appointed a Minister, a former opposition presidential candidate, with an exclusively elections-related portfolio, to serve as a bridge between the Government and various political parties. I wish to also inform you that one of the greatest challenges impacting Haiti's democracy is the weakness of our institutions. The Moïse administration is committed to working with our allies to address some of the fundamental structural challenges that impede the nation's development.

Regarding the Constitution, the harsh reality is that, since 1986, Haiti has dealt with weak institutions - a crisis that has severely undermined the republic's democracy. Thus, it is imperative to protect the country's future and through strengthening democratic norms. A new Constitution would reform Haiti's institutional framework, in addition to bolstering security in Haiti and across the region. Moreover, the new Constitution would not benefit the current administration since President Moïse's term ends on **February 7<sup>th</sup>, 2022**, when he will peacefully transfer power to his successor. However, adopting a new Constitution is not a prerequisite to hold elections.

As you are aware, the State Department, the United Nations, and Organizations of American States (OAS) have also concluded based on the Haitian Constitution, the president's term ends at noon on February 7, 2022. The Government is committed to holding free, fair, and transparent presidential, parliamentary elections, regardless of the outcome of the referendum on the new Constitution. I welcome the members of Congress to call for dialogue to build confidence among political and civil society actors, as required to re-establish the rule of law and to pursue peace and prosperity, as well as respect for human rights in the Republic of Haiti.

President Moïse took the oath of office on February 7, 2017, for a five-year term. Even as the president delivered his inaugural speech, some of the most virulent opposition politicians stated they would "render Haiti ungovernable, if Jovenel Moïse takes office." True to their promise, they have undermined the country's progress in every conceivable manner since then.



Embassy of the Republic of Haiti  
Washington, DC

Some opposition politicians claim that a president should have been sworn in on February 7, 2016, to succeed former President Joseph Michel Martelly. This is true, except that the second round of the presidential election was cancelled to strategically eliminate Jovenel Moïse, who had led the first round of voting. Then, instead of allowing the second round of elections to occur, provisional president Jocelerme Privert was elected. One of the senators allied to the opposition, for a 90-day interim term, effectively stopping the clock on the next elected president.

Privert overstayed his 90-day mandate, violating an accord he, as then-president of the Senate, and the then-president of the Chamber of Deputies signed with outgoing President Martelly. He unilaterally extended his term for nine more months. He named a commission on the electoral process, the CIEVE, which recommended a do-over of the entire presidential election by canceling the first round and the run-off between candidate Jovenel Moïse and an opposition candidate. As the CIEVE recommended, provisional president Privert, with the leaders of the current opposition's support, held another first round, which Jovenel Moïse won with more than 57% of the vote, eliminating the need for a run-off.

It should be noted that the CIEVE had not recommended canceling the legislative elections. Thus, those elections proceeded normally, unlike the presidential polls. That explains why the terms of two-thirds of the senators ended in 2020, unlike the president's mandate. Moreover, at the request of ten senators, in 2018, when elections for a third of the Senate should have been held, an agreement was negotiated and signed with the Office of the President, which extended the term of that third of the Senate by an additional year. Thus, it is false that President Moïse ended any legislator's term. The constitution determined the end of their mandate. President Moïse simply noted that their term expired.

As for the decrees, President Moïse is constrained, for example, to adopt decrees to organize the elections, or to adopt a budget. Otherwise, the Government would cease to function. President Moïse is committed to handing over executive power to an elected successor, the same principle that the US institutions preserved on November 3, 2020, and last January 20, 2021. There is, accordingly, no basis for a transitional Government. The opposition has no legitimacy to impose such a Government on the Haitian people by any constitutional logic.

In supporting such an outcome, the international community would set an undemocratic precedent. It is high time that opposition politicians in Haiti abide by democratic principles. Since 1990, they have fought for and imposed three provisional governments by forcing three presidents from power or engaging in violence in 2015 to prevent President Martelly from organizing elections to hand over power to his successor.

Should the opposition succeed in imposing a provisional government for two years. Then, its leaders will insist that the next president's term will end within three years from the day s/he takes office. The calling of a transitional government by some members of Congress is undemocratic,



Embassy of the Republic of Haiti  
Washington, DC

hampers the proper functioning of the institutions. It further undermines the stability of the country and the national security interests of the United States. Additional election delays would increase migration to the U.S. The Constitution is clear, President Moïse will be replaced by a democratically elected president after his five-year term ends.

#### **The Retirement of Judges**

As it relates to the replacement of the Judges, in October 2020, the current President (Chief Justice) of the *Cour de Cassation* called on all judges who wish to engage in politics to resign because the 2012 amendments to the Constitution removed justices from lines of presidential succession. Furthermore, the Constitution states that once a judge is involved in politics, s/he must either resign or retire. Here, President Moïse's actions regarding those judges are consistent with the rule of law; he appointed the new judges based on the recommendations of the Superior Council of Judiciary Power (CSPJ), the body that governs the judiciary. The president's decision was not unilateral.

#### **Insecurity Challenges**

The Haitian Government has increased the Haitian National Police (HNP) budget, including purchasing equipment, increasing salaries and benefits, and building hundreds of apartments for police officers. The share of the national budget devoted to the national police increased by 53% in 2021 compared to the fiscal year 2019/2020 to reach 6.59% of the national budget. The improvement of the living conditions of police officers has been at the center of the decisions taken. We recognize that there is still a lot more to be done to improve morale, and we are mindful that we have the political will to act, but our resources are not sufficient to overcome decades of institutional dysfunction.

We welcome the fact that friendly countries such as the United States of America, France, and Colombia support the strengthening of the country's capacity to combat kidnappings. With UN agencies' support, we have established a national mechanism for managing arms and ammunition per existing national legislation and international instruments to which Haiti is a party.

The radical and violent opposition's "peyi lòk" operation attacked citizens' fundamental rights by preventing them from carrying out their activities. Peyi lòk has also caused severe economic damage, with nearly \$2.4 billion and about eighty thousand jobs lost. The pandemic in 2020 has also had serious consequences.

In four years, the Moïse administration has had to face seven attempts to interrupt the constitutional order through violence. The violent insurrectionist attack against the country's Senate on September 11, 2019, by radical opposition gangs to prevent it from fulfilling its constitutional obligations was undemocratic. The creation of numerous gangs and a shadowy terrorist group 509 formed by numerous police officers dismissed for drug trafficking and other crimes that attacked



Embassy of the Republic of Haiti  
Washington, DC

the national police, the Office of the Prime Minister, several ministries, and other state institutions is among the dangers that our democracy has had to face in recent months.

The most recent of these is the attempted coup d'état on February 7, 2021, and once the police and the judiciary's investigation is completed, we will share the report with this Committee. At the root of all this is the rejection of the democratic regime and elections as the only way to access the management of state affairs, which explains why some have rejected the Moise administration's tireless efforts to calm the socio-political climate and facilitate a consensual solution through dialogue. They preferred to opt for political violence, paralysis, and chaos, hoping that this strategy would lead to a successful coup d'état to install a transitional government without a mandate from the people.

In response to this policy of chaos, the Government implemented a gang dismantling strategy. The first component was the Disarmament and Rehabilitation Commission, which had limited success. The second was the strengthening of police capacity and the aggressive dismantling of gangs. Out of 102 existing gangs, the Government has dismantled 64, and work to restore security has been accelerated. The number of kidnappings decreased significantly, and the population supports the work of the national police. Most of these gangs are supported by corrupt oligarchs. Furthermore, the Government has recently created an anti-kidnapping unit specifically dedicated to ensuring the safety of citizens and foreign nationals in the country.

I understand the concerns expressed by the Haitian people and some members of Congress regarding the insecurity in the country over the past 12 months. It must be recognized that the Haitian National Police, with the new leadership recently put in place, is working hard to neutralize the armed groups and restore security throughout the country. Several gang networks have already been dismantled. The police have been able to resist proposals of corruption of the institution by oligarchs seeking its implosion, which would have profoundly affected the future of our democracy. The remobilization of the army is progressing. It has supported police operations against gangs.

We recognize that strengthening the judicial system is an essential element in the fight against insecurity and organized crimes. In this spirit, the Government has provided the actors of the system with more binding legal tools to combat this phenomenon. To strengthen the rule of law and consolidate the security apparatus, President Moise has had to adopt certain decrees that are part of the fight against organized crimes, rampant insecurity, and kidnapping in the absence of a functioning parliament.

#### **Freedom of Press**

Under the Moise administration the rights of the media have been fully protected. No journalist has been arrested or persecuted despite dubious reports on human rights practices. There are more



Embassy of the Republic of Haiti  
Washington, DC

than 400 TV and radio stations in Haiti. Freedom of press is a right that has been recognized by international human rights law and Haiti's constitution.

However, the Government is facing two types of protests: peaceful and violent demonstrations aimed at disrupting the constitutional order in Haiti. The Government remains concerned about the latter category, which wants to interrupt the constitutional order at all costs. Demonstrators have shot several police officers, set fire to police stations, public markets, public schools, public buildings, and vocational training centers, and private properties were not spared. Without respect for the basic principles of democracy, they continuously call for violence in the media. Some of the protestors have also publicly violated the Convention on the Rights of the Child in the media by making death threats against school children to prevent them from going to school.

As a strategic partner of the United States, we suggest that our common objective regarding the rule of law in Haiti would benefit if some members of Congress sought clarifications from Haitian Government officials prior to making public statements. While it is the intent of the Congress to promote democracy in Haiti, language that appears ambiguous provides some of the opposition members, who are insurrectionists, a semblance of legitimacy to overthrow a democratically elected president.

In closing, I humbly request support from our international partners, particularly the United States, in strengthening the country's democratic institutions. I remain available to discuss any additional concerns that you may have to help strengthen bilateral strategic relations and development cooperation. I invite you and members of the Committee to the Republic of Haiti to meet with President Moïse and other elected officials.

I seize this occasion to avail myself of the opportunity to renew to you, Dear Chairman Meeks and Ranking Member McCaul, the assurances of my highest consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bocchit Edmond', with a long horizontal line extending to the left.

**Bocchit Edmond**  
Ambassador

**Chairman Gregory Meeks and Ranking Member Michael McCaul**  
**House Foreign Affairs Committee**

Chairman MEEKS. I will now recognize the Ranking Member, Representative McCaul, for his remarks.

Mr. MCCAUL. Thank you, Mr. Chairman. And thank you for holding this hearing on a critical issue in the Western Hemisphere.

Haiti is facing a political, economic, and humanitarian crisis with its current President Jovenel Moise ruling by decree for over a year. While this is legal, it complicates the situation further. Current events are like the fragility of Haiti's democracy. And, sadly, Haiti has struggled consistently with political instability, extreme poverty, corruption, and other endemic challenges since its transition from dictatorship to democracy in 1987.

Haiti's progress has also been hindered by natural disasters like the 2010 earthquake, and Hurricane Matthew in 2016. Haiti remains the poorest country in the Western Hemisphere where nearly 60 percent of the population lives below the national poverty line. And as a result of the COVID pandemic, Haiti's economy has contracted by an estimated 4 percent.

I am also concerned about the alarmingly high levels of crime and violence in Haiti, and reports of local gangs, human rights abuses, and systemic corruption, which are rampant. And I worry about the capacity of Haiti's justice system to fully investigate and hold criminals accountable.

No matter how difficult the situation, the United States remains committed to supporting the Haitian people. Haiti is the second largest recipient of U.S. assistance in the Western Hemisphere, receiving over \$180 million in Fiscal Year 2020. These funds are used primarily for emergency food aid and distribution, global health programs, education, and security assistance.

U.S. assistance has also helped build the Haitian National Police into a professional security force, and we should continue to support its development.

However, given the continuing challenges facing Haiti, I think it is fair to ask how effective our assistance has been and explore how our aid could achieve the desired outcome.

I also want to recognize the Government of Haiti for maintaining diplomatic ties with Taiwan, and standing with the U.S. and the international community and acknowledging the fraudulent nature of the legislative elections organized by the Maduro regime in Venezuela last year. I commend them for taking these principled positions.

It is important for us to pursue policies that support the Haitian people in their efforts to address serious challenges they are facing. So, I look forward to hearing from our witnesses today.

And with that, Mr. Chairman, I yield back.

Chairman MEEKS. Thank you, Representative McCaul.

I am honored to have a distinguished panel, four excellent witnesses joining us today for our hearing.

Ms. Emmanuela Douyon is an economist, professor, and leader in the Nou Pap Domi social movement, a collective of young Haitians committed to fighting corruption, impunity, and social injustice.

Ms. Guerline Jozef is the Co-Founder and Executive Director of the Haitian Bridge Alliance, which elevates and empowers Haitians and other Black immigrants from the Caribbean and Africa through advocacy, organizing, and social and cultural programs.

Ms. Rosy Kesner Auguste serves as Program Manager of the National Human Rights Defense Network, a national institution based on Haiti that advocates for the respect of human rights, and conducts oversight of State institutions.

And, finally, Ambassador Pamela A. White. She is an American diplomat who served as U.S. Ambassador to The Gambia from 2010 to 2012, and U.S. Ambassador to Haiti from 2012 to 2015.

I thank you all for joining us today, and I look forward to your testimony.

Witnesses will have 5 minutes to deliver your opening remarks. We will also have an interpreter for one of the witnesses. And I will make allowances for time used for interpretation.

I will gently tap my gavel when you have 30 seconds left so that you may conclude your testimony.

Without objection, your prepared written statement will be made part of the record.

I now recognize Ms. Emmanuela Douyon for 5 minutes.

**STATEMENT OF EMMANUELA DOUYON, POLICY EXPERT,  
ACTIVIST, NOU PAP DOMI**

Ms. DOUYON. Thank you, Chairman Meeks, Ranking Member McCaul, and Members of the committee. I want to thank you for holding this hearing during a critical moment in Haiti's history. My name is Emmanuela Douyon, and I am honored to be here on behalf of Nou Pap Domi, a collective of engaged Haitian citizens in the struggle against government corruption and impunity.

Today is not the first time the U.S. Congress or this committee has held a hearing to assess U.S. policy in Haiti and gather recommendations. However, we see the present situation as fundamentally different. Today, I am hopeful that the Haitian people are on the verge of a new era, one with new actors and a clear roadmap to end old practices that perpetuate crisis after crisis and that can instead lead to the real change the Haitian people deserve.

In Haiti, we are hopeful that the Administration of U.S. President Joe Biden will also break with the past and, instead, listen to the voices of civil society.

In my written testimony, I describe the current crisis and provide a couple of recommendations that I summarize here.

We believe that the Biden Administration and the U.S. Congress should take the following actions:

The U.S. should recognize that the situation in Haiti today as a struggle by the Haitian people to take ownership of their government and build democracy, not simply a fight between politicians for power.

The U.S. should not be supporting Jovenel Moise, who is a threat to Haiti's constitution and the rule of law because of his tolerance for impunity and unconstitutional and authoritarian acts, including:

Preparation of a constitutional referendum in violation of the amendment process set forth in the constitution;

The appointment by decree of a provisional electoral council, whose Members are not sworn in as legally required;

The recent dismissal and subsequent replacement of three Supreme Court judges;

Attempts to undermine the controlling power of the Court of Auditors;

Absence of political will to hold accountable those involved in massacres, such as the La Saline massacre, and several killings that happened during President Moise's term, including the devastating assassination last year of the President of the Bar Association of Port-au-Prince, Monferrier Dorval.

His continued effort to grab power, whatever the cost, in clear attempts to consolidate his power with no checks and balances, including the replacement of elected local officials by people accountable to him only, and unconstitutional decrees that raise serious concern.

The U.S. Government must recognize that in the current context the State-sponsored gang violence and human rights abuses, increasing authoritarianism, and unconstitutional an illegal provisional electoral council, and the failure to register voters, free, fair, and credible elections cannot be safely conducted within this year. It is simply not possible.

The recurrent electoral crisis and subsequent political crisis have eroded citizens' faith in their government.

Rather than take sides in the constitutional dispute, it will be more helpful to listen to and offer solidarity with the Haitian people, who no longer recognize Jovenel Moise as their President. Even before his constitutional mandate ended, after years of calling on him to resign following reports from the Court of Auditors providing his involvement in the PetroCaribe corruption scandal, and because they are deeply concerned with human rights abuse. Corrupt, incompetent, and authoritarian officials should never be allowed to stay in power beyond their term in the name of democracy.

The U.S. Government should recognize that past foreign-led attempts aimed to strengthen democracy in Haiti have not led to progress and often have been counterproductive. It is time to follow the lead of Haitian civil society in determining when to support elections in Haiti, and respect the current efforts to solve the crisis as they want to.

Specifically, by organizing a nonpartisan, non-coerced and consensus-based team of civil society and political actors capable of ensuring the governance of the country, filling the institutional void at the head of the country since the end of President Moise's constitutional mandate on February 7, 2021, and restore democratic order.

The U.S. should investigate money laundering and arms trafficking, human rights abuses, and other illegal acts by Haitian officials and private sector leaders and apply sanctions, including under the Global Magnitsky Act where applicable.

It is time to send a clear signal to those who are squandering State resources with impunity, and those who continue to shed blood and violate human rights. The United States should support Haitian civil society's call for the immediate release of those arrested on February 7, 2021, and not give credence to the Govern-

ment's narrative, given the lack of credible evidence of the coup attempt.

To conclude, I want to state clearly that the people of Haiti are resolute in their desire for a true democracy, a democracy that works for all, and need to be able to count on the support of their friends and partners, including the U.S. Government, in this pursuit.

Thank you very much. And I look forward to your questions.  
[The prepared statement of Ms. Douyon follows:]

**Statement of Emmanuela Douyon, Nou Pap Dòmi**  
**Before the U.S. House of Representatives Committee on Foreign Affairs**  
**Hearing Entitled “Policy Recommendations on Haiti for the Biden Administration”**  
**Presented on March 12, 2021**

Chairman Meeks, Ranking Member McCaul, and Members of the Committee, I want to thank you for holding this hearing during a critical moment in Haiti’s history. My name is Emmanuela Douyon and I am honored to be here today on behalf of Nou Pap Dòmi, a collective of engaged Haitian citizens in the struggle against government corruption and impunity.

Political crises are recurrent in Haiti. Today is not the first time the United States Congress, or this Committee, has held a hearing to assess U.S. policy in Haiti and gather recommendations. However, we see the present situation as fundamentally different. Today, I am hopeful that the Haitian people are on the verge of a new era, one with new actors and a clear roadmap to end old practices that perpetuate crisis after crisis and that can instead lead to the real change the Haitian people deserve. In Haiti, we are hopeful that the Administration of U.S. President Joe Biden will also break with the past and listen to the voices of civil society asking for solidarity in their struggle for a renewed democracy.

This crisis must be the last breath of a rigged political and socio-economic system that can no longer renew itself. Accountability and systemic change are what the people of Haiti long for - as both are required for a new day to dawn in Haiti and for a true and sustainable democracy to finally take root.

### **Corruption and Impunity**

A movement for accountability against corruption, led in large part by civil society and grassroots organizations, has been underway in Haiti since 2018. This strong citizen mobilization has forced the Court of auditors (*Cour des Comptes et du Contentieux Administratif*) to publish several

extremely worrisome reports<sup>1</sup> on the waste and misappropriation of billions of dollars from the Petrocaribe fund intended to finance development projects in Haiti.

President Jovenel Moïse, who was named throughout the Court's audit reports, was decried by the majority of the population who asked him to resign and be held accountable before our judicial system. Despite years of peaceful demonstrations and continual calls from civil society and political actors, there have been no real investigations or prosecutions of government corruption. Under the Moïse administration, the largest movement against corruption and impunity in the country's history has not yet resulted in the arrest of any individual. But impunity is about more than just corruption. There have not been any arrests in regards to the Lasaline Massacre<sup>2</sup> and other massacres and killings that happened during President Moïse's term including the notorious assassination last year of the president of the Bar Association of Port-au-Prince, Monferrier Dorval.<sup>3</sup>

It is time to satisfy the people of Haiti's demand for justice. Seeing arrests of those involved in the massacres, senseless killings, and kidnappings are crucial to send a clear signal to those who are squandering state resources with impunity and those who continue to shed blood.

### **Authoritarian Drift**

The current government is a threat to Haiti's institutions and the rule of law. Since coming to office, President Moïse has unilaterally changed the heads of the institutions involved in the fight against corruption: The Anticorruption Unit (*Unité de Lutte Contre la Corruption -ULCC*) and the Central Financial Intelligence Unit (*Unité Centrale de Renseignements Financiers -UCREF*). In return they direct cases against their opponents while ignoring audits on the use of Petrocaribe funds. In November 2020, Moïse issued a decree to eliminate part of the control powers of the Court of Auditors, a real attack on the existence and work of this invaluable institution. Recent attacks on the judiciary system took the form of dismissal and replacement of three supreme court judges in

---

<sup>1</sup> [https://www.csc.ca.gouv.ht/rapports\\_petro\\_caribe.php](https://www.csc.ca.gouv.ht/rapports_petro_caribe.php)

<sup>2</sup> <https://lenouvelliste.com/article/226377/indexe-dans-le-cadre-du-massacre-de-la-saline-fednel-monchery-arrete-puis-libere-par-la-police>

<sup>3</sup> <https://www.voanews.com/americas/killing-port-au-prince-bar-association-chief-roils-haiti>

February 2021, and the imprisonment of one of them, all of which human rights organizations and lawyers deemed illegal and a violation of international human rights standards.

Currently in Haiti there is no check and balance on the power of the president. On January 13, 2020, President Moïse announced the end of the mandate of all the deputies and 2/3 of the Senate, including some members of parliament who had only served three years in office<sup>4</sup>. In a further, and deeply troubling, power grab he also replaced all locally elected officials in July 2020<sup>5</sup> by temporary agents accountable to him and appointed a significant number of diplomats and senior state officials outside of regular procedures.

Since then, President Moïse has taken over the power to legislate by adopting more than 120 executive orders and 41 unconstitutional decrees. Many of these decrees raise serious concerns and represent clear attempts to consolidate power. Even the U.S. Embassy in Haiti issued notes to condemn the creation of a National Intelligence Agency that poses serious threats to human rights. Further, under the guise of protecting public health, President Moïse has also issued a series of decrees that free the government of previous rules covering procurement, causing further concern over corruption and lack of accountability.

Back in December 2020, the U.S. expressed concerns over democratic backsliding but since then, we have witnessed a further authoritarian drift. This is why, despite tremendous risks, the people have been peacefully demonstrating almost every Sunday since February to denounce a dictatorship on the rise.

### **Constitution and Constitutional Crisis**

In October 2020, Jovenel Moïse unilaterally appointed a so-called Independent Constitutional Committee to write a new constitution.<sup>6</sup> The final text was just released last month and Moïse plans to hold a referendum, which is contrary to Haiti's current constitution, in June. Not only is

---

<sup>4</sup> <https://ayibopost.com/le-mandat-des-senateurs-est-il-vraiment-termine/>

<sup>5</sup> <https://lenouvelliste.com/article/218352/la-presidence-prend-le-contrôle-des-mairies>

<sup>6</sup> <https://lenouvelliste.com/article/222692/investiture-dun-comite-consultatif-independant-pour-elaborer-la-nouvelle-constitution>

the process unconstitutional, Moïse's plan would significantly increase the concentration of power in the hands of the executive, including by allowing the president to handpick the electoral council. Further, the constitution would give the president widespread immunity.

It is in this context that an intense debate on the date of the end of the presidential term has been taking place for several months. While the presidential term is five years, article 134-2 of Haiti's constitution provides for instructions on the Presidential term in the event that the election is delayed. This article instructs that if an electoral process is delayed, the term of the President will be determined to have begun on February 7<sup>th</sup> following the election, regardless of the date the President took office, effectively reducing the five-year term. The majority of civil society organizations and religious sectors, as well as the Federation of Haitian Bar Associations and the Superior Council of the Judiciary all came to the same conclusion: the term of President Jovenel Moïse ended on February 7, 2021. Moïse claims to be able to remain in office until February 7, 2022.

Jovenel Moïse's argument concerning respect for constitutional time does not hold up, especially since he himself dismissed several dozen parliamentarians in 2020 using the same constitutional interpretation that he now claims does not apply to him. By staying in power, Jovenel Moïse is proving that he is above the law. It sets a terrible precedent when someone in power can use the law to get rid of opponents and ignore the same law when it applies to him. By openly supporting the extension of Moïse's mandate, the international community is complicit and further fuels his efforts to stay in power no matter the cost.

## **Election**

As those who seek democracy, we know that only free, credible, and honest elections can guarantee us a return to constitutional order and a legal government to meet our demands. However, what we observe is that despite having a comfortable majority in the parliament up until December 2019, President Moïse failed to organize elections. Instead, his government adopted a new voter card system, awarding the contract despite an unfavorable court opinion undermining trust in the electoral process. Despite opposition from the majority of civil society organizations, as well as

the Court of Auditors and the Court of Cassation, President Moïse unilaterally set up a Provisional Electoral Council, in clear violation of constitutional procedures.

This is all the more worrisome since the process has excluded the vast majority of actors who contested the electoral council's legitimacy. Now, with power further consolidated, and with the rise in insecurity, the proliferation of gangs, and numerous kidnapping cases, it seems impossible to hold free, fair and credible elections under our current leadership. For a government to organize credible elections it needs to be open, transparent, responsive, and accountable which is the exact opposite of this government.

Over the past ten years, poor elections funded in large part by the U.S. and international community, have caused instability and led to massive violations of the rights of the Haitian people. In our last presidential election, only about 20 percent of voters turned out or were able to participate. Further, the economic performances of the last two years are the worst since the earthquake of 2010. The upcoming elections are simply too important to go forward under the current circumstances, be badly organized, and result in a weakened democracy. We simply cannot afford another crisis.

For credible elections in Haiti needs:

1. A non-partisan, non-corrupt, consensus-based team of civil society and political actors capable of ensuring the governance of the country and filling the institutional void at the head of the country since the end of President Moïse's constitutional mandate on February 7, 2021. This transitional leadership must respect the quota for women's participation.
2. A provisional electoral council (CEP) that enjoys legality and legitimacy, constituted according to the prescriptions of the constitution.
3. An audit of the current civil registry system and of the new voter identification cards as well as improvement of the country's electoral infrastructure, including new electoral laws and regulations.
4. Strengthening of the judicial system, particularly to ensure independence in the arbitration of electoral disputes.
5. Enough time to avoid rushing or backtracking. Hastily organized elections in a chaotic situation would not solve any problems, only create them.

6. A break with the anti-democratic practices, corruption, and impunity that are rooted in public administration.
7. Restoration of a climate of security and peace conducive to the smooth functioning of institutions and the development of citizens. The police should inspire trust after repeated scandals involving alleged police officers.

**Policy Recommendations**

We believe that the Biden Administration and the U.S. Congress should take the following actions:

1. The U.S. should recognize the situation in Haiti today as a struggle by the Haitian people to take ownership of their government and build democracy, not simply a fight between politicians for power. The U.S. Government should seek advice from legitimate and representative Haitian civil society regarding recommendations on a way forward through the current crisis, human rights violations, and corruption.
2. Rather than take sides in a constitutional dispute, it will be more helpful to listen to and offer solidarity with the Haitian people, who no longer recognize Jovenel Moïse as their president.
3. The U.S. should not be supporting Jovenel Moïse's recent unconstitutional acts, including:
  - a. Preparation for a constitutional referendum in violation of the amendment process set forth in the Constitution.
  - b. The appointment by decree of a provisional electoral council (CEP), whose members are not sworn in as legally required.
  - c. The recent dismissal and subsequent replacement of three Supreme Court judges.
4. The Secretary of the Treasury, Attorney General, and Secretary of State should put US Law Enforcement and human rights institutions to work to investigate money laundering, arms trafficking, human rights abuses, and other illegal acts by Haitian officials and private sector leaders. The U.S. should apply individual sanctions under the Global Magnitsky Act where applicable.

5. The U.S. Government should recognize that in the current context —with state sponsored gang violence, human rights abuses, increasing authoritarianism, an unconstitutional and illegal provisional electoral council (CEP), and the failure to register voters — free and fair elections cannot be safely conducted within a year. The recurrent electoral crises and subsequent political crises have eroded citizens' faith in their governments. It's time we show people that democracy works by not letting corrupt, incompetent, and authoritarian officials stay in power in the name of democracy when they are only taking advantage to sabotage democracy
  
7. The U.S. should recognize that past foreign-led attempts aimed to strengthen democracy in Haiti have not led to progress, and have even been counterproductive, the U.S. Government and international community should instead follow the lead of Haitian civil society in determining when to support elections in Haiti.
  
8. The United States should support Haitian civil society's calls for the immediate release of those arrested on February 7, 2021 and not give credence to the government's narrative given the lack of credible evidence of a coup attempt. The Supreme Court Judge Dabresil was released, but the others remain in detention, despite the fact that human rights organizations that investigated the case reported that their detention was arbitrary and may have been politically motivated.

While there is insufficient information on the status of the case at this stage, it is nevertheless necessary to call for the immediate release of the detainees, given the lack of credible evidence, the risks of COVID-19 in detention, and the inhumane conditions of pre-trial detention.

To conclude, I want to state clearly that the people of Haiti are resolute in their desire for a true democracy that works for all and need to be able to count on the support of their friends and partners, including the U.S. Government, in this pursuit. Thank you and I look forward to your questions.

Chairman MEEKS. Thank you.

Ms. Guerline Jozef, you are now recognized for 5 minutes.

**STATEMENT OF MS. GUERLINE JOZEF, PRESIDENT, HAITIAN  
BRIDGE ALLIANCE**

Ms. JOZEF. Good morning. Thank you so much for having me. My name is Guerline Jozef. I am the Co-founder and Executive Director of the Haitian Bridge Alliance.

The Haitian Bridge Alliance provides direct service advocating, organizing on behalf of Black immigrants from the Caribbean entering Haiti, from the Afro-Latinx community, and our brothers and sisters from Africa.

Today it is with a saddened heart that I am before you. As we are speaking, there is a flight to Haiti carrying asylum seekers who have made a dangerous journey coming to our borders to ask for asylum. Today, this morning, as we speak, over 129 people are on a flight to Haiti, including what seems to be a newborn baby just a few days old.

It is unconscionable for us as a country, as a people, as this great United States of ours, to continue the cruel, inhuman practice and lack of respect to the lives of those most vulnerable.

As we stand today, with all the faith, with all the hope, as we heard from my colleague Emmanuela, the situation on the ground in Haiti we understand that for too long we have been silent. The partnership between Haiti and the United States needs to be better. We understand that too many lives are at risk. We understand that this cannot continue.

Haiti has not always been a migrant-sending country, but due to ongoing natural disasters, as we all know, in 2010, the earthquake that killed over 2,000—200,000 people, leaving the infrastructure of Haiti completely destroyed. Consequently, the storms and the cholera epidemic that was brought into the country by, unfortunately, health relief workers from the United Nations, still we are dealing with those aftershocks.

Today, in 2021, we still feel the aftershock of the earthquake. We see people leaving the country in search for a place to live, and search for freedom, and in search for refuge. But we, as the United States, turn our backs once again to the Haitian community.

We understand that the immigration prison system as we know it today was a direct response to the Haitian refugees arriving on our shores in the 1980's. Enough is enough. Today, as we look back, what is currently happening in the country, in the middle of the uprising, in the middle of the people of Haiti once again asking, fighting for life and for justice, we cannot continue to do that.

I will share one quick story with you of a woman who shared with us. She and her husband and her child, just 4 months old, was deported to Haiti 4 weeks ago. She shared with us that she was kidnapped. She was raped, barely escaped, was able to leave the country. Went to Chile in 2017. In turn, she experienced extreme racism which forced her again to leave to search for safety.

Upon arriving at the U.S.-Mexico border she stayed a year-and-a-half, 18 months waiting for a chance to ask for asylum.

Four weeks ago she finally mustered the courage and took the chance. What she shared with me was that upon arriving she was

not even given the chance to state her case. They did not even ask her, Why are you here? What are your fears?

She was immediately detained for 10 days without access to any sanitary—access to any sanitation. She was held for 10 days without access to a bathroom, to a shower, without access to a toothbrush or toothpaste, with her child, her infant, who ended up having to soil his clothes. And she was denied access to change the infant's clothes, and denied access to change her own clothes.

At 4 a.m. in the morning she was awakened and told to come to get breakfast, which happened to be a bean burrito. When asked, Can I leave my child to sleep because it is too early and it is cold? they told her no. She pled with them. They told her that—these are her words—if you do not bring the baby, we will drag her out.

So, these are the conditions that we see Black immigrants, including asylum seekers, specifically Haitians, being treated as they come and ask for asylum.

It is clear the conditions we see—

Chairman MEEKS. Thank you.

Ms. JOZEF [continuing]. We see these conditions for Haiti. So, we are asking, we are demanding that we protect those lives. We are demanding that we have the cease to expulsion to Haiti immediately.

We are asking that the flight that left today be returned to the United States with that infant, with the students.

Chairman MEEKS. Thank you.

Ms. JOZEF. We are asking for—

Chairman MEEKS. Thank you.

Ms. JOZEF. Thank you so much.

[The prepared statement of Ms. Jozef follows:]



**Name:** Guerline Jozef

**Title and organizational:** Executive Director, Haitian Bridge Alliance

**Name of the Committee:** House Committee on Foreign Affairs

**The date:** March 12, 2021

**Title of the hearing:** Hearing on “Policy Recommendations on Haiti for the Biden Administration”



U.S. House of Representatives  
 Committee on Foreign Affairs  
**Hearing on “Policy Recommendations on Haiti for the Biden Administration”**  
 March 12, 2021

The situation unfolding in Haiti today presents a significant challenge to the people of Haiti, The Haitian Asylum seekers at the US-Mexico borderlands, the region, and Haitian nationals living in the United States. As of 2019, The Haitian population in the United States is estimated to be close to a million.

<sup>1</sup> Haiti was not always a migrant-sending country. Haiti fought and became the first free Black republic after it declared independence from France and ended slavery in the 19<sup>th</sup> century and was a destination for migrants for more than a century.<sup>2</sup> But since then, years of dictatorships, devastating natural disasters, high levels of corruption, and foreign interference have held Haitians back from achieving prosperity and stability.

In January 2010, the country suffered a cataclysmic earthquake that killed between 220,000, and injured more than 300,000 people, injured hundreds of thousands more, and destroyed an enormous share of the country’s infrastructure.<sup>3</sup> A widespread cholera outbreak introduced inadvertently by UN relief workers<sup>4</sup> brought death and despair and together with subsequent natural disasters, including Hurricane Matthew in 2016, further exacerbated the country’s ability to recover and rebuild.

---

<sup>1</sup> U.S. Department of Commerce, “1990 Census of Population Social and Economic Characteristics: United States,” available at <https://www2.census.gov/library/publications/decennial/1990/cp-2/cp-2-1.pdf>; The U.S. Census Bureau, “2019 American Community Survey 1-year estimates, Table B05006,” available at <https://data.census.gov/cedsci/table?q=place%20of%20birth&tid=ACSDT1Y2019.B05006&hidePreview=false> (Last accessed March 2021).

<sup>2</sup> Georges E. Fournon, “Haiti’s Painful Evolution from Promised Land to Migrant-Sending Nation,” (Washington DC: Migration Policy Institute, 2020) available at <https://www.migrationpolicy.org/article/haiti-painful-evolution-promised-land-migrant-sending-nation>.

<sup>3</sup> OXFAM, “Haiti Earthquake: Our response,” available at <https://www.oxfam.org/en/haiti-earthquake-our-response#:~:text=On%20January%2012%2C%202010%2C%20a,in%20an%20immense%20humanitarian%20crisis>.

<sup>4</sup> See Richard Knox, “Verdict: Haiti’s Cholera Outbreak Originated In U.N. Camp,” *NPR*, available at <https://www.npr.org/sections/health-shots/2011/05/06/136049974/verdict-haitis-cholera-outbreak-originated-in-u-n-camp> (last accessed March 2021).



In addition to dealing with the significant lingering effects of these national and public health disasters, Haiti today must deal with a rapidly escalating political crisis that began after much-disputed 2015 election and took a turn after President Jovenel Moïse decided not to step down in February 2021 – the official end of his term according to his opponents’ understanding of the Haitian Constitution.<sup>5</sup> Accusing Moïse of dictatorship and against his decision to stay in power beyond the term limit, thousands of Haitians have participated in protests, many in the capital of Port-au-Prince. The fresh political unrest and the constitutional crisis comes in the midst of increasing instances of kidnappings-for-ransom that has skyrocketed by 200 percent from 2019 to 2020, which led many schools and other institutions to close.<sup>6</sup> Haitians accuse President Moïse of supporting these gangs to help suppress his opposition. Haiti’s ability to respond to the many challenges it is facing is hampered significantly by the absence of a functioning legislature and the total lack of elected mayors throughout the country.<sup>7</sup>

According to reports, an internal report by U.S. Citizenship and Immigration Services (USCIS) within the U.S. Department of Homeland Security (DHS) recently concluded that “based on a recent analysis of conditions in Haiti, USCIS believes that Haitians removed to Haiti may face harm upon return to Haiti.” Nevertheless, in recent months DHS has deported or expelled thousands of Haitians including pregnant women and children as young as just two (2) months old to face that very risk of harm. Rather than continuing to pursue this harmful strategy, the Biden administration has several tools at its disposal to protect the safety of Haitian nationals here, asylum seekers at the US-Mexico borderlands and in the country and to help promote stability and recovery.

#### 1. The Biden administration should immediately redesignate Haiti for Temporary Protected Status

The Biden administration should respond to the current crisis by redesignating Haiti for Temporary Protected Status (TPS). Based on the rising political unrest, growing authoritarian activities, and proliferation of gangs in the middle of an ongoing pandemic, Haiti is going through “extraordinary and temporary conditions” that makes it unsafe for Haiti nationals residing in the United States to return to the country. Haiti was designated for TPS in 2010 following the earthquake and redesignated in 2011 due, in part, to the cholera outbreak. The designations were extended regularly—including during the first months of the Trump administration—until they were set for termination toward the end of 2017. While the terminations have been prevented from taking effect due to ongoing litigation, the Biden administration can end the uncertainty experienced today by tens of thousands of Haitian TPS holders in the U.S. and extend protection to additional Haitian nationals facing the threat of deportation and expulsion by redesignating the country for TPS. Such a **redesignation** would permit qualifying Haitian

<sup>5</sup> Peter Beaumont and Julian Borger, “Haiti in fresh crisis amid coup claims and dispute over president’s term,” February 10, 2021, The Guardian, available at <https://www.theguardian.com/world/2021/feb/10/haiti-coup-attempt-allegations-jovenel-moise-president-term>

<sup>6</sup> Amelia Cheatham, “Haiti’s Protests: Images Reflect Latest Power Struggle,” (New York: Council on Foreign Relations, 2021) available at <https://www.cfr.org/article/haitis-protests-images-reflect-latest-power-struggle>.

<sup>7</sup> The Economist, “Can Haiti rid itself of Jovenel Moïse?” February 27, 2021, available at <https://www.economist.com/the-americas/2021/02/27/can-haiti-rid-itself-of-jovenel-moise>.



nationals in the United States to live and work lawfully, simultaneously promoting their own safety and the country's efforts to achieve stability.

## 2. The Biden administration should immediately Stop all deportations and expulsions to Haiti

*We strongly urge* the government to halt all deportation and expulsion flights to Haiti. While nationwide unrest and political turmoil bring Haiti to "[the verge of explosion](#)," Immigration and Customs Enforcement ("ICE") has deported more than [1000 people](#) to Haiti in furtherance of its goal of deporting 1,800 by mid-February. According to credible sources, the February 9, 2021 flight included five pregnant women, including two women who were almost at full term, risking the health and safety of these expectant mothers. The flight also reportedly included twenty-six children, including eighteen toddlers who were three years old or under. Children at this stage in their development are subject to lasting trauma and [mental health disorders](#)<sup>8</sup> caused by their families' imprisonment, mistreatment, and deportation by ICE. *We strongly urge* the government to stop expelling Haitian asylum seekers to Mexico, as it did on February 3, 2021, when it forcefully removed dozens of Haitians to [Ciudad Juarez](#) from El Paso, Texas. Some of these families reported that U.S. immigration authorities threw away their personal belongings after holding them in detention for days. They did not have a chance to file for asylum, and now face significant risk of exploitation and anti-Black violence in Mexico because they stand out as Black migrants and do not speak Spanish. Further, conditions on the U.S.-Mexico border become more dangerous by the day. Last month, [Mexican police were charged in the massacre of 19 migrants on the border](#). Only the migrants' charred bodies, many too burned to be identified, were found. In recent months, there have been [reports](#) of Haitian and other women and their newborns being sent to Mexico immediately after giving birth.

*We strongly urge* the government to end President Donald Trump's "Title 42" order that allows Customs and Border Protection ("CBP") and ICE to deport migrants apprehended at the border, as in the El Paso case mentioned above, without allowing them to pursue asylum claims. The Biden Administration's 100-day moratorium on deportations, which has been temporarily stayed by a [Texas Federal Court](#), did not include protection against Title 42 expulsions. Moreover, notwithstanding the Texas court order, the Administration retains the ability to use [prosecutorial discretion](#) in its detention and removal decisions.

Under the Trump Administration, deportation flights soared in the midst of the coronavirus pandemic, despite numerous [reports](#) that detention and deportations put people at great risk of contracting the virus. Deportation flights also [export](#) the virus to countries like Haiti that lack the health and other infrastructure to adequately control this deadly pandemic. In addition, "Title 42" (of the U.S. Code) expulsions, [as intended](#), have resulted in a complete border shut down under the false pretext of public health, and denied many of the over [380,000](#) immigrants expelled under Title 42 in 2020 their right under international human rights law and U.S. law to state a claim of fear of persecution or torture. The vast majority of the young families being deported to Haiti have risked their lives in a [long, dangerous, and](#)

---

<sup>8</sup>



[traumatic journey](#) from Haiti, up through South and Central America, to the U.S. Mexico border, only to be summarily expelled without the chance to request asylum.

*We strongly urge* the government to halt all flights to Haiti pending review of policies and practices concerning immigration enforcement, which have resulted in systemic discrimination against Black asylum seekers and other Black immigrants. Just one victim of this negligent and discriminatory system is [Paul Pierrilus](#), who was deported to Haiti on February 2, 2021, even though he was not born in Haiti, has never been to Haiti, and is not a Haitian citizen. The only just and appropriate remedy is to return Mr. Pierrilus to his family in New York, who themselves are U.S. citizens.

We are incensed but not surprised by these deportations to Haiti; Haitians have [historically](#) been denied access to the United States and continue to be disproportionately denied such access, despite conditions that clearly qualify them to refuge under the law. In fact, the immigration prison system as we know it today, with a goal of mass detention and summary deportation, was started in the early [1980s](#) in response to the thousands of Haitian migrants fleeing the Duvalier dictatorship.

### 3. The Biden administration should restart the Family Reunification Parole Program

During the Obama administration, to promote the health and safety of Haitian nationals who were the beneficiaries of approved family-based immigration petitions, DHS created a program to parole into the United States certain individuals so that they could be reunited here with their families while they wait for a visa number to become available. The program was a smart and entirely lawful effort to use the statutory tool of humanitarian parole to facilitate lawful migration to the United States and promote family unity. That program was effectively terminated during the Trump administration as part of its overall slash-and-burn efforts toward legal immigration and should promptly be resumed by the Biden administration.

### 4. The Biden administration should consider restoring the ability of Haitians to participate in the H-2A program

In 2012, the Obama administration added Haiti to the list of countries whose nationals are eligible to participate in the H-2 A program.<sup>9</sup> This program allows qualified applicants of the eligible country to apply for agricultural jobs in the United States. But the Trump administration removed the designation barring Haitians from accessing these jobs and denying them an opportunity to not only help Haiti through remittances but also help the U.S. economy.<sup>10</sup> While there are clear benefits of adding Haiti to

<sup>9</sup> International Organization for Migration, "H2-A visa program in Haiti," available at <https://files.givewell.org/files/shallow/international-migration/grants/Annex%203%20H2A%20Worker%20Recruitment%20Services.pdf>.

<sup>10</sup> Yeganeh Torbati, "Trump administration bars Haitians from U.S. visas for low-skilled work," January 17, 2018, Reuters, available at <https://www.reuters.com/article/us-usa-immigration-haiti/trump-administration-bars-haitians-from-u-s-visas-for-low-skilled-work-idUSKBN1F702O>.



the H-2A program, there have been valid and major concerns raised about the working and living conditions of workers with -A visas compounded by their disincentive to raise their voices against mistreatment given that their visa status is tied to their jobs.<sup>11</sup> These concerns must be addressed to ensure that the workers are protected against exploitation.

In conclusion, we are demanding that this Administration stop these deportations and expulsions immediately. We note the **Haitian government's irresponsibility** in agreeing to receive Haitian Asylum seekers given the political turmoil, which shows a disregard for the well-being of our brothers and sisters who will face severe hardship or even death upon their return. We continue to **hope** that the Biden-Harris Administration will change course and not continue the same draconian, cruel, evil, and inhumane practices of the Trump Administration. President Biden and Vice President Harris specifically promised the Haitian community and other immigrant communities that they would build back better. We need them to take bold action, Stop the expulsion and deportation of Haitian asylum seekers including women and children as young as 2 months old, provide much needed protection, and honor their promises to our Haitian-American and immigrant communities. We demand that we Black immigrants including asylum seekers are given the opportunity to be welcomed with dignity.

Anpil men, chay pa lou!

---

<sup>11</sup> Daniel Costa, "New survey and report reveals mistreatment of H-2A farmworkers is common," (Washington DC: Economic Policy Institute, 2020), available at <https://www.epi.org/blog/new-survey-and-report-reveals-mistreatment-of-h-2a-farmworkers-is-common-the-coronavirus-puts-them-further-at-risk/>.



More Resources:

Customs and Border Protection, *FY 2020 Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions* (2020), <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/title-8-and-title-42-statistics-fy2020> (last checked Feb. 10, 2021).

*A Journey of Hope: Haitian Women's Migration to Tapachula, Mexico*, IMUMI, Haitian Bridge Alliance, Center for Gender & Refugee Studies (Jan. 12, 2021), <https://cgrs.uchastings.edu/sites/default/files/A-Journey-of-Hope-Haitian-Womens-Migration-to-%20Tapachula.pdf>.

Jacqueline Charles, *He wasn't born in Haiti. But that didn't stop ICE from deporting him there, lawyer says*, Miami Herald (Feb. 2, 2021), <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article248959659.html>.

The New York Times Editorial Board, *Haiti Needs Help. This Is What the U.S. Sends Instead*, New York Times (Feb. 10, 2021), <https://www.nytimes.com/2021/02/10/opinion/haiti-us-deportations.html?action=click&module=Opinion&pgtype=Homepage>.

Jacqueline Charles, *Biden to Haitian-American voters: You can help decide the next U.S. president*, Oct. 5, 2020, <https://www.miamiherald.com/article246223940.html#storylink=cpy>.

**Newsweek // [Exclusive: Hundreds of Rights Leaders Demand U.S. End Haiti Deportations](#) // 6/19/20**

**3/2/21: [Buzzfeed News: US Officials Say Haitian Immigrants May Face Danger In Their Own Country. They're Deporting Them Anyway.](#)**

Haitian Bridge Alliance and UndocuBlack Network // [Press Release: BREAKING: ICE Departs Black Immigrants On First Day of Black History Month](#) // 2/1/21

<https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-haiti>

[A decade after the earthquake, Haiti still struggles to recover](#)



[UNICEF report](#)

[Haiti history -](#)

<https://www.weavenews.org/stories/2021/3/3/a-sense-of-history-lessons-from-haitis-new-political-uprising>

[Moïse Refusal to Exit Locks Haiti – And Haiti's Diaspora – In Constitutional Crisis](#)

[Insight Crime - Barbecue](#)

[Haiti's Painful Evolution from Promised Land to Migrant-Sending Nation](#)

[Economic impacts of H-2 visa eligibility for Haiti](#)

[How the Haitian refugee crisis led to the indefinite detention of immigrants](#)

Chairman MEEKS. Thank you.  
I now recognize Ms. Auguste for 5 minutes.

**STATEMENT OF MS. ROSY AUGUSTE, PROGRAM DIRECTOR,  
NATIONAL NETWORK FOR THE DEFENSE OF HUMAN RIGHTS  
(RNDDH)**

[The following statement and answers were delivered through an interpreter.]

Ms. AUGUSTE. Chairman Meeks, Ranking Member McCaul, Members of the U.S. House of Representatives, Members of the Foreign Affairs committee, good morning. My name is Rosy Auguste Ducena. I am a lawyer and program manager for the National Network for the Defense of Human Rights. Thank you for the opportunity to share with you accurate information about the human rights violations that are taking place in Haiti.

We wish to present an abbreviated version of our testimony that has already been presented to the committee and is available to anyone who is interested.

Since 2017, human rights organizations have continued to denounce what is happening in Haiti. However, despite these denunciations, the U.S. administration, the OAS, the U.N. have given, always giving their unconditional support to the de facto President Jovenel Moïse to the detriment of the Haitian people.

Today the Republic of Haiti is ruled by one man, who has granted himself the power of the legislative and judicial branches, in addition to those of the executive branch.

There are three main reasons why elections cannot be held in Haiti in 2021:

First of all, the Haitian State is unable to issue the electoral cards to voters.

The electoral council is illegitimate and its Members have not been sworn in by the Haitian Supreme Court, and it has an unconstitutional mandate to organize a referendum.

The current insecurity will not allow candidates to campaign or voters to cast their ballot without constraint on election day.

Indeed, the insecurity in the country is characterized by acts of violence against life and property. In 2020 alone, more than 1,085 people, including 37 police officers, were assassinated in Haiti.

In January and February 2021, at least 65 people were murdered, including three police officers.

In June 2020, the armed gangs federated with the blessing of the current government. They were influential enough to appoint a director Social assistance funds- (which is a State institution created to help disabled and people in needs). The gangs demanded and obtained the dismissal of a minister.

From 2018 to 2020, at least 10 massacres were perpetrated in Port-au-Prince, resulting in the assassination of 323 people, 98 others disappeared, 38 women gang raped, 251 children became orphans.

Since 2020, 4 to 5 people are kidnapped every day, among them women and girls who have generally become victims of gang rape. People victims claim they were kidnapped by uniformed police and transported in government vehicles. Others said they were handed over, ransomed to people accompanied by police officers.

Influential Members of the government are negotiating and arranging the transportation of the hostages. Furthermore, the Haitian judiciary system is completely dysfunctional. The impact of this dysfunction is enormous on the prison population, more than 84 percent of whom are awaiting trial.

Anti-government demonstrations are systemically repressed, while those organized by armed gangs are secured by the police.

Today, despite the fact that his mandate ended on February 7, 2021, Jovenel Moise refused to leave office. Meanwhile, he controlled the country with his personal intelligence agency, the coalitions of armed gangs, a brigade created to monitor protected areas transformed into an arms villages.

A specialized police unit created to provide security for the President. But now to his cause. He mobilized only a weakened and politicized police force.

Based on what we have shared with you, we call on the Biden Administration to listen and respect Haitian civil society's demands, and recognize that the mandate of President—former President Jovenel Moise has ended; stop supporting an electoral process that will lead to political instability. Instead, support free and fair elections with a legitimate electoral council resulting from a political agreement.

The U.S. Government must distance themselves from the process of an unconstitutional referendum. Prosecute Members of this regime involved in human rights violations, corruption, money laundering on American soil.

Investigate the flow of illegal weapons from the U.S. which are easily smuggled into Haitian territory. These weapons emphasize insecurity and strike fear in the hearts of every Haitian.

Thank you very much. And I look forward to your questions.

[The prepared statement of Ms. Auguste follows:]

**Statement of Rosy Auguste Ducena, Program Director, National Network  
for the Defense of Human Rights**  
**Before the U.S. House of Representatives Committee on Foreign Affairs**  
**Hearing Entitled “Policy Recommendations on Haiti for the Biden Administration”**  
**Presented on March 12, 2021**

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

***On insecurity in Haiti:***

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

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

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

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

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

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

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

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

*On the dysfunction of key state institutions*

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

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

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

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

*On the suppression of anti-government movements*

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

*On the impossibility of holding elections in 2021*

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

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

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

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

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

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

### ***Conclusion***

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

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

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

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

### **We ask the Biden administration to:**

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

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

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

Chairman MEEKS. Thank you.  
I now yield 5 minutes to Ambassador Pamela White.

**STATEMENT OF HON. PAMELA WHITE, FORMER U.S.  
AMBASSADOR TO HAITI, U.S. STATE DEPARTMENT**

Ms. WHITE. Good morning. Thank you so much for having this hearing.

My name is Pamela White, and I am the former U.S. Ambassador to Haiti from 2012 to 2015. I first served in Haiti from 1985 to 1990, my first tour as a foreign service officer. I witnessed the removal of Baby Doc and the subsequent horror show that went on for years after his departure.

Most of my career was working for USAID from 1978 to 2010, when I became Ambassador to The Gambia. That is 30-plus years of development experience, including serving as USAID Mission Director in Mali, Tanzania, and Liberia.

These are my opinions and not the USG's opinions.

As you all know, the situation in Haiti is highly volatile. Every single day there are reports of decapitations, rapes, and murders. Kidnappings are at an all-time high. The human rights situation is deplorable. Four million Haitians are suffering food insecurity, more than half are living on less than \$2.40 a day. There is a weak judiciary, a threatened press, and no parliament. In short, Haiti is once again a mess.

With this background in mind, I will touch on two issues: the elections and aid.

First the elections. It is difficult for me to imagine having successful elections this year in Haiti. Putting aside for the moment the question of President Moise should have left in February, or should he leave next February, I do not know the answer, but I do not believe that right now the necessary institutions are in place to assure a smooth transition. The USG, the OAS, and the U.N. have all stated that Moise's term ends in 2022, but several Haitian constitutional experts as well as Harvard, Yale, and NYU law school clinics disagree.

The CEP was appointed last year. That CEP does not have representatives from organizations that are critical, like the church. The last CEP resigned en masse, refusing to serve under President Moise. The Supreme Court refused to swear in the current Members. I do not believe the current CEP can be considered legit. This can be quickly corrected if parties come to the table.

I have been told that 2.8 million voters have been registered, but only 1.7 million cards have been issued. Over 6 million voters were registered in 2016. The current government says they have the capability to register 2 million voters a month, but they are currently falling way short. An impartial, neutral audit needs to happen yesterday.

There is also the money problem. The last elections cost over \$150 million dollars. I wonder how international support there will be for elections that are so tainted. I do not see the USG giving \$33 million, as it did in 2016, considering the current chaos.

The international community will have to draw some firm lines in the sand that will hold Haitian leadership accountable for both

a smooth transition and vastly improved security. If lines are crossed, money will stop.

Helen La Lime, the very talented U.N. Special Representative, said in her last report that “above all else,” “above all else, a minimal consensus among relevant political stakeholders would greatly contribute to creating an environment conducive to the holding of a Constitutional referendum and subsequent elections.”

Although I think the entire question of a referendum to change the constitution is extremely dubious, I completely agree with the rest of her statement. If we do not get minimal consensus among the relevant actors, Haiti will not be able to pull off credible elections, period.

Here are a few quick suggestions.

If President Moïse will not step down, he should step aside. He must be completely transparent and honest. He must bring relevant actors to the table. A well-respected Haitian should be appointed prime minister. He or she should immediately dissolve the current CEP and call a summit with all relevant political actors to establish a legal CEP.

I would hope the U.N. and USG could both help fund such a summit and commit to acting as mediators, if asked. The voter registration also needs immediate help.

The new prime minister’s team will also need to articulate a security plan. If President Moïse stays in power, his job will be to maintain peace. Stop the brutal beatings and the gang violence. Start acting like a Statesman.

Let me quickly also touch on the topic of foreign aid. I believe Haitians desperately need humanitarian aid such as food aid and basic health care. USAID can deliver both, even under the worst political conditions. But, I do not believe that regular, normal development activity can be carried out in this current violent atmosphere.

Free and fair elections are important pieces to any democracy’s complex puzzle. But having an election will not transform Haiti. It never has and it never will.

Thank you so much for your time.

[The prepared statement of Ms. White follows:]

## Haiti Testimony

Hi, my name is Pamela A. White, former US Ambassador to Haiti from 2012-2015. I first served in Haiti from 1985-1990, my first as a foreign service officer. I witnessed the removal of Baby Doc and the subsequent horror show that went on for years after his departure.

Most of my career was working for USAID – from 1978 (first as a contractor) until 2008 when I became Ambassador to The Gambia. That is thirty years of development experience, including serving as USAID Mission Director in Mali, Tanzania, and Liberia.

Although I have not lived in Haiti since 2015, I have many Haitian friends with whom I am in contact and follow the political scene closely. This does not make me the leading US expert on Haiti. I do believe that my years of working in Haiti and my long USAID career do give me insights that might be of some value. These are my opinions and only my opinions.

As you all know the situation in Haiti is highly volatile. Every single day there are reports of decapitations, rapes, and murders. Kidnappings are at an all time high. The human rights situation is deplorable. Four million Haitians are suffering food insecurity. Half are living on less than \$2.40 a day. There is a weak judiciary, a threatened press, and no parliament. In short, Haiti is once again, a mess.

With this backdrop in mind, I will touch on two issues near and dear to my heart: elections and aid (in general).

First the elections. It is difficult for me to imagine having successful elections this year in Haiti. Putting aside for the moment (because I truly do not know the answer) if President Moise should have left on February 7, 2021 or should leave next year – I do not believe that right now all the necessary institutions are in place to assure a smooth transition. FYI - The USG, OAS and UN have all stated that Moise term ends in 2022. Several Haitian constitutional experts as well as Harvard, Yale and NYU law school clinics disagree.

The CEP that was appointed last year does not have representatives from organizations that have long been considered requirements – like the church and opposition leaders. The last CEP resigned en masse refusing to serve under President Moise. The Supreme Court refused to swear in the current members. I do not believe the current CEP can be considered legit. This can be quickly corrected if parties come to the table.

I have been told that 2.8 million voters have been registered, but only 1.7 million cards have been issued to voters. Over six million were registered in 2016. The current government says they have the capability to register two million voters a month, they are currently falling way short of this goal. An impartial neutral audit needs to happen yesterday. The Executive Branch decision to discard the previous well respected registration data bank was a mistake.

And there is the money problem. The last elections cost over \$150 million dollars. I wonder what international support there will be for elections that are so tainted. I do not see the USG giving 33 million dollars as in 2016 considering the current chaotic atmosphere. The international community will have to draw some firm lines in the sand that will hold Haitian leadership accountable for both a smooth transition and vastly improved security. If lines are crossed, the money stops.

Helen La Lime, UN Special Representative said in her latest report (Feb 2021) that “above all else, a minimal consensus among relevant political stakeholders would greatly contribute to creating an environment conducive to the holding of a Constitutional referendum and subsequent elections”.

Although I think the entire question of a referendum to change the constitution is extremely dubious, I agree completely with the rest of her statement. If we do not get “minimal” consensus among the relevant actors, Haiti will not be able to pull off credible elections.

So, a few quick suggestions. If President Moise will not step down, he should step aside or UP. He MUST be completely transparent and honest. He must bring relevant actors to the table. A well-respected Haitian (not from either the private or political sectors) should be appointed Prime Minister. He or she should immediately dissolve the current CEP and call a summit of some kind with all relevant political actors to establish a legal CEP. I would hope that the UN and the USG would both help fund such a summit and commit to acting as mediators if asked. The ONI (voter registration) also needs immediate help. I tried online several times to establish how many Haitians were already registered but could not find a reliable number, but they have a long way to go.

The new Prime Minister’s team will also need to articulate a security plan. If President Moise stays in power his job will be to maintain peace. Stop the brutal beatings and gang violence. Start acting like a senior statesman.

Let me just quickly also touch on the topic of foreign aid. I believe Haitians desperately need humanitarian aid such as food and basic health care. USAID can deliver both even under the worst political conditions and should continue to do so. WFP should also continue its outstanding work. I do not have insights into USAID’s portfolio so cannot comment except to say that normal developmental activities are almost impossible to implement in volatile environments.

AND one last comment. AID “conditionality” became a dirty word in the 2000’s and many countries took it completely out of any strategic thinking. I personally have always thought aid conditionality is fine. If country X wants USG funding, I think USG taxpayers can expect a certain return on investments. In this example, I could not give one penny to elections until a new CEP is established and a security plan is in place.

Free and fair elections are important pieces in any democracy’s complex puzzle. But having an election will not transform Haiti – it never has and never will.

Chairman MEEKS. Thank you, Madam Ambassador.

I want to thank all of the witnesses. Now, there are bipartisan witnesses, and all of them have basically just said Haiti's a mess. The people are suffering. This has to stop. There has got to be some order.

That is the reason why we are doing this hearing. And this committee is going to continue to look so that the people of Haiti get better. They deserve better. And we have to work collectively to do that.

So, now I am going to recognize Members for 5 minutes. And I just want to thank all of the witnesses for their testimony. It just breaks my heart listening. But now it is making me more determined that we have got to do something, and we have got to do it collectively.

I am going to recognize Members for 5 minutes each, pursuant to the House rules. And all time yielded is for the purposes of questioning our witnesses.

I will recognize Members by committee seniority, alternating between Democrats and Republicans. If you miss your turn, please let our staff know and we will come back to you. If you seek recognition, you must unmute your microphone and address the Chair verbally, and identify yourself so that we know who is speaking.

I will start by recognizing myself for 5 minutes.

Let me start with Ms. Douyon. You know, there is a lot of skepticism among Haiti's civil society that the Moise administration can preside over fair and credible elections. Tell me, what do you think, do you consider the current provisional electoral council to be independent, legitimate, and able to administer free, fair, and credible elections?

Ms. DOUYON. Thank you. Thank you, Chairman Meeks.

I do not recognize the CEP as legitimate to organize elections. First of all, the way it was constituted. It does not reflect the constitution, and the people who are involved were not sent by key sectors of civil society in Haiti. It was not presented at the court, at the Supreme Court, like it was supposed to do.

This is an illegal CEP. And there is no way this CEP could organize fair, credible elections.

Chairman MEEKS. Thank you.

Madam Ambassador White, do you agree?

Ms. WHITE. One hundred percent.

Chairman MEEKS. Now, let me ask also, what role do you believe the multilateral groups, like Core Group or CARICOM, or other interested parties in the international community, should play in Haiti?

And how can the United States best engage with our international partners so that we, the international, speak with one voice, not divided? No, we cannot be divided when it comes to Haiti. We have to all speak with one voice and be clear about it.

Ms. WHITE. Are you speaking to me still?

Chairman MEEKS. Yes.

Ms. WHITE. Absolutely, yes. Thank you, Chairman.

The Core Group is essential to come together and speak with one voice. You are absolutely right. The U.S. Government has always been if not the leading voice, certainly one of the leading voices on

that Core Group because no one gives more to Haiti than the United States of America, in many, many ways, not just monetarily.

But I think that the leadership we need to have at that Core Group meeting, we need to have a clear view of how we are going to articulate our policy for the next 18 months at least. And I think your Chair, your leadership can help them define how to move forward.

Because as I said in my statement, we need to have clear lines in the sand. If this does not happen, the money stops, we need to look at what our policies are going to be.

I was, reading about the United Nations, and the U.S., and the OAS all saying that they support means to stay for another year, but I did not hear what the conditionality for that was. And I would like to hear that articulated.

Chairman MEEKS. Thank you.

Ms. Jozef, what about this constitutional referendum? Now, I have heard that part of the constitution needs to be reformed. But what are your thoughts, should there be a referendum in June? Or should it not be? Are the people ready?

Give me your thoughts on a constitutional referendum.

Ms. JOZEF. Chairman Meeks, as a Haitian-American woman, witnessing what is happening in the middle of this chaos, as we just heard from all those people, all those witnesses, for me the answer is no. I do not believe a referendum for the constitution right now is something that is going to make the changes that are needed.

If the constitution as is is not even respected, what change will come from having a referendum in June, in less than 6 months?

So, my answer is no.

I think we should continue to push for a free, elected—for free assistance in Haiti at this moment. I personally do not think, you know, a referendum on the constitution in June is warranted.

Chairman MEEKS. Thank you.

And let me real quick go back to Ms. Douyon. What about this influx of returning Haitians—I think you testified to that—of Haitian immigrants, how does that impact the Haitian economy, especially given a loss of remittances in dollars, et cetera?

You know, what are some of the alternatives that you think that we should be looking at in the Biden Administration other than the deportations?

Ms. DOUYON. Okay. First of all, I have to mention—thank you, Chairman Meeks—I have to mention since the political crisis is getting worse, more and more people are immigrating to the U.S. illegally. And with COVID-19 and other problems we have witnessed somehow a decrease in the amount of remittances that are being sent to Haiti. At some point the checks is increased, but later it decreased.

But the current economic situation in Haiti, even the same amount that the people used to send in Haiti is not enough. And with deportation, it is not going to help Haiti because those people who fled they were, like, fleeing the worsening living condition in Haiti. And sending them back in with an increase in crime levels and a surge of kidnappings, I do not think this is the best thing to do for Haiti right now.

And, also, this is why it is urgent to restore peace and democratic order in Haiti so we are not dealing with this kind of situation.

Chairman MEEKS. Thank you.

My time has expired. And I will recognize the Ranking Member McCaul from the great state of Texas.

Mr. MCCAUL. I thank the Chairman from the great state of New York, his acknowledging me.

Let me just first say I agree with the Chairman, these stories have been very compelling and, quite honestly, very sad. It is a sad state of affairs. And I think that, Mr. Chairman, thanks for holding this hearing. I think it has caught those two delighted Members that had no idea that Haiti was in such bad shape.

And I think we have a responsibility to do something about it, as does the United Nations, and the OAS as well.

My first question is to Ambassador White. You know, in Mexico we had the Merida Initiative where we had financial assistance tied to metrics regarding governance and rule of law to help better shape the situation. And from the testimonies I heard, there really is no rule of law in Haiti right now.

Can you tell us how we could effectuate assistance better to get the situation under control?

Ms. WHITE. Yes. Thank you so much for your question.

I think we need, as I said again, however you want to call it, I call it drawing lines in the sand, but we need a very clear map of what, what we are expecting out of government, the Government in Haiti. And if we do not get the minimum that we are hoping out of the Government of Haiti, we need to have some conditionality.

And I was explaining this the other day to one of my friends, and I was saying because the word "conditionality," conditionality linked to aid became a very dirty word in the late 1990's and early 2000's around give them the money, it is their country, let them do what they want to do.

And I always believed that United States directive that no, you have to have conditions for aid. The U.S. taxpayer expects something to come out of their hard-earned money. And we have to articulate exactly what that is. And that needs to happen.

Mr. MCCAUL. Well, I could not agree with you more. And I think the taxpayers deserve that and want that. And, otherwise, if you pour money into a corrupt government or system, it is not going to get the results that you are looking for and then, therefore, waste the money.

Let me ask you about the Haitian National Police. Previously the military seemed to control and there was a lot of corruption with the military in Haiti. And they, one of the reforms I think that has been more positive is the Haitian National Police.

Do you agree with that? And should we be doing more to help them?

Ms. WHITE. Yes. When I left Haiti in 2015, let me tell you, I was very proud of the Haitian National Police. They had a good reputation. They were working with a lot of our people, from SOUTHCOM, and from different police forces in the United States.

It was a great partnership. And I think that New York, yes, New York, especially New York by the way, Chairman Meeks. And I

thought they were, you know, an organization that was relatively not corrupt and did a really good job with very little resources.

I think we need more resources in the National Police. And I think we need more of that mentoring. I do not know if it is still ongoing, but we need more of it. Because I have heard from my many, many Haitian friends, that at least big portions of the police are becoming more and more corrupt. And that is really, really sad because they were a very decent organization.

Chairman MEEKS. Yes. I think we need to focus on that, too.

Mr. MCCAUL. My last question to anybody on the panel, we, I think the selection, one of the testimonies was that \$150 million to have an election down there, OAS is involved, the United Nations, and the United States. How can we use that \$150 million wisely?

And I do not think the President is going to step aside until his term is done. And I know, Ambassador White, that was your first premise. But I do not think that that is going to happen. So, short of that, what do we do with the \$150 million to make sure this is as free, and fair elections that we can?

Ms. DOUYON. Thank you, Ranking Member McCaul. If you will allow, I want to answer this question.

Mr. MCCAUL. Sure.

Ms. DOUYON. First of all, about the term of the President. His term ended last February 7th. And about the election, with that amount of money I think it would be better for the international community, and anyone interested in founding elections in Haiti, to wait until a fair election can happen in Haiti.

At the present time there is no possibility that we can have fair, credible, inclusive elections. If anyone spends money on organizing elections now, it will only lead to another crisis because people will not be able to participate. And we have a very low turnover in the last election. Less than 30 percent of people participated in those elections

And if you have elections with kidnappings and this crime level, I do not know if many people would be able to join, to campaign, to participate in those elections. And I do not know who in the civil society is going to accept the result of those elections.

And even if you spend this amount of money, I do not trust the government to be able to organize elections when they cannot even manage dire shortage in the country. How could they organize elections? I do not trust them to do that.

Mr. MCCAUL. Well, thank you, Emmanuela. I think that is the answer. I do not think we can have free and fair elections with the current President in office. Until he steps down, perhaps you should not be having an election until that time it seems to me.

So, thanks for that clarification. That is I think very helpful testimony.

And thank you, Mr. Chairman. I yield back.

Chairman MEEKS. Thank you.

I now recognize the Chair of the Subcommittee on Western Hemisphere, Civilian Security, Migration and International Economic Policy, and all the work that he has been doing on the subcommittee, particularly as it is focused on Haiti, Representative Albio Sires from New Jersey for 5 minutes.

Mr. SIRES. Thank you, Mr. Chairman. I am glad you are holding this as a full committee hearing because I see a lot of people are participating in this process. And people need to know what is going on in Haiti.

You know, I visited Haiti a couple, a few years ago. And I met with the President. And back then he told me point blank that he wanted to revise the military. And I said to him, with the needs that you have in this country, why would you want to revise the military?

I said to him, look, Costa Rica does not have an army and they are thriving. Why do you feel that Haiti has—needs an army?

He said, well, it is the constitution.

The other thing, we visited the National Police. They were doing a great job then. But it seems to me that this President step by step has been creating the military, get rid of judges, creating central intelligence, so he can maintain himself in power.

Now, my question to the panel is, how do we stop that? Because are the Ambassadors of the country speaking up enough about it? Is the European Union speaking up about it? Are the neighboring countries speaking up about it?

You know, we have invested a great deal of money in Haiti. And for this President to say that he needs a military, you know, to me was just ridiculous.

So, I was wondering if somebody can take that question?

Ms. WHITE. I can.

Ms. AUGUSTE. Can I answer?

Today the questions that are being raised are very important questions. First, we must acknowledge that it was a PHTK regime that unilaterally agreed to demobilize the Haitian army.

We also know the former Haitian army was involved in grave human rights violations. There was nothing done to hold them accountable against the crimes committed against the Haitian population.

Today we have a weakened police force because the Government has decided to support armed gangs within the country instead of providing resources to the Haitian police.

The criminal gangs we have in the country have more weapons than the police forces themselves.

Mr. SIRES. Ambassador White, can you tell me if other Ambassadors—

Ms. AUGUSTE. Today, when we are talking about the mandates of former President Jovenel Moise, he used the constitution to say that the mandate of parliament ended. Today, the Haitian population is using the same calculations to say that his mandate has ended.

Mr. SIRES. All right. Ambassador White, can you just speak to the question of have other Ambassadors spoken up about what is going on in Haiti?

Ambassador White.

Mr. MEEKS. You are muted, Ambassador White. Please unmute.

Ms. WHITE. Sorry. Yes, they have certainly spoken out against about all the violence. They have spoken out about human rights abuses. What I am not sure about is, you know, what are the consequences? You know, you can say, well, you know, this is horrible

and the situation is horrible and Haiti's a mess, but what exactly do we do about it? So I have not seen that articulated and it might have been articulated, I have not personally seen it.

And just, if you will, this question of the army came up when I was Ambassador there, and they kept saying, we want an army, we want an army, and I kept saying, why would you want an army? It just seems ridiculous.

Mr. SIRES. Exactly. Well, thank you very much, Chairman. I am finished. Thank you.

Mr. MEEKS. The gentleman yields back. And now I recognize the Ranking Member of the Subcommittee on Africa, Global Health, and Global Human Rights, Representative Chris Smith of New Jersey, for 5 minutes.

Mr. SMITH. Thank you very much, Mr. Chairman, and thank you for convening this important hearing. You and the Ranking Member, and Albio Sires, Chairman, have asked a lot of the important questions about the political leadership. I would like to just focus for a moment with our distinguished witnesses. We all remember in 2010 when 200,000 people died from the earthquake and 10 months later, there was a horrible outbreak of cholera. And for about a century, Haiti had not known cholera.

And after a great deal of investigation, Ban Ki-moon finally came to the conclusion from an expert panel that it was brought to Haiti by the peacekeepers from Nepal. It was a strain that was found in Nepal and their camp was so, unfortunately, unsanitary, their waste led to contaminated water and about 800-plus thousand people got sick, 10,000 Haitians died—and there were commitments made.

I know CDC worked very hard on this as did our U.S. Government State Department and USAID, to make sure that sanitation was improved. But I wonder, just as a snapshot, has it been improved to the point where there is robust sanitary conditions in Haiti as a result of lessons learned so that there is never again waterborne illnesses like the cholera that was taken to so many people?

Second, there was talk of reparations and was even a lawsuit, sadly, that was dismissed by a Federal judge about reparations because this had a causation and it was U.N. peacekeepers, and I am wondering if anyone would like to speak to that issue. And, finally, on human trafficking, Mr. Chairman, Haiti is a tier 2 country as per the last report by TIP, trafficking in persons, but there is a very, very ongoing serious problem of children being put into forced labor, domestic servitude.

In 2014, Haiti passed a law, and I know the Ambassador knows about that, on TIP. Enforcement has been lackluster to say the least. There were no prosecutions during the reporting period to the last TIP Report, the 2020 report, and I am just wondering if our distinguished witnesses could shed light on the status of victims and the prosecutions of traffickers and the prevention strategies in Haiti.

Thank you, Mr. Chairman. I yield to the answers.

Ms. DOUYON. Thank you, Congressman Smith. I do not have enough data to comment on improvement in general sanitation but, and number of instances of human trafficking, but what I can say

is that there is no real prosecution of criminal in Haiti at this time. There is a lot of impunity and even people who are involved in massacres are not pursued. They do not face charge and are not held accountable, so I will not even mention for all the cases.

And this is directly linked to corruption, rampant corruption and impunity in Haiti. The overall situation is that if we want to tackle some specific problem like human trafficking and even bad living condition, it has a lot to see with leadership and the governance of the country. And for the past 4 years, Haiti has been in a crisis of leadership with a President that himself is accused of being involved in corruption. Therefore, there is little chance that we could see any improvement in term of prosecution against people involved in human trafficking or any other type of crime.

Mr. SMITH. Thank you. Anybody else like to respond?

Ms. JOZEF. Thank you so much. This is Guerline, Congressman Smith. The reality is, as we know in Haiti when we speak of the cholera, when we see what has happened, nothing has been done. No reparation has been provided for those in impacted community Members. It is unacceptable to see how not only, you know, what we call the corruption in Haiti, but the way that the international community always deals with issues in Haiti whether it is things that are happening on the ground for that the chaos, or even things such we see the United Nations, you know, worker, unfortunately, with cholera due to lack of sanitation, due to lack of infrastructure, to make sure that the people that we are serving are protected.

So this is a clear example of how negative the entire international community including as we can see the U.N. treats Haiti when it comes to those types of issues.

Mr. SMITH. Thank you.

Mr. MEEKS. The gentleman's time has expired. Hold it. The gentleman's time has expired. I now recognize Representative Brad Sherman of California for 5 minutes.

Mr. SHERMAN. Thank you, Mr. Chair. Thank you for holding this hearing. Haiti and the United States have a long relationship. It is, after all, our first sister republic here in the Western Hemisphere. Unfortunately, Haiti is one of the poorest nations of the Western Hemisphere.

Haiti has only 14,000 to 15,000 police in its Haitian National Police which is less than international standards would call for the policing of such a populated country. Between 2008 and 2019, there were 3,200 Indian policemen who were there as part of the U.N. And then our colleague Chris Smith points out how U.N. peacekeepers from Nepal were a problem for Haiti.

So I will ask first, Ms. Douyon, would international peacekeepers or international police assistance be helpful in providing for the rule of law in Haiti?

Ms. DOUYON. Thank you, Congressman Sherman. Of course, help is always welcome, but I would say that we need to focus more on improving the capacity of the Haitian National Police. Because what I notice, is that every time we have foreigners coming, helping, when they leave, the local stuff is not better off. We do not see any real improvement. It is like they come here, do the job, but they do not really reinforce the capacity of the police.

And at this time, the Haitian National Police is suffering from bad reputation and some policemen are denouncing bad working condition. They need increase in their salary. They need the health care. They need a better environment to work and we need even more police officer. So if I recommend something or recommend that we work on the Haitian National Police and show that every police officer can take care of his family and they can get perfect training instead of bringing more police officer from anywhere.

Mr. SHERMAN. The written reports say that there have been 251 COVID deaths in Haiti. That seems like a very low number. Ms. White, should I believe that number or is it dramatically understated?

Ms. WHITE. Well, yes. I think—I do think you should believe the number. Now I cannot quite figure it out myself because there is at least eight or nine times that many of COVID deaths right across the border in the DR. And as we all know Haiti does not have exactly the most efficient healthcare system in the world. But for whatever reason, a very, very trusted doctor from, you know, that has ties to Cornell that is a Haitian doctor, has confirmed to me that the number of COVID deaths have been relatively low. And, you know, this is true in Africa too.

Mr. SHERMAN. While I have you, I have one more question that is Haiti is one of the 15 nations to recognize Taiwan. We have the Beijing offering free assistance, concessionary loans. Is Haiti better off sticking with Taiwan, and should we be concerned with China trying to develop a relationship with the Government of Haiti?

Ms. WHITE. Is this for me again?

Mr. SHERMAN. Yes.

Ms. WHITE. I do not know the extent of what the Chinese is doing in Haiti anymore, to tell you the honest to God truth, so I cannot really comment on that. But I have the Chinese slowly creeping in all across Africa and Haiti, and I personally do not think this is a good thing.

Mr. SHERMAN. They have sent hundreds of thousands of face masks, thousands of tons of rice. That is to say Taiwan has to, well, I guess there is only 15 nations with who they have a relationship.

But then, finally, for whichever witness—oh, I have only 29 seconds. That is not enough time for anybody to answer a question. I yield back.

Mr. MEEKS. Thank you. The gentleman yields back. I now recognize the Ranking Member of the Subcommittee on Asia, the Pacific, Central Asia, and Nonproliferation, Representative Steve Chabot of Ohio, for 5 minutes.

Mr. CHABOT. Mr. Chairman?

Mr. MEEKS. Yes.

Mr. CHABOT. I am not sure if you can hear me. My screen just went—froze.

Mr. MEEKS. I hear you, Mr. Chabot. I do hear you. We hear you.

Mr. CHABOT. That was not a very judicious time for this thing to freeze. I am not sure if anybody can hear me or not.

Mr. MEEKS. We hear you, Mr. Chabot.

Mr. CHABOT. I am just frozen here.

Mr. MEEKS. Okay.

Mr. CHABOT. Well.

Mr. MEEKS. Mr. Chabot, can you hear me?

Mr. CHABOT. Maybe we can come back to me, because I assume you are probably not hearing me.

Mr. MEEKS. We will come back to Mr. Chabot. So I will go right now to Representative Brian Mast of Florida. You are now recognized for 5 minutes.

Mr. MAST. Thank you, Mr. Chairman, for recognizing me, and thank you to our witnesses for participating today as well. My question goes to this, and it is open to any of our witnesses. It is a general question for you and—

Mr. SHERMAN. I yielded back 29 seconds. I have never done that before. Really.

Mr. MEEKS. Mr. Sherman, put yourself on mute, please.

Mr. MAST. I think he muted. I think we are—it was just a quick error. We will get over that one.

My question goes to our witnesses, generally, and I would ask for reflection for America and overcoming our challenges with the inception of our Nation and the founding of our independence and creating of our democratic systems that we rely on here, and what it is that individuals, just off my shore as a Floridian, see that draw to come to here in the United States of America, which I have a large Haitian community as well within my area of south Florida.

What do you think can be learned and brought back to Haiti to help replicate what it is that is drawing people here to our shores?

Ms. JOZEF. Thank you so much, Congressman Mast. This is Guerline. I would like to take part of the question. First of all, you know, we always talk about Haiti being the poorest country in the Western Hemisphere, but we always fail to look at the root causes of that fact going back 200 years, within the relationships, and the fact that from the very inception of Haiti, France forced with the international powers to Haiti to pay, because we freed ourselves, to pay France for lost wages of slavery that was created on our backs. So these are the very root causes of Haiti being in the state that it is.

So we see from there, the continued, you know, in action, misaction, and straight-out abuse of Haiti, in Haiti, on Haiti, and we see that people leaving. As I previously mentioned, Haiti was not a sending country. Haiti was a receiving country, lighting the way for freedom not only for Haiti but other places. Haiti was the only country that provided citizenship for the Jews to escape so that they can get freedom.

So when we come back to what we experienced earlier this year in this great United States of ours, and I must say that I am both a proud Haitian woman and a proud American woman, so there is a lot to be learned. There is a lot that can be used to provide assistance and provide relief in Haiti. I believe we—

Mr. MAST. Thank you for your response, ma'am. I just want to pause you and ask you to continue, what is that piece to be learned? That is what I want to get at. What is that piece to be learned that you just said there is a lot to be learned? What is that that needs to be brought back to Haiti to result in success?

Ms. JOZEF. Not to be brought back in Haiti, per se, but to work with Haiti to be able to create a sustainable, you know, solution.

When we look into what we have, we are experiencing here in the United States, how do we work with the Haitian people to implement those things that can be successful so that themselves can be able to live for themselves.

Mr. MAST. Very important point. I want us to work with the Haitian people and I think we do do that very well. And there is definitely room for improvement, but I know as a Floridian this is something that touches us very close to home. I would never, however, say that it is not more important, or rather that—that it isn't more important that Haitians individually within Haiti look in the mirror and say we cannot rely on America, we cannot rely on France, we cannot rely on others. We are hopeful for their assistance, but we have to look in the mirror and say, how do we do this?

And that is what I hope we can really get to a root of is what does Haiti have to look in the mirror and decide is going to occur there, whether they get the assistance from the U.S. or anybody else. What is it that they can look in the mirror and do to correct what is missing there?

And in that, Mr. Chairman, I thank you for the time. And I have nothing to yield back, but thank you for the time.

Ms. DOUYON. Can I add something? Can I reply to that?

Mr. MEEKS. The gentleman's time has expired. The gentleman's time has expired.

Mr. MAST. The Chairman allows you.

Mr. MEEKS. No, no. I cannot. We have a lot of Members waiting to ask questions.

Ms. DOUYON. Because this is so important.

Mr. MEEKS. We will get to it. I will get it when someone asks you the question next, maybe Mr. Connolly or someone else. But I have got to yield the time now to the President of the NATO Parliamentary Assembly, Representative Gerry Connolly of the state of Virginia, for 5 minutes.

Mr. CONNOLLY. Thank you, Mr. Chairman, and thank you to our panel. You know, part of this discussion, it seems to me, we have sort of ignored the America historical context with respect to Haiti. And, Ms. Douyon, you may want to comment on that as well as Ambassador White. You know, the American history with Haiti is wretched.

After brutal French colonialism was overturned, we refused to recognize a black, formerly enslaved government in Haiti because it threatened slavery in America in the 19th century. We refused commerce. We denied them access to trade and investment, credits, and helped to impoverish the country and keep it impoverished. We have invaded the country. We have occupied the country. And we have installed governments and taken down governments, and re-installed governments.

And maybe I can start with you, Ambassador White, because surely you are aware of that historical perspective. But it is not like we—the current condition of Haiti is intrinsically dysfunctional. There are historic reasons why it is in the condition it is in, and a lot of it can be traced to American policy and intervention, very little of it good over the panoply of history.

So given that, shouldn't we tread a little lightly on things like conditionality and dictating terms of what Haiti needs to do and

how best can the United States try to influence positive and desirable outcomes in terms of democracy, in terms of lifting people out of poverty, in terms of trying to promote a more robust, economic growth that benefits everybody?

Ambassador White and then Ms. Douyon.

Ms. WHITE. Yes, it is too bad we just do not have three or 4 hours for discussion because it is a long one, but you are right. The history between the United States and Haiti is a love-hate affair and has been for a long time. I distinctly remember like I was saying, in 1986, when Bebe Dok left and I remember sitting in the embassy and the Ambassador Adams, who was a fabulous Ambassador, but he said we are going to have elections.

And I remember saying, "Elections? There is no political party. There is no judiciary. There is no police except the Tonton Macoute. How in the heck are we going to have elections?" "That is what we do for a democracy." And I think, you know, elections ever since have been, you know, difficult.

But we—I know this idea of conditionality is one that raises eyebrows, but I do think that if we are not saying clearly what it is we are expecting of the Government of Haiti, then we do not have a road map and we definitely need a road map. Now we might be doing that. I am not in on any discussions. I am not part of the core group. No one calls me from Haiti—well, my Haitian friends, but not my American friends, for advice.

So I do not know. We may be doing more of that. But they deserve to know, you know, what they are getting for their money.

Mr. CONNOLLY. Thank you.

Ms. Douyon, I know you wanted to respond to both Mr. Mast and hopefully my observation as well.

Ms. DOUYON. Thank you, Congressman Connolly. I totally agreed with the fact you shared about the history between U.S. and Haiti, and it is true that it has been complicated. And to reply to Congressman Mast comment, Haiti is not waiting for the U.S., France, or any other country in the international community. We have already decided what we want to do.

What we are asking is for the international community to listen and respect our choice. We have a President whose term ended last February. He has benefited from the support of OAS, the U.S. State Department, and despite the fact that most of Haiti's civil society acknowledges that his term ended according to the Constitution, this is what we are facing now. And this is a perfect example of when we do not listen to Haitians, we cannot judge them later and blame them for the outcome. And it is also important to differentiate between the people who always stand for the country and most of the elected officials who are usually corrupt and are minding their own business and are defending their own interests, usually with the support of the international community who is always saying that they are supporting institutions, why they are supporting people, people who are often decried by their own population.

This is the perfect case study with Joyenel Moise. But for more than 2 years, people have been calling on him to resign. Now we are not even calling on him to resign because his term ended, we call him to vacate office. And he has the support of the inter-

national community. We want to end with all those, the corruption and impunity. We want to end with the old practices and so many people do not want to give this chance to decide for ourselves.

And this is why we are saying, we are having this hearing now. This is our point. This is what we are defending, the right to decide for ourselves and for the international community to listen and follow the Haitian civil society lead, because we know better. We know what is good for us. We know where we made mistakes in the past. We are learning from this.

And it is trial and error. It is a young democracy. We are learning and we are adjusting, and now is the turning point and this is why we need solidarity, not the kind of comment like this—

Mr. CONNOLLY. Thank you for that.

Mr. MEEKS. The gentleman's time—

Mr. CONNOLLY. I yield back.

Mr. MEEKS. The gentleman's time has expired. I think we are still working to get Mr. Chabot on camera, so while we continue to do that I will now recognize the Ranking Member of the Subcommittee on the Western Hemisphere, Civilian Security, Migration, and International Economy Policy, Representative Mark Green of Tennessee, for 5 minutes.

Mr. GREEN. Thank you, Chairman Meeks and Ranking Member McCaul, for holding this hearing on Haiti. It is an honor to serve as the Ranking Member on Western Hemisphere, and, obviously, this focus on Haiti is a critical aspect of our subcommittee. I thank Chairman Sires for his comments as well, his wisdom and experience.

When I founded my medical foundation, Align MD Foundation and then Two Rivers Medical Foundation, we sent medical missions, trips to Haiti. And the country was then challenged with poverty, rule of law issues, and governance issues and, unfortunately, the situation is only worse now. It is tragic for many reasons. History makes it even more so.

Their first, you know, Haiti's first Constitution was influenced by our own Alexander Hamilton who grew up in the Caribbean himself. Unfortunately, pervasive corruption and desperate poverty have long played the country. It remains one of the poorest nations in the Caribbean, lagging far behind its neighbors in basic measures of economic and political well-being. The Haitian people need and deserve better. As a neighbor, friend, and partner, we should do what we can.

But as we have all noted today, it is sadly an uphill battle. The turmoil and instability, including the recent prison break, underscore the absence of the rule of law. Haiti ranks toward the bottom of many international comparisons for transparency, economic development, and ease of doing business. Sadly, recent events have shown us that Haiti still has a long way to go.

My questions today are really for anyone who wants to chime in. We are hearing that the prisons in Haiti are now at 384 percent capacity and my first thought is that some of these arrests may very well be politically motivated, but also are seeing large increases in violent crime. Can you share with us, any one of the witnesses, about the state of criminal justice in Haiti and what portion of those criminals are actually criminals versus political prisoners,

and also, you know, the status of prisons? They are so full, you know, how is that impacting criminal justice?

Ms. AUGUSTE. Thank you very much, Congressman Mark Green. We want to take your questions regarding the prison system in Haiti. The people who are incarcerated are living an inhumane condition. The current prison that we have can hold about 3,000 people and today we have 12,000 people incarcerated, so then you can just imagine the deplorable condition that these inmates are in.

And also given the dysfunction of the judicial system, there is a lot of violations of the rights of those inmates that are occurring on a regular basis. Like I said earlier, 84 percent of the incarcerated populations are awaiting trial. There are people in there who have been incarcerated for 10 years and have not seen a judge. The worst thing for us today is that yes, indeed, we have political prisoners. They are people who are incarcerated because of their political belief and their stand against this government.

So think about someone who spent 10 years in prison without appearing before a judge and now individuals will also be incarcerated for their political belief what that situation is like. It is worsening daily. Unfortunately, no matter what promises the government has made, they have done nothing to resolve the issue of prolonged detentions for those inmates. Thank you.

Mr. GREEN. If I could, I would also like to ask the Ambassador if she might share a little bit of her perspective on the spillover effects of what is going on in Haiti, how it is spilling over in the region and the rest of the Caribbean and, particularly, neighboring Dominican Republic.

Mr. MEEKS. Ambassador White, please turn on your camera and off mute.

Ambassador White, still with us?

Ms. WHITE. Can you hear me now?

Mr. MEEKS. Yes, I hear you now.

Ms. WHITE. Okay, sorry. I have like three devices going here and they are all running out of power. Let me just go over here.

Yes, there is always spillover in the region. I mean the DR, you know, has a booming economy and the Haitians are going back and forth over the border every day. And what is worrying me more and would worry me if I was still the Ambassador there, is the amount of the huge increase in Haitians trying to get to the United States.

And, you know, they use, you know, means to get there. They are highly dangerous, you know, they die all the time. And we, you know, the only way to stop immigration whether it is from Haiti or Guatemala or wherever, Mexico, is to create better conditions in the country so they do not want to leave. And so the violence that is going on in Haiti right now, the lack of rule of law, the lack of human rights, is driving Haitians out of the country to almost anywhere else they can do to get any kind of opportunity for their families.

And then in my statement, I said it is very hard to do regular development activities in the midst of a violent country so, you know, just one feeds off the other, and that is why it is just so critical that the human rights situation, the violence, the gangs, that

situation has got to be looked at immediately because I do not think you can do anything else until you stop that.

Mr. MEEKS. Thank you.

Ms. WHITE. Including elections.

Mr. GREEN. My time has expired. Thank you, Chairman.

Mr. MEEKS. The gentleman's time has expired. I now recognize the Chair of the Subcommittee on Africa, Global Health, and Global Human Rights, Representative Karen Bass from California, for 5 minutes.

Ms. BASS. Well, thank you, Mr. Chair. I actually want to continue right with the Ambassador right where she was going, because I understood what you said in terms of the gangs and all of that. The question is what should we do? I know that we have mentioned the police, but it is my understanding that the people we have trained, be it the police or the military, they are the ones that shot live rounds into the protesters, and it is questionable as to whether or not they were colluding with the government. So the question to you is, what can we do as the United States?

And then when you were Ambassador, I know that you facilitated a number of rounds of negotiations between conflicting parties, and I want to know based on your time there, what lessons learned? What could you have done to have prevented what you saw at the time and what should we be doing now?

Now are you able—can you hear me? Yes, okay. Go ahead.

I do not want to lose my time with her technical problems. Can we—

Ms. WHITE. Sorry. I have got like three going. They are all ready, they just keep—

Mr. MEEKS. Your time is held until such time—

Ms. BASS. Thank you. Thank you.

Ms. WHITE. I can hear you. Can you hear me?

Ms. WHITE. Yes.

Mr. MEEKS. Now we can hear you.

Ms. WHITE. Do you want me to talk really fast?

Mr. MEEKS. Yes, go now.

Ms. WHITE. Okay, go. So I, yes, I had lots and lots of meetings with the opposition even to the point of getting attacked by mobs, I remember. If you are not bringing the opposition to the negotiating table then you cannot make progress. And I have no idea. I presume that they are doing that all the time. You know, you have got to get out of your office into their offices and open up the dialog. I just assume that is being done, I do not know.

And it is a good question about the police. That I think that we need—we cannot give up on the police. We have invested millions of dollars in the police. They can be reinforced. They can be—when I—they were in a very good position. We have got to get—

Ms. BASS. Well, you know, I realize we have invested a lot of money, but if our investment results in shooting innocent people and colluding with the existing government that does not sound like a good return on investment to me, so I am just wondering if you have a thought. I have a couple of other questions for our other witnesses, but if you have a thought as to what we can do differently.

What did you learn during that time what can we do differently? I do not want to reinforce an abusive police force.

Ms. WHITE. Yes, right. Right. Yes, yes. Got you.

Well, like I said, we have got to root out, tell them to root out the bad actors. I mean you are right. They have been seen shooting into, you know, into crowds. Root out the bad actors. We did that before. We did that. There were bad actors when I was there too. And we had this fabulous New York policeman that would come down and they would do audits. They would do interviews. They would do training. And I just think we have to go back to that.

Ms. BASS. All right. Thank you, Madam Ambassador.

Let me move on to Ms. Douyon. And, you know, one, it is clear we do not need to have a referendum for the Constitution, the elections are going to be shaky, so the question is what should we do? Not change the Constitution, postpone the elections, what is it? And I also believe very deeply that we need to address root causes. But for right now, if no election, then what?

Ms. DOUYON. Thank you, Congresswoman Bass. First of all, what you can do is cancel the CEP. Recommend. It is not up to you to cancel it. You have to recommend.

Ms. BASS. Cancel what?

Ms. DOUYON. I said that you have to cancel the CEP, but I correct my language and I said, it is not up to you to cancel it, it is to not support Joyenel Moise with that CEP. The CEP is electoral council. We do not, we cannot continue with an illegal electoral council. We cannot have a referendum that is illegal and we have to listen to civil society.

And the solution now is, since the term of the President ended last month, we have to consider the nonpartisan consensus-based team that is capable of leading the country on a nice fair election, restore peace, improve on—

Ms. BASS. Do you have respected leaders that if the President was called on to step aside are their respectable, unifying leaders that we could call for should be a part of that team that you just mentioned?

Ms. DOUYON. Of course, it would be a disaster if there were no qualified, serious, and noncorrupt Haitians capable of leading our country.

Ms. BASS [continuing]. Qualified people, the question is—

Ms. DOUYON. Serious and noncorrupt people, yes. They exist. People like this exist. There are many people like this. And actually there is a consensus among civil society that we can have such team, all we need to do is to have Joyenel Moise to vacate and—

Ms. BASS. Can you tell us—my time has run out, but can you tell us who those people are, what the team would be? And you do not have to answer right this second, but can you send it to us?

Ms. DOUYON. I cannot name anyone because of the current situation in Haiti. I am afraid if I identify them now they might be arrested.

Ms. BASS. All right.

Ms. DOUYON. Just like the judges.

Mr. MEEKS. The gentlelady's time has expired. The gentlelady's time has expired. I now recognize Representative Andy Barr from Kentucky for 5 minutes.

Mr. BARR. Thank you, Mr. Chairman, and I really appreciate your leadership on this issue in bringing this issue to the attention of our committee. It is such an important issue.

And I represent in central Kentucky a faith community that has invested considerable time and resources in mission trips to Haiti. They bring back beautiful stories of a wonderful people, yes, impoverished people, people who are struggling, but wonderful people who deserve better. And so many churches around this country have sponsored mission trips similar to those of my constituents and we want the best for the people of Haiti. And the very regrettable track record of human rights violations and violence and corruption is obviously something we are all interested in.

But let me start by asking Ambassador White kind of a fundamental question which is, aside from the obvious humanitarian interest that we have in improving the conditions in Haiti, what would you say is, if any, the strategic national security interest of the United States in that country and is it the historic connection between Haiti and Taiwan and potentially countering a Chinese Communist Party Belt and Road initiative in Haiti?

Ms. WHITE. Well, that is a real possibility. But I think more, you know, more to the point is that if we do not develop Haitians and give Haitians a decent quality of living, including giving them something to do, you know, employment and basic health care and human rights, that we are going to find them on our doors in huge numbers and we just are not able to do that.

Mr. BARR. Let me ask you a question about the comment that you made, I would really appreciate it, Ambassador, about conditionality with foreign aid. And Mr. Connolly's recitation of American history with respect to Haiti, you know, the American people, American taxpayers, not just in terms of these mission trips, but the taxpayers deserve substantial credit and generosity here.

You know, what I am reading is just since the earthquake alone, the United States taxpayer has invested \$5.1 billion, and since 2011, USAID, \$1.8 billion, a hundred million in 2020 alone. I would just argue and, Ambassador, I invite your feedback, if U.S. foreign aid was the answer to Haiti's many problems, then those problems would have been solved a long time ago.

I mean there absolutely no shortage of American and international funding here. It has just been so badly mismanaged and subject to corruption. And so, please, amplify your testimony about the critical importance of conditionality associated with any additional taxpayer investment in Haiti in terms of anticorruption efforts.

Ms. WHITE. Yes, people usually ask about this. And I must say that after the earthquake, we had about two billion dollars after the earthquake. It killed 300,000 people. I mean everything was gone. The port and the roads were gone. The airport was gone. And I mean that people kept saying, "But you had two billion dollars." And I said, "I needed 20 billion to rebuild the Nation after an earthquake of that size."

So though it looks like a tremendous amount of money, it is, you know, to rebuild from nothing, believe me, we did a fantastic job. We did get Haiti together again. Fifty percent of Americans, they emptied out their pockets to help make that happen. And by the

way, the NGO's and the religious groups get a bad name in Haiti, but thank God for the religious NGO's who are doing a fabulous job down there—

Mr. BARR. And reclaiming my time, I do not have much time left, Ambassador White, but I do want to followup on Representative Sherman's important question about Taiwan. Are we seeing an active Belt and Road initiative from the Chinese and post-pandemic, a Chinese malign influence in the Caribbean impacting Haiti in a way that would, you know, separate Haiti as an ally of Taiwan, and as one of only 15 countries maintaining official recognition with Taiwan? Is there any information you can give us on that?

Ms. WHITE. I am sorry, but there really isn't. I do not know what Taiwan is up to. I do not.

Mr. BARR. Okay. All right. Well, thank you again, Mr. Chairman, for the hearing. It is very illuminating. And I yield back.

Mr. MEEKS. The gentleman's time has expired. I now recognize the Chair of the Subcommittee on the Middle East, North Africa, and Global Counterterrorism, Representative Ted Deutch from Florida.

Mr. DEUTCH. Thank you, Mr. Chairman, and thanks for calling this important hearing. Thanks to all the witnesses for your candid and powerful testimony. I share the concerns several of my colleagues have already expressed over the current situation in Haiti. And as a representative of south Florida as my colleague from south Florida, Mr. Mast, mentioned a little while ago, this is an issue that hits close to home for so many in the Haitian diaspora community in my district.

And I would like to start by continuing the conversation about protocol concerns for the proposed elections. I think we can all agree elections are sorely needed. We all agree that the Haitian people deserve free, fair, and credible elections. And I have heard the concerns of our witnesses today that the current proposed CEP is illegitimate, even illegal, and I have heard similar concerns from Haiti civil society and from the diaspora community in my district.

So, Ms. Auguste, in your view, are there any reforms that would make the current provisional electoral council as proposed by the administration independent, legitimate, and able to administer free, fair, and credible elections?

Ms. Auguste.

Ms. AUGUSTE. Yes. Thank you, Congressman Deutch. With regard to the current CEP, it is not possible to have election with this illegal CEP and we have already enumerated the various reason why that cannot happen. Earlier, when I was talking about insecurity, I would like to add a few points for you to better understand what is going on in the country.

Today, the Ouest Department and the Artibonite Department represent 60 percent of the Haitian electorate. The majority of these voters are being housed in the same place where there are many gangs, gangs that are associated with the current government. That also means all candidates who are not associated with those gangs and the government will not be able to go into those neighborhoods to campaign.

Within 2 years, the government made three million electoral cards. So far, they have distributed less than two million. They

were supposed to have done 7,500,000 cards for the voters to be able to participate in the election process. If we are saying that election will take place in September, that will mean in August all the electoral cards have to be distributed. It is virtually impossible within the current situations for the Haitian Government to realize that.

Mr. DEUTCH. Ms. Auguste, I appreciate that. I just have a bit, excuse me, a bit more time. So let me just, if I may, thank you, and—sorry, everyone. I want to just, given what you just said, Ms. Auguste, I just want to address the position that has been emphasized by some of our Members and witnesses here today, which is that any election or referendum that is overseen by the Moise administration would automatically be seen by the Haitian people as illegitimate.

We have seen on the ground, I have heard, firsthand, human rights groups and opposition leaders maintaining that Moise's term ended February 7th and an interim government is necessary to organize elections now. The question, Ambassador White, that I have for you is, if the provisional electoral council cannot meet the standard of being free, fair, and credible, but the current President does not step down, how can Congress and the Biden Administration and the international community play a responsible role in ensuring that any election that is held is credible and legitimate and then facilitating the public acceptance of the results and in mediating between the Moise administration and the opposition?

That is what we are trying to do. I think that is what we need to do. Ambassador?

Ms. WHITE. Yes. Well, as I said in my testimony, I think that we, you know, it would be nice if he would step down, but I do not think that is going to happen. So I think if we sort of put him aside, you know, in the best of all worlds, and we have a prime minister appointed that is noncorrupt, that is not from the political sector, is not from the private sector—there are several really good candidates. I am not going to name them, but there are several—and then we have this summit that we get to and we put out the old CEP, we have a summit where the actors come back to the table and we discuss how we can get the right representation to inform it to have a CEP that is credible, I mean that is one solution that I can see happening within the very near future.

I think the problem with transitional governments is then we are in that mess again and it slows down everything here. It is not that I am—in fact, I wrote a piece, or talked for a piece in the New Yorker, a couple years ago, when I said I think that is exactly what we need. But I think right now we could use the prime minister option.

Mr. DEUTCH. Thank you very much. I think my time has expired. Thanks, Ambassador. Thanks to all the witnesses. Mr. Chairman, thanks for this very important hearing today. Yield back.

Mr. MEEKS. And, you are right. The gentleman's time has expired. I am going to, after I recognize the next member, I am going to ask Representative Levin to Chair the meeting briefly as I have to step away to another briefing. But I shall be back shortly, but Representative Levin will Chair. I now recognize Representative Greg Steube of Florida for 5 minutes.

Mr. STEUBE. Thank you, Mr. Chairman.

My questions are for Ambassador White. Haiti's poorest border with the Dominican Republic is extremely vulnerable to illicit trade. Haiti's maritime borders also remain virtually unregulated which contributes to economic insecurity. How can the Haitian Government increase customs control at its borders?

Ms. WHITE. Oh, boy. And a good question. Very good question. We worked with that so much when I was there and we were making progress. A lot of it consulting with people that had set up custom border patrols in the United States, and we were making some real progress, but then the funding ran out and I think it all just went backward.

But, you know, you can set up honest custom control across along the Haitian border if you have enough money to do it and that is the big problem. And, you know, especially U.S. Custom Patrol people were incredibly knowledgeable, incredibly generous with their time in helping us and advising us, and I think that that, you know, if you can get that back on track again it would be fabulous. And neither.

Mr. STEUBE. Well, could you describe how serious this problem is to Haiti's future development prospects?

Ms. WHITE. You know, I have not been to Haiti in 3 years. I do not know what is going on right now. I can certainly tell you what was going on when I was there, but the migration of workers and the migration of goods, and, you know, even though there was a major scale-up of migration called disease, is something all that really needs to be looked at. At least in my tenure it was an enormous problem.

Mr. STEUBE. So what could the Biden Administration do to help buildup border security there?

Ms. WHITE. Yes, I think we should go, I mean what we would do, you know, is really quite a good strategy in like I think we could go back to it very easily, and that is building up structures and training. And, you know, not only was it great because it was going to increase border security, but it also gave an opportunity for wonderful employment opportunity.

Mr. STEUBE. Adam Hoffner of the U.S. Border Patrol Miami Sector stated, "We continuously warn migrants about the dangers associated with traveling by sea. Smuggling organizations are not concerned with the safety of the people there smuggling, rather they continue to put the lives of migrants at risk." What could the Biden Administration do to address this issue?

Ms. WHITE. Well, you know, it all goes back about the core reasons that, you know, why are people leaving Haiti to start with? And, you know, we went through a period when I was Ambassador that migration to the United States was almost zero. It was very seldom. And, you know, that is when we were having a lot of development dollars and we were pumping a lot of money into the economy and lots of jobs were opening up and stuff there and we were paying people to, you know, remove the rubble and make new roads.

And so if Haitians, you know, the whole answer is that Haitians do not want to migrate.

Mr. STEUBE. OK. If there are any Republicans, I am happy to yield time if they want more time. If not, I will yield back to the Chair.

Mr. LEVIN [presiding]. Thank you, Representative Steube. The gentleman yields back. I now recognize the gentlewoman from Pennsylvania, Representative Wild, for 5 minutes.

Ms. WILD. Thank you, Mr. Chair. I appreciate it. I would like to address my first question to Ambassador White. And, you know, we have been hearing a lot of frustration about the current state of things and money that continues to flow to Haiti and so forth, but I want to take a little bit of a historical tour with you.

In 1825, France used the threat of military force to force Haiti to make massive financial payments with interest as a price for their independence, including the value of enslaved people freed. In today's dollars, the amount Haiti was forced to pay for its freedom exceeded 20 billion dollars. So my questions to you are these, and I will tell you my questions and then you can answer them in whatever fashion wish.

I would like to know what the impact of these payments was on Haiti's development and whether you believe that is difficult to accurately assess Haiti's current structural challenges without factoring in that history. And I would also like you to address the fact that in 2015, former French President Hollande acknowledged a moral debt toward Haiti, but I believe the debt is very tangible, and I am wondering what you think France's responsibility is here of whether we and other Members of the international community should play a role in urging the French Government to seriously address this issue.

That is for Ambassador White. Is she with us?

Mr. LEVIN. Ambassador White, could you hear the question? She is looking like she does not hear you.

Ms. WHITE [continuing]. Never got over the fact that—yes.

Ms. WILD. I am sorry. I did not—okay, but we cannot hear you. If you—

Ms. WHITE. Can you hear me?

Ms. WILD. Yes, could you start—

Mr. LEVIN. Try again. Try again, Ambassador White. Go ahead.

Ms. WILD. Okay.

Ms. WHITE. Can you hear me now?

Ms. WILD. Yes.

Ms. WHITE. Can you hear me? I am not on mute.

Ms. WILD. I can hear you.

Ms. WHITE. I am not on mute.

Ms. WILD. Mr. Chair, can I reclaim a little bit of my time in relation to that?

Mr. LEVIN. Yes, go ahead.

Ms. WILD. Ambassador, we can hear you. Go ahead, please.

She cannot hear me.

Ms. WHITE. Let me stop the video.

Ms. WILD. Okay. Did you hear my question?

Ms. WHITE. Now can you hear—yes, I was always shocked—yes, I did.

Ms. WILD. Okay, go ahead.

Ms. WHITE. Yes, so I was always shocked that Haiti was made to pay those reparations. It was amazing to me. And, you know, actually, interestingly enough, the French had played a role in Haiti but they do not play as big of role that you always thought they probably would.

During my time in West Africa, the French were the major donors and the major players in West Africa and that is where their major international interest in the Third World is today. So I just do not enough about why France does not play a bigger role in Haiti, to tell you the truth, but they have not for a long time.

Ms. WILD. Well, in your opinion, do you believe that we should be urging the French Government to address this issue?

Ms. WHITE. Sure.

Ms. WILD. Okay. I am going to move if—I cannot see the timer, Mr. Chair, but I assume I have another couple of minutes.

Mr. LEVIN. Yes, another couple of minutes. Go ahead.

Ms. WILD. Thank you so much.

So I would like to direct this to Ms. Jozef. Our immigration system has treated Asians, excuse me, Haitians differently than immigrants of other nationalities in the region, particularly Cuba and Venezuela, including by limiting access to asylum. And we have not recognized, historically, Haitians as facing political persecution.

Could you talk about how the U.S. response to Haitian migration has shaped our own immigration rules and processes?

Ms. JOZEF. Absolutely. Thank you so much, Congresswoman Wild. The reality is we can look back as I mentioned previously, the immigration prison system as we know, it started, created for incarcerating Haitian refugees in the 1980's fleeing political unrest and political abuse and persecution. And as we see today, the majority of the people who have fled are directly connected with political unrest, lack of security, and also the aftermath of the earthquake, the storms, the cholera that we continue to see today.

So yes, as black immigrants we know very well how Haitian migrants, Haitian asylum seekers have always been treated unfairly. As we are looking today, we have Haitian migrants who have been waiting at the border between a year and a half to 5 years. They have literally been waiting. The majority of the children that are being deported and expelled at the U.S. Mexican border right now are children who were born on the way, whether in Brazil, in Chile, in Venezuela, and in Mexico. Yes, black immigrants, particularly Haitian immigrants, have always been treated unfairly comparing to other people.

So now you mention Venezuela. We applaud the demonstration, you know, providing CPS for Venezuela as we are looking in the middle of the unrest and chaos, political unrest and chaos in Haiti, yet we do not see where this designation of CPS for Haiti.

So we understand that anti-Black and racism is also ingrained in every system and every part of who we are as a people as a country, but that is why we are imploring and demanding that we break away from the same way of treating Haitian immigrants, understanding the value in what we as a people contribute to the United States. When—[Audio malfunction.]—to today elected officials and people fighting on behalf of this Nation.

Ms. WILD. Thank you so much. I appreciate that. Thank you, Mr. Chair. I yield back.

Mr. LEVIN. I now recognize for 5 minutes, the gentlewoman from California, Congresswoman Kim.

Ms. KIM OF CALIFORNIA. I think I am unmuted now.

Mr. LEVIN. There you go, yes. Thank you.

Ms. KIM OF CALIFORNIA. Thank you.

Mr. LEVIN. Go ahead.

Ms. KIM OF CALIFORNIA. Thank you, Congressman Levin, and I want to thank all of our witnesses for joining us today. You know, for years, as it is has been noted, Haiti has been the second largest recipient of the U.S. assistance in the Western Hemisphere. We have provided over \$172 million allocated in Fiscal Year 2020. But despite these enormous amounts of financial assistance from multiple U.S. agencies and international aid organizations, Haiti remains the poorest and least developed nation in the Western Hemisphere.

So question to you, Ms. Douyon, could you provide insight as to which of our agencies is doing the most effective and efficient job in spending U.S. taxpayer dollars in raising that standard of living in Haiti and, additionally, which incentives are in need of reform or refocusing?

Ms. DOUYON. Thank you, Congresswoman Kim. I will let maybe someone like Ambassador White comment on the work of the U.S. Government entities, but my comment will be that several or many people raised this concern about the amount of money sent to Haiti in general development assistance and the lack of result.

And I will say that it is not about the money, the amount of money you spend to Haiti, it is about how it is spent, where it is spent, who will get the money to do what, and there is a huge problem of the way we allocate that in Haiti. It does not go to the real project. And this is also, it was not with the U.S. Government money or United States taxpayer money, but it happened with Venezuela, the people cried because they helped us, they sent us a lot of money and that money was mismanaged, and this was like the largest corruption scandal in the country.

It will happen with any other kind of development assistance fund until we send a clear signal that we are fighting corruption. And this is exactly what we are doing now in Haiti and until we do that, you can send money, the U.S. can help send almost whatever the amount of money they want. The same thing will happen.

Ms. KIM OF CALIFORNIA. Thank you so much. Given the limited time, I would like to pivot to Ambassador White, if you have any input on this and can I hear your thoughts on this?

Ms. WHITE. Yes. I think, like I said before that, you know, the tremendous amount of money that we are allocating to Haiti now is going to humanitarian aid, food aid, basic health aid, education, and I think that that is all critical. We do not give money to the Haitian Government directly. We explored that when I was there. We realized that there was just too much corruption in the government and so we do not do that and we should not.

Ms. KIM OF CALIFORNIA. All right. You know, I would like to touch on the lack of infrastructure in Haiti impacting the accessibility to basic services. You know, as you say, we can pour as much

money as we want into Haiti but, you know, and try to help them improve medical treatment or nutrition, but if Haitians are unable to reach food banks because of the poorly constructed roads or access medical care due to poorly constructed hospitals, this money will be concentrated in the city centers and leave much of the country to on its own.

So how is the U.S. cooperating with Haiti on the infrastructure projects to ensure that aid reaches the populations that need it the most and which agencies are best suited to accomplish this job?

Ambassador White, are you still on there?

Ms. WHITE. Yes. Sorry, sorry. I did not know if you were asking me or not. I do not know, currently, what is going on in that direction in Haiti. I wish I did, but I do not. When I was there, the PEPFAR money that both AID and CDC ran, you know, was doing a tremendous amount of trying to get money to every clinic across the Nation. And, you know, we had at least two or three hundred clinics that we were working with, you know, increasing training to the nurses, getting the right drugs to these clinics, and I do not know if that is still ongoing or not. I believe that it is.

But the problem is just as you say. Even if you have a clinic and, you know, Village X, if people are having problems accessing that village, then you still have a problem. But any kind of infrastructure improvement of the roads is a multibillion-dollar project and there is just not enough money for that. Not U.S. money.

Ms. KIM OF CALIFORNIA. Let me put in one more question. I know I want to touch on the human rights situation. Ms. Auguste, as everyone here has testified that the human rights situation on the ground in Haiti is dire and unstable. The rise in violence against vulnerable populations through homicide, kidnapping, and sexual violence is clearly—

Mr. LEVIN. Representative Kim, your time has expired. It is really—do you have a very, very quick question for Ms. Auguste—

Ms. KIM OF CALIFORNIA. Yes, yes.

Mr. LEVIN [continuing]. Like in 10 seconds?

Ms. KIM OF CALIFORNIA. May I ask that the gentleman from Florida, Mr. Steube, can I ask how much time he had left to yield?

Mr. LEVIN. His time is expired, Ms. Kim.

Ms. KIM OF CALIFORNIA. Okay, let me just—yes. May I finish my question then?

Mr. LEVIN. I will come back to you if there is time at the end, but we—

Ms. KIM OF CALIFORNIA. Okay.

Mr. LEVIN. There is still a lot of people who want to ask questions.

Ms. KIM OF CALIFORNIA. All right, thank you.

Mr. LEVIN. If that is okay. Yes, thanks so much. All right, and actually it is my turn now to ask my questions. I want to thank Chairman Meeks and Ranking Member McCaul. I just cannot tell you how pleased I am that the two of you called this hearing on the full committee level. I know that Chairman Sires of the Subcommittee agrees with me that a whole committee hearing shows a level of concern that is truly warranted for this crisis in Haiti.

I want to make clear before I begin, one thing for the record. I am grateful to all the people who are testifying before us, and I

know witnesses could face intimidation or threats because of your honest testimony. I have zero tolerance for that and I request that any witness who experiences any form of retaliation for your testimony, please alert the committee immediately. Your willingness to appear and your candor are essential to our work and your well-being is a priority for us and I think I probably speak for every member here on that.

Second, I want to emphasize that we have already made a little history in this hearing today. We have real bipartisan agreement here, which is often helpful and powerful in effective congressional input to change the direction of U.S. foreign policy. Our bipartisan panel of witnesses has made it perfectly clear that both a constitutional referendum and elections organized under de facto President Moise will not work and will not be seen as legitimate by the Haitian people.

Ranking Member McCaul stated in his usual straightforward way his agreement with this position, so this hearing is truly providing the basis for a new way forward for U.S. policy. The panel has already made clear that Haitian civil society broadly considered Mr. Moise's term to have ended on February 7th, 2021, that he is widely considered illegitimate by the Haitian people, that the CEP he created unilaterally is not legal or legitimate, and that Haiti needs not simply elections but the conditions that can lead to legitimate elections.

The United States needs to stop talking about squabbling between politicians and listen to human rights, business, labor, legal, and other civil society groups. These groups are actually trying to come together to create a plan that would work to restore the rule of law and a path to democracy. So following Congresswoman Bass, let's talk about the way forward.

Ms. Douyon, can you briefly explain how Haiti has had transitional governments before and what a broad cross-section of Haitian groups believe should happen now?

Ms. DOUYON. Thank you, Congressman Levin. We have had transitional government before because even in the past, elected leaders failed to organize election, timely election, so we have to fill the void. And we had it in 2004, we had it in 2015, and this time around is the same problem. Joyenel Moise, despite the fact that he enjoyed a comfortable majority in parliament, failed to organize election. So now we have to replace the parliament, we have to elect local officials, and we have to elect a new President because his term ended.

So a traditional government will have, we start democratic order, will have improved overall security situation and organized election, and—

Mr. LEVIN. Can I just ask? I do not know if I—if Ms. Auguste is still here, but if so, I would like her to weigh in on my last minute on whether she, you know, if she can add to what you said or whether she agrees with you, to see if the panel broadly agrees on this.

Can you hear me? Okay, go ahead.

Ms. AUGUSTE. Yes. I hear you very well. Thank you very much, Congressman Levin. I would like to start with the threats, so especially those of us who are in the human rights community, gen-

erally. However, the people who are living in the impoverished communities who pull themselves together to stand against the human rights violations and against this unconstitutional government are threatened by them.

One thing that I would like to emphasize on is that us within the Haitian civil society, we realize that it is the international community that allows Joyenel Moise to continue to remain at the palace. The impunity is so daring that on February 13 they arrest Fednel Monchery, who has already been cited in the La Saline massacre, they release him a few hours thereafter. That means we cannot count on this government to go by security and ensure that the population gets what they need. Like Chairman Meeks has said before, the former President Joyenel Moise have lost all credibility and is not able to govern the country at the moment.

Mr. LEVIN. All right, I am afraid my time has expired and I am going to hold myself to the same rules. So if we have time later, Ms. Auguste, we will come back to you.

And now my understanding, there are not currently any of our Republican colleagues who wish to ask questions and that means I get to turn it over to my esteemed colleague from Pennsylvania, Representative Houlahan, for 5 minutes.

Ms. HOULAHAN. Thank you, Representative Levin, and I appreciate the opportunity to ask questions.

My first question is for Ms. Douyon. I was hoping to be able to dive a little bit deeper into the role that women can play in policy discussions in Haiti around governance and around constitutional reform and how can we here in the U.S. and in this body help to promote women's participation in the government, in the Haitian Government and its civil society?

Ms. DOUYON. Thank you, Congresswoman Houlahan. I do not know if I pronounce it correctly.

Ms. HOULAHAN. You did.

Ms. DOUYON. And as a feminist myself, I believe women have a large role to play in Haiti politics and this is actually the case already, but much is needed to be done. And I also need to acknowledge that several feminist organizations were concerned over the situation in Haiti, the current situation in Haiti. Women need to be represented in the electoral council, but what happened is that respected organizations refused to adhere to a process that was then legal, and the government picked some other women from organization that no one knows about to consider that electoral council.

And what happen is that you have organization that are legitimate and recognized that have been underground for many years. They are not involved and they are left behind in the process. And they kept saying it, and there is several press note. And the civil society in their plan to have a transitional government actually specified that there need to be a quota of women because several times they violated this in the law, we need to have at least 30 percent of women, but many times they do not follow—they do not respect this quota and they are advocating for it.

And we believe, and even for the new constitution that puts us because it is not legal, those respected organizations are not involved, but in the future when the society will agree to make

change to the Constitution maybe we will have provision for increased women participation in Haiti politics.

Ms. HOULAHAN. Is there anything that you can think of that we can be doing to be helpful in driving that process?

Ms. DOUYON. Yes. First of all, maybe you can question why does legitimate organization are not involved, and how you can have—you can do anything with including women and those who have been defending women's rights in the country for so many years. And I think we can start here and later making sure that whether it is in terms of the local system or anything that or any decision that is being taken, if women are on the table, because it is very important that we do not have the kind of situation where only men are deciding what is the fate of the country.

And just, and I have to note that there is something really positive happening with the young activists, organizers, and like mine has many women involved and we are actually ensuring that we are equally qualified and we can have like leadership position, we can assume our responsibility just like men, and there is no reason we shouldn't have equal opportunities.

Ms. HOULAHAN. Agreed. And I am not sure, Representative Levin, how much time more time that I have.

Mr. LEVIN. A minute-twenty.

Ms. HOULAHAN. All right, great. With my minute-twenty, I would like to direct my last question to Ms. Auguste. My question is how can we best be utilizing our relationships in Latin America and the Caribbean to help support democracy in Haiti? What can we be doing to be helpful there and what international organizations are most useful? And thank you.

Ms. AUGUSTE. Okay, thank you, Congresswoman Houlahan. I think there is a lot of things that the U.S. can do to change their relationships with Haiti. First and foremost, I think the U.S. administration needs to listen to the Haitian civil society who have a lot of recommendations and demand that they can share with them that can be significant to the chance that we are seeking.

With your permission, I would like to quickly address the issue of women's participation within the elections system.

Ms. HOULAHAN. Representative Levin, I do not know if I have the time for that, but perhaps we could go back to that?

Mr. LEVIN. No, you have a bit of time left. It is a little different when there is translation because they stop the clock for the translation.

Ms. HOULAHAN. Oh, Okay. Okay.

Mr. LEVIN. So do not worry. I will stop you. Go ahead.

Ms. AUGUSTE. Okay, thank you. One thing that I would like to add is that the current insecurity that we have will not allow women to participate in this election neither as candidate or as voters. At the same time, the Haitian political parties have to come and put forward the mechanisms to allow women to be able to participate fully in the electoral process.

Mr. LEVIN. And with that—oops. With that, I think we have to move on. I am sorry. Again, if we have more time, we will come back. It is such a rich conversation. And I will just point out that all four of our panelists and our translator are women and they are

doing an outstanding job in this hearing, whatever that, you know, whatever that means.

Ms. HOULAHAN. I yield back. Thank you.

Mr. LEVIN. And, Mr. Fitzpatrick, if you have questions, you are up next, or if you want to wait because I know you just popped on.

Mr. FITZPATRICK. Thank you, Mr. Levin. If Representative Young Kim is still on, I am happy to yield my time to her. I know she was looking for extra time.

Mr. LEVIN. Yes, she was. I do not know if she is or not. I do not see her name. We will wait a minute.

All right, well, you know, we can come back to that as well. So let me recognize the gentlewoman from Nevada, Representative Titus, for 5 minutes.

Ms. TITUS. Well, thank you, Mr. Chairman. It has been indeed an interesting conversation. And I would like to shift a little to maybe Ms. Jozef and ask her about the refugee situation.

One of President Biden's first actions in office was to sign an executive order rescinding some of the Trump administration's immigration enforcement policies and he also directed Homeland Security to reexamine our own policies and priorities. DHS instituted a hundred-day pause on deportation with limited exceptions during this review process, but a legal challenge, unfortunately, lifted that pause so deportations are continuing.

I just wonder if the Haitian Government is doing anything to ensure the safety of returning individuals, many of whom left saying they feared for their lives because of the gang violence throughout the country.

Ms. JOZEF. Thank you so much, Representative Titus. The reality is even when President Biden's moratorium did not cover the expulsion of migrants under Title 42, which is the CDC Title, and we are asking for that Title to be rescinded so that we can provide protection for the most vulnerable people.

I also would like to mention that it is extremely concerning for the Haitian President, for the Haitian Government to be agreeing to receive a people who have literally fled due to violence, due to political unrest, and due to persecution. As I mentioned during my first opening, one of the women who was kidnapped and raped and fled was returned to Haiti and is currently in hiding unable to leave her house because of fear that what will happen to her.

So with all of that being said, what is happening with the migration, what is happening at the border with the deportation, with expulsion, we are asking for all of that to stop because it is unbelievable. And we believe that it is borderline criminal for the Haitian Government to be receiving people in these conditions at the present moment.

And would also like to highlight that even people who were not born in Haiti have been deported to Haiti. We are demanding accountability on both sides, from the U.S. side and our Haitian side, understanding it is a sending and receiving relationship and we are asking for that to stop immediate.

Ms. TITUS. So are NGO's involved in that whole process with you either through the courts in legal cases or advocating for some of these people who have returned?

Ms. JOZEF. We are advocating. However, when people are returned to Haiti, it is extremely impossible for them to get any type of relief when they are returned, released with nothing, and they have to find a way to fend for themselves, to go into hiding, to try to find another way so that they can probably even leave the country again. There is absolutely no relief, no protection for people who are being returned to Haiti at this moment.

Ms. TITUS. Sounds like that is something that we may be able to look into to provide some help at our end.

Ms. JOZEF. We definitely have, not just had looked, but we must provide help now and we must provide, you know, a way for people to legally, safely get protection in asking asylum. We must redesignate a CPS for Haiti to cover those who are here and really, really to make sure that we have a strong Haitian American community.

Ms. TITUS. Thank you very much. Just a little bit of time left, I would like to ask about education in Haiti. We have a figure that one of every two Haitians age 15 and over is illiterate, yet we know education is the way to get out of poverty to create a better future. Is there anything that we can do to help, or to help NGO's or help any of you, help with the expanding education opportunities?

Anybody?

Ms. AUGUSTE. Thank you very much, Congresswoman Titus. Today, education is a problem just like all the other issues that we are dealing with. The current educational system we have does not provide a good system for everybody to learn idea quickly, and it is also not a system that is fair to able to address everyone's problems regarding so whatever discrepancies or challenges that they may have.

We also have a system that is corrupted because there was the national educational funds that was created by the Martelly government. Money is taken from the Haitian diaspora on a regular basis. No report has been given on that money and it has not been utilized to assist the Haitian children to make sure attending school.

Mr. LEVIN. And again, I need to step in and say the gentleman's time has expired. But again, that answer is on such an important question. I understand—

Ms. WILD. Thank you, Chairman.

Mr. LEVIN. Thanks, Representative Titus. I understand that even school children now are being at risk of kidnappings which is just incredible.

Now let me recognize my wonderful colleague from the state of Minnesota for 5 minutes, Representative Omar, for her questions.

Ms. OMAR. Thank you so much for calling this important meeting, Chairman. I am especially grateful that we have the opportunity to hear directly from folks who are being impacted by our policies. I wanted to start with—direct my question to Ms. Auguste.

The last President changed U.S. policy to make it easier for American gun manufacturers to export guns to other countries including Haiti. Many of us are pushing for our new President to reverse this. In Haiti, how do gangs and organized crime get their guns, and do guns—do these guns used to commit violence in Haiti mostly come from the United States?

Ms. AUGUSTE. Thank you very much, Congresswoman Omar. I will start by answering your question. Yes, there are a lot of weapons that arrive on the Haitian territory that comes from the U.S. They come from our different various ports. There are also other weapons that enter the country through our borders because both our ports at the borders are just open.

There was a resolution that was taken that Haiti should not be entering weapons in the country. Despite the fact that there is an arms embargo on Haiti, to this day no authorities in the Haitian Government can tell us where these weapons are coming from and who is entering them in the country. It is the gangs who said that they are better armed than the Haitian National Police, and that is why we are saying that the Haitian National Police is currently weakened and politicized.

Ms. OMAR. Thank you for your answer.

And to Ms. Douyon, should the United States be supporting elections in Haiti this year regardless of the context and, in your opinion, what are the changes that election in Haiti this year, what are the chances that the elections this year would be free, fair, and legitimate?

Ms. DOUYON. Thank you, Congresswoman Omar. If the United States want to waste money and support the new political crisis, yes, they can invest in election in Haiti this year. Otherwise, the best alternative will be to listen to civil society who could indicate when it is OK to hold election. Because with gangs member we have—our President does is acting like a strongman in clear violations of human rights and many areas are under gang control, there isn't any possibility that we could have fair and inclusive elections. Who can campaign without gang support, and we do not want the kind of officials that have gang support to be elected or—but if we call elections now, those people are the one who have real advantage by the current insecurity and climate of fear that is going on in Haiti.

And also we need to audit the electoral system and we have an illegal electoral council. All those problems need to be solved if we want to have election that could lead us to the chance that the Haitian people deserve.

Ms. OMAR. I really appreciate your answer.

And to Ms. Jozef, I know that you have just addressed this question in regards to deportations. I am wondering if you can maybe expand on how these deportations are impacting the situation on the ground in Haiti especially in the context of the COVID pandemic.

Ms. JOZEF. Thank you so much, Congresswoman Omar. Thank you so much for being here. The reality is we started asking to stop deportations and expulsions to Haiti under Title 42 back in March when we realized that was going to be a major catastrophe for Haiti with a lack of infrastructure for medical care. And I also want to highlight that the numbers that are being seen or reported are not actual numbers. So in Haiti, there is no way for people to literally know how many people have been affected and died from COVID, for many different reasons.

However, we also understand that in May 2020, we had words that at least three of those people who were deported to Haiti,

upon arriving in Haiti tested positive for COVID-19. And I personally saw a spike in COVID-19 as relation to this flight. We also understand that a lot of people that were deported to Guatemala also were tested positive for COVID-19 upon arrival in their home country.

So this is a major concern as we understand transfers between detention centers and prison and flight carries over the grave, grave injustice that can be seen when it comes to medical assistance and medical care. So that is why we are asking for the stopping of those expulsion and those deportation in the spirit of good neighbor or in the spirit of protecting in health care.

Ms. OMAR. Thank you all for your wonderful insights. Thank you, Chairman. I yield back.

Mr. LEVIN. Thank you. The gentlewoman yields back. Now to the first of our fabulous freshwomen, the gentlewoman from California, Representative Jacobs.

Ms. JACOBS. Well, thank you, Mr. Chair. And thank you to all of our witnesses for being here. This has been incredibly interesting and I share my colleagues' concerns about the current situation. But I wanted to ask Ms. Douyon a question.

You know, I too have been part of conversations around Haiti for many years where we have been having similar conversations over and over again, but I noticed that in your opening you said that you think this is not the same moment as other crises and that we have an opportunity to fundamentally change things. And I was wondering if you could elaborate on why you think that is the case and what specifically it would take so that this really would fundamentally change things and we would not continue this cycle.

Ms. DOUYON. Thank you, Congresswoman Jacobs. I think we could only go back to maybe the time when we were fighting dictatorship to find the same spirit that is going on in Haiti now that called for change, that the involvement of so many different kind of people. For example, speaking on behalf of the collective of angry citizens who have never done politics before, we were never involved so actively in activities then.

But back in 2018, we have noticed that something needed to be done, like we needed to be involved to save what is left to be saved of Haiti, and this is why we are doing it and we have been doing it constantly since 2018. And this is because of people like us in Nou Pap Domi, the people challenging, those people who fought dictatorship and are still fighting the ways of dictatorship, now that I believe that something different is happening.

We are tired, like there is a—no one want to keep going with the same cycle and it is obvious that the system that we are fighting can no longer renew itself. For like 4 years in power, the President, despite the fact that he has a comfortable majority, he has not been able to achieve anything. Like he has not been able to satisfy any need from the population and he does not even have like support as to go on the street to say, we are with him, we are supporting him.

Like everyone realized like the majority of people, there is a broad consensus that we need to change something if we want to develop this country. And I believe that this new era can start now, and this is why we are asking for the U.S. Government to recognize

that the civil society is taking the lead, to recognize that this time around is different, and they need to be on the side of change.

Ms. JACOBS. Thank you. Thank you so much.

And then I would like to ask if Ambassador White is still on, what she thinks the United States can learn from its previous interventions and in terms of how we should approach things differently. And, you know, I know you talked about conditioning aid and some other things, but I guess what I am just trying to make sure is that we do not like do the same ten things we have done in every think-tank report we have had since the earthquake, and then have this same hearing again in 3 years from now when it does not work.

Ms. WHITE. Thank you. Yes, I do think we have a unique opportunity right now to get tough. And, you know, when I look back even when the, you know, some of the final months of when I was in Haiti, because we were going through the same, you know, the powers that there was no parliament. The CEP was first made up of a cast of characters that weren't acceptable, but we got it right, finally. But I think we have to hold their feet to the fire and we have to be tough and we have to be outspoken and I think the Biden Administration is ready to do that. I hope so.

But let me just mention one other thing that I, during this hearing, could not tell if it was a Republican or a Democrat asking the questions. And I, normally, I am really good at that. So congratulations to you, because I really do feel that this is a bipartisan committee hearing and thank you for that.

Ms. JACOBS. Well, thank you. And with that, Mr. Chair, I yield back.

Mr. LEVIN. And I believe Mr. Meeks is back to take the gavel back. Thank you, Mr. Chairman.

Mr. MEEKS. Thank you, Mr. Levin. I now recognize the Vice Chair of the Subcommittee of the Middle East, North Africa, and Global Counterterrorism, Representative Kathy Manning of North Carolina, for 5 minutes.

Ms. MANNING. Thank you, Chairman Meeks. I want to thank all of the witnesses for their testimony today and I am delighted that we have had this hearing so early in this session of Congress. The situation that was described by all the witnesses was, is heart-breaking and discouraging.

And we have talked at length about the political situation, Ambassador White, you had some very specific suggestions of things that could be done to address the political situation and I am wondering if you have similarly specific recommendations for steps the U.S. could take to improve the economic situation in Haiti.

Ms. WHITE. Yes, I do. I think, overall, USAID, it has always been my contention that we should spend more money on getting people jobs because countries do not move forward without jobs. But in order to get people into jobs, we need to do some—pay attention to at least giving people skills that they can use to rebuild the country.

And when I was head of USAID in Liberia, we had this fabulous program that linked literacy skills with basic skills in electricity, in brickmaking and building, with car mechanics, et cetera, et cetera, so that we could—we taught people literacy at the same

time we were training them in basic skills with unrelated skills and

[inaudible] Congress has been over and over very reluctant to give money to job training skills, and I think that is a mistake.

Ms. MANNING. Would any of the other witnesses like to comment on that? I am looking for specific ways the U.S. can help improve the economic situation in Haiti.

Ms. DOUYON. Representative Manning, if you allow me to add a few points, if we want to improve the economic situation in Haiti, there is a need to attract investment, but we cannot attract investment if the current President is still undermining rule of law and if the other law security situation is still as whatever it is.

This is why so many people do not come to invest in Haiti and we cannot have like people in the diaspora coming back home to improve, to work, to invest, and this is one—we cannot disassociate the economic situation from the political and social situation and which will improve and solve this political crisis.

If we want to attract investment, restore peace so that economic activists can thrive, because what is happening now with people who like fearing to even leave their house, there is great concern that we could see any improvement anytime soon.

Ms. MANNING. Thank you. Yes?

Ms. JOZEF. I would like to briefly add that again we need, as my fierce justice warrior Emmanuela mentioned, we need to look at the root causes of where we are right now and really, you know, work with the people of Haiti to create the infrastructure that is needed in order for us to move forward, including education, including access to health care, including rebuilding a culture, which open, which Haiti has always flourished.

Sending rice to Haiti, sending all those things, that all literally diminished the farming industry. We need to look into building sustainable structural in Haiti from education to access to health care, to farming, to our culture so that we as the Haitian people can reclaim their place and really create a system where people will be able to stay at home safe and others can come in and then investing into the community as well.

Ms. MANNING. Thank you.

And, Ms. Ducena, would you like to comment on that as well?

Ms. AUGUSTE. Yes. Thank you so much, Congresswoman Manning. The economic situation has currently ties to the social political crisis that we are dealing with.

If you do not have political ability, you cannot have economic stability just like my colleague Jozef and Douyon have already explained. The first step we need to take in terms of changing the economic situations in Haiti is to once acknowledge Article 134–2 from the Constitution. It had demanded for former President Joyenel Moise as ended on February 7th, 2021, then the country can work toward building a greater nation.

Mr. MEEKS. Thank you.

Ms. MANNING. Thank you, Mr. Chair.

Mr. MEEKS. Thank you. The gentlelady's time has expired. I now recognize the Vice Chair of the Subcommittee on Western Hemisphere, Civilian Security, Migration, and International Economic Policy, Representative Juan Vargas from California, for 5 minutes.

Mr. VARGAS. Thank you, Mr. Chairman, and I hope you can hear me. Mr. Chairman, I want to thank you very much for this hearing. Being toward the end here, I have had the opportunity to listen to not only our presenters but also all the questions from our colleagues. And I have to tell you, I do not know what we should do, I really do not.

But I know that what we should not do, we should not deport Haitians back to Haiti. That is what we should not do. We should not do that. And why should not we do that? From all the testimony that we heard here people are afraid to go buy groceries. People are afraid to get out money to get on the bus. People are afraid to make even small buys of anything because the gangs figure out they have money and they will get kidnapped to take that money away. They have closed some of the schools not so much even for the fear of COVID-19, but because children and their parents get kidnapped.

We should not deport people back into that situation. That is outrageous. The administration should allow them to stay and until the situation changes in Haiti. Now I have to say also, in my own opinion, I could be wrong, but I think it is also discrimination and I think it is discrimination because Haitians are black. I think that that is a reality. I think that there is a terrible discrimination going on here that shouldn't happen.

So anyway, I think we should urge the administration to quit deporting people back to Haiti. I mean does anyone agree with me at all? I mean isn't—how about Ms. Douyon? Do you agree that we should not deport people back to Haiti?

Ms. DOUYON. I agree. I agree that even though the conditions in Haiti right now it is not fair to deport people back to Haiti, and if we really want to avoid dealing with this kind of situation like having people migrating illegally to the United States we need to support efforts to restore peace in Haiti and make Haiti livable for the people.

Mr. VARGAS. And I agree with that. I mean I think we need to do all we can to help Haiti. I am completely in favor of that. But I just do not understand why we are deporting Haitians back to Haiti in these conditions. That does not make any sense to me. That does not make any sense. And also we have been talking about how to have fair and free elections that, you know, we cannot trust the situation as it is right now to have free and fair elections. I agree with that.

I think that will take some time to sort out, but in the meantime, why are we deporting people? I mean that does not make any sense to me and that is something I think that we should put pressure on this administration. This administration has the opportunity to do that. I mean they do it for Cubans. They do it for Venezuelans, for others. Why not for Haitians?

Ms. JOZEF. Congressman Vargas, thank you so much for making those points.

Mr. VARGAS. Yes.

Ms. JOZEF. The reality is, we absolutely believe that it is anti-black racism play a big part of why people are being deported to Haiti and also the fact that we continue to see some type of support to the current administration in Haiti. And as I mentioned before,

it is borderline criminal for both, you know, the U.S. sending people in for Haiti to be receiving people.

We are asking as you have said, to provide a safe and welcoming, you know, a plan for those people who have left, who have ran, and have literally been at the border between a year and a half to 5 years. It is unconscionable to see the condition that black people continues to be treated, not only in the United States but around the world.

And we see a direct relation between how they are deporting people to Haiti under the rules of Title 42, which literally allow people to be tested negative before being deported based on what ICE is saying. It is absolutely no reason for the United States after President Biden promised the Haitian American community that he was going to lead the way, we cannot continue to repeat those just inhumane treatment of Haitians. It is unacceptable.

Mr. VARGAS. Amen. And I would add this too. I live on the border here in San Diego. The discrimination that goes on also in Mexico when Haitians arrive here also is terrible, the discrimination that they face in Mexico when they have every right to present themselves at the border and say, I am here for asylum, and apply for asylum.

Anyway, again I—my time is up. But I hope we can do something about this, Mr. Chairman. Thank you. I yield back.

Mr. MEEKS. Thank you. The gentleman's time has expired. Our last member to talk is the distinguished Chair of the Financial Services Committee, who has been an advocate for Haiti from the time that I have known her and that is why she spent the time here today. The honorable Maxine Waters, you are now recognized for 5 minutes.

Ms. WATERS. Thank you very much, Mr. Chairman. I am so pleased for the leadership that you are providing on this issue. I am a friend of Haiti and I have been for years and I have been through some of the better times, but all of the worst times. I know Andy Apaid and I know he is down there exploiting the people, still.

I helped to get Guy Philippe put in jail and Toto Constant that they are sent back here to the United States, who we should have kept here. He was the death squad leader under Sadras when that coup d'etat took place. I have been with Aristide. I went, rented a plane alone with Randall Robinson. Remember when we had TransAfrica, Mr. Chairman, and we went to the jet and we went up and we got Aristide and I brought him back from the African republic that he was—Central Africa Republic that he had been banished to.

Now knowing all of this, I also understand Haiti, and I understand the mulatto's elite and I understand their relationship to some of the worst people in government, and that is who Moise and all of them work with because they are all about the money, exploiting Haiti, and basically about the fraud and about the corruption. I get all of that.

But I want you to know that, you know, people have been killed. The last time I was there it was April 2019, and I met with the victims of La Saline, the massacre that took place, and they told me about everything that happened November 2018. And this was

all because they were part of Lavalas. And so, you know, that is the old party of President Aristide that was so prominent in trying to get democracy in Haiti.

Someone asked today about what was going to be done or what had ever been done about the fact that the French basically piled all of this debt on Haiti and what was going to be done to work in getting that back. Well, that is one of the reasons Aristide was ousted was because he was talking about stuff like that.

But I want to tell you that there have been a lot of reports of similar massacres such as the one that was held in La Saline. I met with people whose houses had been burned down. They had no place to go. All they had was the clothing on their back. And so whether we are talking about Bel Air or we are talking about Cite Soleil, all of them are under absolute, you know, violence that has been perpetrated on them by this President and his police force.

In May of last year, the death squad that was headed by Jimmy Cherizier, but everybody knows him as Barbeque, he is running wild down there. He is killing people. He is carrying out multiple attacks on civilians all through the Port-au-Prince neighborhoods of Tokyo, Delmas, Pont-Rouge, burning houses and killing people and doing these violent attacks. Members of the Haitian National Police allied with Barbeque reportedly stood by and did nothing. No one has been accountable for these killings either, so there is a lack of accountability.

Now I know the question has been raised, what can we do? Mr. Chairman, I think you are in a great position to help provide some leadership. I do not know exactly how it should take place, but I think there is some recommendations that may make good sense. No. 1, the State Department is very key. I realize Haiti is a sovereign nation. We cannot just go in there and tell them what to do and what not to do, what have you, but we do support Haiti and we do have a State Department there and so they have got to be involved in some way.

The other thing is this, France and Canada, I have seen them involved when they thought it was in their best interest to be involved, but I think if Canada and France, the State Department, the U.S. Government led by you, and the civil society of Haiti get together and form some kind of a task force of some kind, you have got to get President Moise to stop this April referendum. This cannot happen.

This will destroy any efforts to have a Constitution, a real—it will undermine the Constitution of Haiti. I mean this has got to be stopped. And if everybody can get together and maybe some people from the diaspora along with civil society and with the State Department, the United Nations, and you, and others, maybe we can stop this referendum. It has got to stop.

Now when you talk about some of the people in civil society, Dr. Marie Antoinette Gautier, Marie Louise Gautier, these people are all in jail. They picked them up in the middle of the night and took them to jail. Louis Buteau and, of course, the court, the Supreme Court Justice Dabresil, he was arrested also, but they let him go on his recognizance. But the rest of them are still in jail and they are talking about they are going to stay there for 90 days until they can decide what to do with them.

But in response, and I do not know, but I worked with one of the past Prime Ministers, Ceant. Ceant, I guess, was up for a while and somehow he got kicked out by Moise. I do not know what he is doing. But between those of you who are here today, some of the names that I am mentioning and with some of the people that you trust in civil society, get together and everybody says to Moise, you will not have this referendum, it will not take place, I think then there can be a start to deal with how to follow the Constitution, how to get a legitimate CEP, and how to go forward with elections.

The Ambassador is correct. The Ambassador is right, you cannot have it in this atmosphere. There is no way it can take place. And all of the international interest should contribute the resources that are necessary at the right time, stopping this referendum and making him step aside. You know, he is the President, but if all, everybody comes together to say you cannot do this, that is not kicking him out as President, but the people will do that when you get the elections going and you have him step aside and stop the referendum.

And so I just wanted to add that I love Haiti. I will visit Haiti with my friends and I know that this is not political, but I am Lavalas. That is it. That is what I have worked with. I love President Aristide. He is building a university there that is educating doctors and lawyers and it is fabulous. When I was there, there was over five or six hundred graduates that were coming from that university.

We can do this, but we have got to come together with all of the interest. We have got to stop him in his tracks. We have got the international community to come together and supply the dollars and move with an election in an atmosphere where people will not be killed.

And with that, I know that I have taken up enough time, I would like to submit for the record, a letter that I sent to U.S. Ambassador Michele Sison that was signed by 14 of us and an op-ed that I wrote in the Miami Herald entitled "Haiti's President Joyenel Moise's shameful assault on democracy." And I would just like to say that—include CARICOM in that group of people who will get together, so that was three letters that I had sent.

Thank you, Mr. Chairman. I am going to follow your lead. I am going to do what I know you can—I support you in what I know you can do, and I think you have to take the leadership in having to bring this group of people together. As I said, civil society will be central to that. But all of these others who play a role, I think we can force him to step aside while we get together to plan an election.

Thank you so much. I yield back the balance of my time.

Mr. MEEKS. Thank you. The gentlelady's time has expired. All questions have now been had and all questions are now concluded. I now call upon Ranking Member McCaul, if you have any comments before we close.

In closing, let me do this. I do not think Ranking Member McCaul is with us. I want to thank all of our witnesses today. No. 1, your insight has been invaluable. I want to thank all of the Members of this committee who have been engaged on this critical situation in Haiti. There is clearly a lot of work to be done and we

are going to need to stay focused on Haiti, and I want all that have been witnessing and listening to this hearing today to note that this committee is going to stay focused.

This is not just a one hearing and off and then we are not going to continue to pay attention to what is going on. I too, as I said in my opening statement, am very concerned about moving forward with a referendum and what the current make up of is the CEP, of the CEP, because we have to have free and fair elections that involves everyone. Civil society must be a part of this.

The Haitian people must have confidence in an election. You cannot have an election just for election's sake because we would still be in the same place. There has got to be integrity. So this committee will work with the State Department and the administration bringing folks together so that we will know that there will be a change of what is going on.

So the Haitian people face a big deal and it is a priority of mine that we work to elevate the voices of civil society who want democracy and the rule of law. And I thank each and every one of you for being with us today and I now adjourn this hearing.

[Whereupon, at 1:11 p.m., the committee was adjourned.]

**FULL COMMITTEE HEARING NOTICE**  
**COMMITTEE ON FOREIGN AFFAIRS**  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515-6128

**Gregory W. Meeks (D-NY), Chair**

March 12, 2021

**TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS**

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held virtually via Cisco WebEx. The meeting is available via live webcast on the Committee website at <https://foreignaffairs.house.gov/>:

**DATE:** Friday, March 12, 2021

**TIME:** 10:00 a.m., EST

**SUBJECT:** Policy Recommendations on Haiti for the Biden Administration

**WITNESS:** Ms. Emmanuela Douyon  
Policy Expert  
Activist - Nou Pap Dòm

Ms. Guerline Jozef  
President  
Haitian Bridge Alliance

Ms. Rosy Auguste  
Program Director  
National Network for the Defense of Human Rights (RNDDH)

The Honorable Pamela A. White  
Former U.S. Ambassador to Haiti  
U.S. Department of State

**By Direction of the Chair**



**HOUSE COMMITTEE ON FOREIGN AFFAIRS**  
*FULL COMMITTEE ATTENDANCE*

<i>PRESENT</i>	<i>MEMBER</i>
X	Gregory W. Meeks, NY
X	Brad Sherman, CA
X	Albio Sires, NJ
X	Gerald E. Connolly, VA
X	Theodore E. Deutch, FL
X	Karen Bass, CA
X	William Keating, MA
	David Cicilline, RI
	Ami Bera, CA
	Joaquin Castro, TX
X	Dina Titus, NV
	Ted Lieu, CA
X	Susan Wild, PA
X	Dean Phillips, MN
X	Ilhan Omar, MN
	Colin Allred, TX
X	Andy Levin, MI
X	Abigail Spanberger, VA
X	Chrissy Houlahan, PA
	Tom Malinowski, NJ
X	Andy Kim, NJ
X	Sara Jacobs, CA
X	Kathy Manning, NC
	Jim Costa, CA
X	Juan Vargas, CA
X	Vicente Gonzalez, TX
X	Brad Schneider, IL
X	Maxine Waters, CA

<i>PRESENT</i>	<i>MEMBER</i>
X	Michael T. McCaul, TX
X	Christopher H. Smith, NJ
X	Steve Chabot, OH
	Joe Wilson, SC
	Scott Perry, PA
	Darrell Issa, CA
	Adam Kinzinger, IL
	Lee Zeldin, NY
X	Ann Wagner, MO
X	Brian J. Mast, FL
X	Brian K. Fitzpatrick, PA
X	Ken Buck, CO
X	Tim Burchett, TN
X	Mark Green, TN
X	Andy Barr, KY
X	Greg Steube, FL
X	Dan Meuser, PA
	Claudia Tenney, NY
X	August Pfluger, TX
	Nicole Malliotakis, NY
	Peter Meijer, MI
	Ronny Jackson, TX
X	Young Kim, CA
X	Maria Elvira Salazar, FL

## STATEMENT SUBMITTED FOR THE RECORD

**Statement for the Record from Representative Gerald E. Connolly  
“Policy Recommendations on Haiti for the Biden Administration”  
House Foreign Affairs Committee  
Friday, March 12, 2021**

Separated by just a few hundred miles of ocean, the United States and Haiti share a long, albeit complicated history, and Haiti’s political stability and economic development is critical to the success of both countries. Haiti is the poorest country in the Western Hemisphere, with close to 60 percent of the population living on less than \$2 per day and a Human Development Index ranking of 169 out of 189 countries in 2019. Under the administration of President Jovenel Moïse, Haiti has continued to spiral downward with rising social unrest, high rates of inflation, and resurgent gang violence. An unending cycle of political instability, combined with natural disasters, violence, and other economic woes, necessitate early and comprehensive engagement with Haiti from the Biden Administration.

Haiti’s gross domestic product (GDP) annual growth has averaged only 1.3 percent over the past two decades, and the economy has been weakened further by the COVID-19 pandemic. Today 35 percent of Haitians are suffering from acute hunger. Global remittances account for a major source of foreign aid, making up for more than a third of the country’s GDP in 2019. The country also is highly vulnerable to natural hazards, and climate change is expected to increase the frequency, intensity, and impacts of extreme weather events in the country. Hurricane Matthew, which hit the country in 2016, caused losses and damages estimated at 32 percent of 2015 GDP. The people of Haiti live in fear of gang violence as nearly a third of the national territory is controlled by gangs. Kidnappings, including by state-linked gangs, surged by 200 percent between 2019 and 2020, prompting many schools to close. Since the 2010 earthquake, the United States has contributed over \$5.1 billion to support life-saving post-disaster relief as well as longer-term recovery, reconstruction, and development programs. We must maintain consistent levels of assistance in order to lift the Haitian people out of poverty, promote sustainable and equitable economic development, combat climate change, and contribute to recovery and reconstruction efforts nationwide. Our assistance also must be targeted to strengthen rule of law and counter violence and major crime trends.

Protests continue against President Moïse, who has been governing by decree since January 2020. Moïse has maintained, amid widespread opposition, that his presidency concludes in February 2022, and the United States has followed the Organization of American States in affirming his tenuous claim. Legislative and presidential elections will be held simultaneously in September and runoffs, if required, will take place in November. President Moïse has taken steps to entrench his presidency, including the forced removal of three judges from the supreme court and appointing their replacements in violation of the Constitution. He has created an intelligence agency that answers only to him, widened the definition of terrorism to include acts of dissent, and ordered the arrest of a score of his most prominent detractors. To increase executive power, Moïse has championed constitutional reforms that will be taken up in a national referendum in June. His presidency has been bolstered also by criminal gangs, including gang leader Jimmy “Barbecue” Chérizier who was sanctioned by the United States for planning a massacre of at least 71 people in La Saline, Port-au-Prince in 2018. Pro-government and pro-opposition armed groups wield considerable influence over electoral results in neighborhoods in which they

exercise control. Resolving the political crisis is a top priority and will require concerted efforts and real leadership on the part of the U.S. government to collaborate and coordinate with stakeholders on the ground, the OAS, and other regional partners.

Since 2015, more than 300,000 people, or about 2.7 percent of Haiti's population, have fled the country. As of 2019, over 55,000 Haitians hold Temporary Protected Status (TPS) in the United States, and the Biden Administration has not commented on whether TPS will be extended for Haitians beyond October 4, 2021. In addition to this uncertainty, an estimated 900 Haitians have been deported since January 20, 2021, and another 353 are in ICE detention awaiting removal. To alleviate suffering, the Biden Administration should expedite the review of TPS extension for Haitians and other affected populations.

Haiti has struggled to overcome its legacy of authoritarianism, disrespect for human rights, underdevelopment, and extreme poverty since the fall of the Duvalier dictatorship in 1986. Recovery, development, and democracy are in jeopardy in Haiti, despite the country having received high levels of U.S. assistance for many years and being the second largest recipient of U.S. aid in the region. I thank the witnesses for appearing before this Committee today and sharing your experience on the ground and policy recommendations on the way forward for Haiti.

ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD

Statement for the Record of the Center for American Progress

U.S. House of Representatives

Committee on Foreign Affairs

Hearing on “Policy Recommendations on Haiti for the Biden Administration”

March 12, 2021

The situation unfolding in Haiti today presents a significant challenge to the people of Haiti, the region, and Haitian nationals living in the United States. The Haitian population in the United States has more than tripled in the past three decades, from 225,393 in 1990 to an estimated 701,688 in 2019.<sup>1</sup> Haiti was not always a migrant-sending country. Haiti became the first free Black republic after it declared independence from France and ended slavery in the 19<sup>th</sup> century and was a destination for migrants for more than a century.<sup>2</sup> But since then, years of dictatorships, devastating natural disasters, high levels of corruption, and foreign interference have held Haitians back from achieving prosperity and stability.

In January 2010, the country suffered a cataclysmic earthquake that killed 220,000, injured more than 300,000 people, and destroyed an enormous share of the country’s infrastructure.<sup>3</sup> A widespread cholera outbreak introduced inadvertently by relief workers<sup>4</sup> brought death and despair and together with subsequent natural disasters, including Hurricane Matthew in 2016, further exacerbated the country’s ability to recover and rebuild.<sup>5</sup>

In addition to dealing with the significant lingering effects of these national and public health disasters, Haiti today must combat pervasive food insecurity and the ongoing coronavirus pandemic while also dealing with a rapidly escalating political crisis that began after a much-disputed 2015 election and took a turn after President Jovenel Moïse decided not to step down in February 2021 – the official end of his term according to his opponents.<sup>6</sup> Accusing Moïse of dictatorship and against his decision to stay in power beyond the term limit, thousands of Haitians have engaged in peaceful protests and demonstrations, many in the capital of Port-au-Prince.<sup>7</sup> The fresh political unrest and the constitutional crisis comes amid an increase in kidnappings which have skyrocketed by 200 percent from 2019 to 2020, and resulting in many school closures.<sup>8</sup> Haitians accuse President Moïse of supporting these gangs to help suppress his opposition.<sup>9</sup> Haiti’s ability to respond to the many challenges it is facing is hampered significantly by the absence of a functioning legislature and the total lack of elected mayors throughout the country.<sup>10</sup>

According to an internal report by U.S. Citizenship and Immigration Services (USCIS) within the U.S. Department of Homeland Security (DHS), “based on a recent analysis of conditions in Haiti, USCIS believes that Haitians removed to Haiti may face harm upon return to Haiti.”<sup>11</sup> Nevertheless, Haitian deportations and expulsions reportedly picked up in October 2020 and have continued, with more than 900 in early February 2021.<sup>12</sup> Rather than continuing to pursue this harmful strategy, the Biden administration has several tools at its disposal to protect the safety of Haitian nationals here and in the country and to help promote stability and recovery.

**1. The Biden administration should redesignate Haiti for Temporary Protected Status**

The Biden administration should respond to the current crisis by redesignating Haiti for Temporary Protected Status (TPS). Based on the rising political unrest, growing authoritarian activities, and proliferation of gangs in the middle of an ongoing pandemic, Haiti is going through “extraordinary and temporary conditions” that makes it unsafe for Haitian nationals residing in the United States to return to the

country. Haiti was designated for TPS in 2010 following the earthquake and redesignated in 2011 due, in part, to the cholera outbreak.<sup>13</sup> The designations were extended regularly—including during the first months of the Trump administration—until they were set for termination toward the end of 2017.<sup>14</sup> While the terminations have been prevented from taking effect due to ongoing litigation, the Biden administration can end the uncertainty experienced today by tens of thousands of Haitian TPS holders in the U.S. and extend protection to additional Haitian nationals facing the threat of deportation and expulsion by redesignating the country for TPS.<sup>15</sup> Such a redesignation would allow eligible Haitian nationals in the United States to live and work legally for a period of time, simultaneously promoting their own security and the country's efforts to achieve immediate stability.

## 2. The Biden administration should restart the Family Reunification Parole Program

During the Obama administration, to promote the health and safety of Haitian nationals who were the beneficiaries of approved family-based immigration petitions, DHS created a program to parole into the United States certain individuals so that they could be reunited here with their families while they wait for a visa number to become available.<sup>16</sup> The program was a smart and entirely lawful effort to use the statutory tool of humanitarian parole to facilitate lawful migration to the United States and promote family unity. That program was effectively terminated during the Trump administration as part of its overall slash-and-burn efforts toward legal immigration and should promptly be resumed by the Biden administration.<sup>17</sup>

## 3. The Biden administration should review restoring the ability of Haitians to participate in the H-2A program

In 2012, the Obama administration added Haiti to the list of countries whose nationals are eligible to participate in the H-2A program.<sup>18</sup> This program allows qualified applicants of the eligible country to apply for seasonal agricultural jobs in the United States. But the Trump administration removed the designation, barring Haitians from accessing these jobs and denying them an opportunity to not only help Haiti through remittances but also help the U.S. economy.<sup>19</sup> While there are clear benefits of adding Haiti to the H-2A program, there have been valid and major concerns raised about the working and living conditions of workers with H2-A visas compounded by their disincentive to raise their voices against mistreatment given that their visa status is tied to their jobs.<sup>20</sup> These concerns must be addressed to ensure that the workers are protected against exploitation.

*For more information please contact Lia Parada, Director of Government Affairs, Center for American Progress at [lpurada@americanprogress.org](mailto:lpurada@americanprogress.org).*

---

### Endnotes

<sup>1</sup> U.S. Department of Commerce, "1990 Census of Population Social and Economic Characteristics: United States," available at <https://www2.census.gov/library/publications/decennial/1990/cp-2/cp-2-1.pdf> (last accessed March 2021); The U.S. Census Bureau, "2019 American Community Survey 1-year estimates, Table B05006," available at <https://data.census.gov/cedsci/table?q=place%20of%20birth&tid=ACSDT1Y2019.B05006&hidePreview=false> (last accessed March 2021).

<sup>2</sup> Georges E. Fouron, "Haiti's Painful Evolution from Promised Land to Migrant-Sending Nation" (Washington, DC: Migration Policy Institute, 2020) available at <https://www.migrationpolicy.org/article/haiti-painful-evolution-promised-land-migrant-sending-nation>.

<sup>3</sup> OXFAM, "Haiti Earthquake: Our response," available at <https://www.oxfam.org/en/haiti-earthquake-our-response#:~:text=On%20January%2012%2C%202010%2C%20a,in%20an%20immense%20humanitarian%20crisis> (last accessed March 2021).

- <sup>4</sup> Richard Knox, "Verdict: Haiti's Cholera Outbreak Originated In U.N. Camp," *NPR*, May 6, 2011, available at <https://www.npr.org/sections/health-shots/2011/05/06/136049974/verdict-haitis-cholera-outbreak-originated-in-u-n-camp>.
- <sup>5</sup> Makini Brice, Joseph Guyler Delva, "Hurricane Matthew death toll nears 900 in Haiti, cholera takes lives," *Reuters*, October 7, 2016, available at <https://www.reuters.com/article/us-storm-matthew-haiti/hurricane-matthew-death-toll-nears-900-in-haiti-cholera-takes-lives-idUSKCN12719D>.
- <sup>6</sup> Peter Beaumont, Julian Borger, "Haiti in fresh crisis amid coup claims and dispute over president's term," *The Guardian*, February 10, 2021, available at <https://www.theguardian.com/world/2021/feb/10/haiti-coup-attempt-allegations-jovenel-moise-president-term>.
- <sup>7</sup> Jacqueline Charles, "Thousands march against Moise, kidnappings and U.N. in Haiti during a large protest," *Miami Herald*, February 28, 2021, available at <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article249589003.html>.
- <sup>8</sup> Amelia Cheatham, "Haiti's Protests: Images Reflect Latest Power Struggle" (New York: Council on Foreign Relations, 2021) available at <https://www.cfr.org/article/haitis-protests-images-reflect-latest-power-struggle>.
- <sup>9</sup> Harold Isaac, Andre Paultre and Maria Abi-Habib, "Haiti Braces for Unrest as a Defiant President Refuses to Step Down," *New York Times*, February 7, 2021, available at <https://www.nytimes.com/2021/02/07/world/americas/haiti-protests-President-Jovenel-Mois.html>.
- <sup>10</sup> *The Economist*, "Can Haiti rid itself of Jovenel Moise?," February 27, 2021, available at <https://www.economist.com/the-americas/2021/02/27/can-haiti-rid-itself-of-jovenel-moise>.
- <sup>11</sup> Hamed Aleaziz, "US Officials Are Deporting Haitian Immigrants Despite Knowing They May Face Danger," *Buzzfeed*, March 2, 2021, available at <https://www.buzzfeednews.com/article/hamedaleaziz/us-deporting-haitian-immigrants-despite-dangers>.
- <sup>12</sup> Julian Borger, "US steps up deportation of Haitians ahead of election, raising Covid fears," October 29, 2020, *The Guardian*, available at <https://amp.theguardian.com/us-news/2020/oct/29/us-steps-up-deportation-haitians-coronavirus>; Ed Pilkington, "Outcry as more than 20 babies and children deported by US to Haiti," February 8, 2021, *The Guardian*, available at <https://www.theguardian.com/us-news/2021/feb/08/us-ice-immigration-customs-enforcement-haiti-deportations>.
- <sup>13</sup> U.S. Department of Homeland Security, "Statement from Homeland Security Secretary Janet Napolitano on Temporary Protected Status (TPS) for Haitian Nationals," Press release, January 15, 2010, available at <https://www.dhs.gov/news/2010/01/15/secretary-napolitano-temporary-protected-status-tps-haitian-nationals>; U.S. Citizenship and Immigration Services, "18-Month Extension and Re-designation of Haiti for Temporary Protected Status Update," Press release, May 19, 2011, available at <https://www.uscis.gov/archive/18-month-extension-and-re-designation-of-haiti-for-temporary-protected-status-update#:~:text=Under%20the%202010%20designation%2C%20TPS,may%20now%20apply%20for%20TPS>.
- <sup>14</sup> U.S. Department of Homeland Security, "Acting Secretary Elaine Duke Announcement On Temporary Protected Status For Haiti," Press release, November 20, 2017, available at <https://www.dhs.gov/news/2017/11/20/acting-secretary-elaine-duke-announcement-temporary-protected-status-haiti>.
- <sup>15</sup> U.S. Citizenship and Immigration Services, "Temporary Protected Status Designated Country: Haiti," available at <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-haiti> (last accessed March 2021).
- <sup>16</sup> U.S. Citizenship and Immigration Services, "DHS To Implement Haitian Family Reunification Parole Program," Press release, October 17, 2014 available at <https://www.uscis.gov/archive/dhs-to-implement-haitian-family-reunification-parole-program>.
- <sup>17</sup> U.S. Citizenship and Immigration Services, "USCIS to End Certain Categorical Parole Programs," Press release, August, 2, 2019, available at <https://www.uscis.gov/news/news-releases/uscis-to-end-certain-categorical-parole-programs>.
- <sup>18</sup> International Organization for Migration, "H2-A visa program in Haiti" (Port-au-Prince, Haiti), available at <https://files.givewell.org/files/shallow/international-migration/grants/Annex%203%20H2A%20Worker%20Recruitment%20Services.pdf>.

---

<sup>19</sup> Yeganeh Torbati, "Trump administration bars Haitians from U.S. visas for low-skilled work," *Reuters*, January 17, 2018, available at <https://www.reuters.com/article/us-usa-immigration-haiti/trump-administration-bars-haitians-from-u-s-visas-for-low-skilled-work-idUSKBN1F702O>.

<sup>20</sup> Daniel Costa, "New survey and report reveals mistreatment of H-2A farmworkers is common" (Washington, DC: Economic Policy Institute, 2020), available at <https://www.epi.org/blog/new-survey-and-report-reveals-mistreatment-of-h-2a-farmworkers-is-common-the-coronavirus-puts-them-further-at-risk/>.

## ***Miami Herald***

<https://www.miamiherald.com/opinion/op-ed/article249296735.html>

# **Haiti's President Jovenel Moïse's shameful assault on democracy | Opinion**

**BY U. S. REP. MAXINE WATERS**

FEBRUARY 17, 2021 04:38 PM

The Biden administration's response to Haiti's spiraling political crisis may be motivated by wariness of entangling the U.S. in a neighbor's affairs, or adding another challenge to the Administration's extremely full plate. [But Haiti's President Jovenel Moïse appears to be taking the response as a green light to continue his assault on democracy.](#)

The assault is making the crisis worse for Haitians and threatens to entangle the United States in a much more serious crisis.

In April 2019, I met in Haiti with the victims of the November 2018 La Saline massacre, an attack by gangs, police officers and government officials intended to punish the neighborhood for organizing anti-government protests. When I returned, I warned the Trump administration, which provided generous financial, diplomatic and political support to President Moïse, that unless there was accountability for the dozens of killings at La Saline, Haiti would descend into a spiral of chaos and violence.

Over the next two years, the Trump Administration continued to stand by [President Moïse as he dismantled Haiti's democracy and promoted the chaos and violence I had feared.](#) With U.S. backing, Moïse refused to negotiate in good faith with opponents. Terms expired for most legislators in January 2020, and all local officials in July, without elections for their replacements. Government-allied gangs created a formal alliance and systematically waged deadly attacks on opposition neighborhoods, often with police support. Police met peaceful protests with teargas, clubs and bullets. Dissidents and journalists were arrested and killed. President Moïse created an unconstitutional National Intelligence Agency to spy on opponents.

President Moïse now says he wants elections, but only after a constitutional referendum, which is scheduled for April. The referendum is Moïse's most audacious and dangerous power grab yet. The changes he proposed to the Constitution would completely eliminate the Senate, replace the semi-independent Prime Minister with a Vice-President, and allow Moïse to hand-pick an electoral council that would run the next two Presidential elections.

This referendum is as unconstitutional in Haiti as it would be in the United States. Two years before the current Constitution's adoption in 1987, the notorious dictator, Jean-Claude "Baby Doc" Duvalier, had engineered a similar referendum that proclaimed him President-for-Life.

In response, the new Constitution explicitly prohibited referendums, and established an intentionally difficult procedure for amendments that requires super-majorities in the legislature, as the U.S. Constitution does. President Moïse's referendum is subtler than Duvalier's, but it is similarly autocratic.

Haiti's crisis escalated on February 7, the date that President Moïse's term ended, according to a large swath of Haitian civil society, including the judicial oversight body, the bar association, church leaders and thousands of people on the streets. They are joined by several of my Democratic colleagues in the U.S. House of Representatives and U.S. Senate President Pro Tempore Patrick Leahy. President Moïse, on the other hand, contends he has another year in office. On February 5, the State Department announced that it agreed with him.

The Moïse Administration apparently took the announcement as assurance that the Trump Administration's policy of near-unconditional support would continue under President Biden. Before sunrise on February 7, police arrested – illegally – Supreme Court Justice Yvickel Dabresil and nineteen other suspected dissidents. Protests that day and the next were quickly snuffed out by police teargas, brutality and bullets.

On February 8, Moïse fired Justice Dabresil and two Supreme Court colleagues. This move was just as illegal as it would be in the United States, and left the court short of a quorum required for rulings on constitutional issues.

The U.S. Embassy did express concern about the justices' firings, but that mild reproach will have no effect. On February 10, police and soldiers turned their guns and tear gas launchers towards journalists, injuring several. Judge Dabresil was jailed for five days, before being released after two courts ruled his arrest illegal.

All signs point to the Moïse Administration continuing to dismantle Haiti's democracy. That will eventually present the U.S. with a refugee crisis and an expensive tab for helping to put the country back together.

The Biden Administration can take several practical, low-cost steps to help resolve Haiti's crisis without risking entanglement. It can start by acknowledging the broad consensus in Haiti – reflected on Capitol Hill – that President Moïse's term has ended, which will force Moïse to negotiate in good faith with his opponents.

Second, the U.S. can declare that it will provide no support for the unconstitutional referendum, either directly or through other organizations such as the United Nations or the Organization of American States.

Finally, the U.S. can comply with the Leahy Law's prohibition on U.S. financial support for security forces involved in human rights violations and apply Global Magnitsky Act sanctions on any Moïse Administration official engaged in human rights abuse or corruption.

*Maxine Waters is the U.S. Representative for California's 43rd congressional district since 1991.*

LETTERS FOR THE RECORD

**Congress of the United States**  
Washington, D.C. 20515

February 26, 2021

The Honorable Michele J. Sison  
U.S. Ambassador to Haiti  
U.S. Embassy in Haiti  
c/o U.S. Department of State  
Washington, D.C. 20520

Dear Ambassador Sison:

We write to follow-up on Rep. Maxine Waters' February 20 letter regarding the cases of Dr. Marie-Antoinette Gautier, Marie-Louise Gautier, and Louis Buteau, the sisters and brother-in-law, respectively, of Dr. Jacqueline Gautier, MD, a prominent hospital administrator in Port-au-Prince, as well as about 20 other Haitians who were arrested on February 7. We appreciate the background you provided on these cases and the statements of the U.S. Embassy and the State Department in support of democracy and human rights in Haiti.

Dr. Marie-Antoinette Gautier, Marie-Louise Gautier, and Louis Buteau were reportedly part of a group of 23 Haitians who were arrested in a warehouse on February 7, which also included Supreme Court Justice Yvickel Dabresil. It is our understanding that the Haitian National Police has recommended criminal charges to the office of the prosecutor, and the justice system has 90 days to issue formal charges. However, it is also our understanding that Justice Dabresil was released on his own recognizance after being jailed for five days.

Given the political and constitutional crisis, protests, and violence currently facing Haiti, we are deeply concerned that it would be extremely destabilizing to keep these individuals in prison under current conditions for up to 90 days.

We respectfully urge you to thank the relevant Haitian authorities for releasing Justice Dabresil on his own recognizance. Furthermore, we respectfully urge you – using all available diplomatic tools at your disposal – to request that the relevant Haitian authorities release Dr. Marie-Antoinette Gautier, Marie-Louise Gautier, Louis Buteau, and the remaining individuals in this group on their own recognizance as well.

We appreciate your attention to our concerns and your commitment to democracy and human rights in Haiti.

Sincerely,



Maxine Waters  
Member of Congress



James P. McGovern  
Member of Congress



Stacey E. Plaskett  
Member of Congress



Bonnie Watson Coleman  
Member of Congress



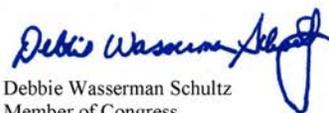
Dwight Evans  
Member of Congress



Frederica S. Wilson  
Member of Congress



Alcee L. Hastings  
Member of Congress



Debbie Wasserman Schultz  
Member of Congress



Jesús G. "Chuy" García  
Member of Congress



David N. Cicilline  
Member of Congress



Donald M. Payne, Jr.  
Member of Congress

/s  
Karen Bass  
Member of Congress

/s  
André Carson  
Member of Congress

/s  
Ro Khanna  
Member of Congress

/s  
Ayanna Pressley  
Member of Congress

**MAXINE WATERS**  
MEMBER OF CONGRESS  
43RD DISTRICT, CALIFORNIA  
  
COMMITTEE:  
FINANCIAL SERVICES  
CHAIRPERSON

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-0535

PLEASE REPLY TO:  
WASHINGTON, DC OFFICE  
2221 FARBURG HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6025  
PHONE: (202) 225-2201  
FAX: (202) 225-7854  
  
DISTRICT OFFICE:  
LOS ANGELES OFFICE  
10124 SOUTH BROADWAY  
SUITE 1  
LOS ANGELES, CA 90003  
PHONE: (323) 757-8900  
FAX: (323) 757-8506

October 5, 2020

The Honorable Michele J. Sison  
U.S. Ambassador to Haiti  
U.S. Embassy in Haiti  
c/o U.S. Department of State  
Washington, D.C. 20520

Dear Ambassador Sison:

I write to urge you to use your considerable diplomatic experience and influence with the government of Haiti to promote respect for the rule of law and basic human rights and to oppose the organization of elections in Haiti until such time as the widespread politically motivated attacks against government critics in Haiti have ceased; the perpetrators have been held accountable; an independent Provisional Electoral Council can be formed with broad participation by civil society and in accordance with Haiti's constitution; and all political parties, stakeholders, civil society organizations, and Haitian citizens are able to participate in the elections without fear.

As I warned in my May 28th letter to you, Haiti was in grave danger of a downward spiral of chaos and violence. Unfortunately, such a downward spiral is precisely what is happening. Yet, in the midst of this chaos and violence, the Haitian government under President Jovenel Moïse is proceeding to organize elections that are widely perceived to be both illegitimate and unconstitutional.

The Haitian constitution requires that elections be organized by a Provisional Electoral Council (CEP) that consists of nine members representing different sectors of civil society, including Catholic and Protestant churches, human rights organizations, presidents of universities, and private sector associations. Members of the previous CEP resigned in August and called on the executive branch to initiate a process of dialogue to obtain broad agreement before moving forward with elections.<sup>1</sup> Since then, each of these sectors has refused to designate a representative to a new CEP, expressing concerns about the credibility of any elections carried out under President Jovenel Moïse. The vice president of the Haitian Catholic bishops' conference even claimed that a government official told him that the church could name the

<sup>1</sup> AlterPress, [Haiti-Politique: Ou'est ce qui est à la base de la démission en bloc des 8 membres restants du Cep?](#), July 31, 2020.

Haitian ambassador to the Holy See if church officials promptly nominated a Catholic representative to the CEP, an offer that the bishop called a bribe.<sup>2</sup>

President Jovenel Moïse nevertheless unilaterally appointed a nine-member CEP by a presidential decree in violation of the constitution. The decree not only mandated the CEP to organize elections, but also required it to prepare a constitutional referendum, a move that Haitian legal scholars, opposition party leaders and human rights observers say is not only illegal and unconstitutional, but reminiscent of actions taken by former dictator Francois “Papa Doc” Duvalier, who changed Haiti’s constitution as part of his efforts to consolidate power, make himself dictator for life, and thus subvert democracy all together.<sup>3</sup> When the Haitian Supreme Court refused to swear in Moïse’s hand-picked CEP members, Moïse installed them anyway, which is also a violation of the constitution.<sup>4</sup>

These disturbing events are taking place against a backdrop of unconscionable threats, intimidation, and violence targeting critics of the government of President Moïse. Haiti’s public works minister Joiseus Nader was accused of intimidation after he went to the offices of the Haitian government’s watchdog agency on September 23, 2020, accompanied by heavily armed men wearing ski masks. While they watched, civilians accompanying them took photographs and videos of some of the 300 employees and sensitive documents that are part of the agency’s ongoing corruption probe of the government’s alleged misuse of \$2 billion in aid from Venezuela under the “PetroCaribe” program.<sup>5</sup>

A well-respected Haitian lawyer, constitutional scholar, and head of the Port-au-Prince bar association, Monferrier Dorval, was assassinated on August 28, 2020, just hours after criticizing the government in a radio broadcast. Dorval had previously signed a statement denouncing more than two dozen presidential decrees signed by Moïse and calling for them to be recalled. Dorval’s murder followed the murder of at least two other prominent Haitians, Radio Caraïbes host Frantz Adrien Bony and Haitian businessman Michel Saïeh; all three were killed over a two-day period.<sup>6</sup>

Violent gang attacks on impoverished neighborhoods perceived to be opposed to the Moïse administration have also escalated in recent months, and there is growing evidence that these appalling acts of violence are being condoned – if not actively encouraged – by Moïse’s government. The death squad headed by Jimmy Cherizier, commonly known as “Barbecue,” reportedly carried out multiple attacks on civilians in May in the impoverished Port-au-Prince

<sup>2</sup> Catholic News Service, [Haitian bishop decries 'bribe' from government in advance of elections](#), National Catholic Reporter, September 4, 2020.

<sup>3</sup> Charles, Jacqueline, [Haiti finally has an elections commission, but controversy over constitution role brews](#), Miami Herald, September 21, 2020.

<sup>4</sup> Charles, Jacqueline, [Haiti's supreme court declines to swear in election council, Moïse installed them anyway](#), Miami Herald, September 22, 2020.

<sup>5</sup> Charles, Jacqueline, [Haiti's public works minister is accused of intimidating the country's watchdog agency](#), Miami Herald, September 23, 2020.

<sup>6</sup> Charles, Jacqueline, [Haitian lawyer, constitutional expert gunned down hours after controversial radio interview](#), Miami Herald, August 29, 2020.

neighborhoods of Tokyo, Delmas, and Pont-Rouge, burning houses and killing people. During these violent attacks, members of the Haitian National Police allied with Cherizier reportedly stood by as houses were burned and people were killed.<sup>7</sup>

The government failed to bring Cherizier to justice, and he subsequently unified several gangs under the “G9” organization and launched a reign of terror against neighborhoods unwilling to submit to the gang federation’s will. Police vehicles have been used in the G9 attacks, and there has been no reported police intervention to protect the victims of the attacks, many of whom are women and children.<sup>8</sup> According to a National Human Rights Defense Network (RNDDH) investigation of armed attacks in the impoverished Port-au-Prince neighborhood of Cité Soleil, during the period from June 1 through July 28, 2020, at least 111 people were murdered, 48 people went missing, and 20 others were wounded by bullets. Moreover, 18 women and girls were repeatedly raped by armed bandits, at least 5 public transit vehicles were intercepted, and 6 houses were burned down.<sup>9</sup>

While Moïse has denied ties to the gangs, he fired Justice Minister Lucmane Delile within hours after the latter denounced the gangs and ordered that the national police pursue them.<sup>10</sup> Furthermore, residents of the attacked neighborhoods and human rights groups consistently report that the attacks are designed to intimidate neighborhoods from opposing the government ahead of the upcoming elections.

As you know, I led a delegation to Haiti in April 2019, during which I met with you and also met with residents of La Saline and surrounding areas, who described acts of unconscionable violence that occurred in November of 2018. Survivors expressed concern that government-connected gangs, working with police officers, carried out the attacks to punish the neighborhood for its participation in anti-government protests. In the 18 months since my trip to Haiti, credible investigations of the La Saline massacre by RNDDH,<sup>11</sup> the United Nations (UN) Mission for Justice Support in Haiti together with the Office of the High Commissioner on Human Rights (OHCHR),<sup>12</sup> and Haiti’s national directorate of judicial police<sup>13</sup> have all

<sup>7</sup> National Human Rights Defense Network (RNDDH), *Attacks on deprived neighborhoods*, June 23, 2020.

<sup>8</sup> Arnesen, Ingrid, and Faiola, Anthony, *In Haiti, coronavirus and a man named Barbecue test the rule of law*, Washington Post, August 14, 2020.

<sup>9</sup> National Human Rights Defense Network (RNDDH), *Assassinations, Ambushes, Hostage-taking, Rape, Fires, Raids: The authorities in power have installed terror in Cité Soleil*, August 13, 2020, p. 2.

<sup>10</sup> Arnesen, Ingrid, and Faiola, Anthony, *In Haiti, coronavirus and a man named Barbecue test the rule of law*, Washington Post, August 14, 2020.

<sup>11</sup> National Human Rights Defense Network (RNDDH), *The Events in La Saline from power struggle between armed gangs to state-sanctioned massacre*, December 1, 2018, pp. 7-8.

<sup>12</sup> United Nations, *MINUJUSTH and OHCHR release a report on the violent events of 13 and 14 November in La Saline*, June 21, 2019.

<sup>13</sup> Charles, Jacqueline, *Dozens brutally killed, raped in Haiti massacre, police say: ‘even young children were not spared’*, Miami Herald, July 15, 2019.

consistently pointed to politically motivated violence. Yet the alleged perpetrators have never been brought to justice.

I warned in April 2019 that impunity for the La Saline massacre would encourage more violence, and tragically, I have been proven right. A politically motivated attack in the Bel-Air neighborhood on November 4-8, 2019, killed at least 15 people, and it appears to have been carried out by Jimmy Cherizier and other gang leaders implicated in the La Saline massacre.<sup>14</sup> Furthermore, OHCHR verified that Haitian security forces were responsible for at least 19 killings between September 15 and November 1, 2019,<sup>15</sup> and Amnesty International reported that Haitian police repeatedly used excessive force during anti-government protests in late 2019, including unlawfully firing live ammunition at protesters and indiscriminately launching tear gas.<sup>16</sup> Impunity for acts of violence in 2018 and 2019 no doubt contributed to the escalation of violence in 2020.

Ending impunity, including for the criminal acts described above; ensuring the protection of human rights; and upholding the rule of law are essential to the democratic process. Any notion that elections can proceed without significant civil dialogue and the bolstering of constitutional protections and democratic institutions is therefore nonsensical.

Credible elections cannot be carried out by a CEP that is widely perceived to be illegitimate and unconstitutional, and they certainly cannot be carried out in an atmosphere of widespread politically motivated attacks against suspected government critics. If the Haitian government were to proceed with elections under the current conditions, respected representatives of civil society will be unwilling to participate, political parties will be unable to organize or recruit candidates, and voters will be afraid to register and vote. Such illegitimate elections would only serve to deepen Haiti's current political crisis, increase the risks of widespread chaos and violence, and undermine the U. S. national interest in a stable and prosperous Haiti.

Sincerely,



Maxine Waters  
Member of Congress

---

<sup>14</sup> HaitiLibre, [Haiti - Security: Violence in Bel-Air neighborhood, at least 15 dead](#), November 10, 2019.

<sup>15</sup> Hurtado, Marta, [Press briefing note on Haiti unrest](#), United Nations High Commissioner for Human Rights, November 1, 2019.

<sup>16</sup> Tucker, Duncan, [Haiti: Amnesty International verifies evidence of excessive use of force against protesters](#), Amnesty International, October 31, 2019.

**MAXINE WATERS**  
MEMBER OF CONGRESS  
43RD DISTRICT, CALIFORNIA  
  
COMMITTEE:  
FINANCIAL SERVICES  
CHAIRPERSON

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-0535

PLEASE REPLY TO:  
WASHINGTON, DC OFFICE  
2221 FARBURG HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-0525  
PHONE: (202) 225-2201  
FAX: (202) 225-7854  
  
DISTRICT OFFICE:  
LOS ANGELES OFFICE  
10124 SOUTH BROADWAY  
SUITE 1  
LOS ANGELES, CA 90003  
PHONE: (323) 757-8900  
FAX: (323) 757-8508

February 20, 2021

The Honorable Michele J. Sison  
U.S. Ambassador to Haiti  
U.S. Embassy in Haiti  
c/o U.S. Department of State  
Washington, D.C. 20520

Dear Ambassador Sison:

I urge you to use all the diplomatic tools at your disposal to obtain the immediate release from prison of Dr. Marie-Antoinette Gautier, Marie-Louise Gautier, and Louis Buteau, three of the many Haitians who have been unjustly imprisoned under the increasingly autocratic administration of Haiti's President Jovenel Moïse.

Dr. Marie-Antoinette Gautier (a surgeon), Marie-Louise Gautier (a member of the Haitian National Police), and Louis Buteau (an agronomist) are the sisters and brother-in-law, respectively, of Dr. Jacqueline Gautier, MD, the hospital administrator at a hospital close to the United States Embassy in Port-au-Prince. All three were reportedly arrested – illegally – along with Supreme Court Justice Yvickel Dabresil and more than a dozen other suspected dissidents on February 7. Protests that day and the next were quickly snuffed out by police teargas, brutality, and bullets. While Judge Dabresil was released on February 11, Dr. Gautier's two sisters and brother-in-law still remain in prison.

I met with Dr. Jacqueline Gautier and visited the HIV/AIDS program in her hospital during my trip to Haiti in April 2019. I was impressed by the care that she and her staff provided to their patients, and I am deeply concerned about her three imprisoned family members. It was during this trip that I met with the victims of the November 2018 La Saline massacre, and subsequently warned that unless there was accountability for the dozens of killings at La Saline, Haiti would descend into a spiral of chaos and violence, which is clearly what is happening now.

As I pointed out in my recent opinion in the *Miami Herald*, during the two years since the La Saline massacre, President Moïse has dismantled Haiti's democracy and promoted the chaos and violence I had feared. With U.S. backing, Moïse refused to negotiate in good faith with opponents. Terms expired for most legislators in January 2020, and all local officials in July, without elections for their replacements. Government-allied gangs created a formal alliance and systematically waged deadly attacks on opposition neighborhoods, often with police support. Police met peaceful protests with teargas, clubs, and bullets. Dissidents and journalists were arrested and killed.

Given these consistent patterns of human rights violations, I have grave concerns about the continuing imprisonment of Dr. Jacqueline Gautier's sisters and brother-in-law, as well as all other Haitians who have been unjustly imprisoned by the Moïse Administration. We cannot allow the Moïse Administration to continue to violently attack peaceful protesters, murder critics, and imprison suspected dissidents like Dr. Gautier's family members with impunity.

Therefore, as I stated at the beginning of this communication, I urge you to use all the diplomatic tools at your disposal to obtain the immediate release of Dr. Marie-Antoinette Gautier, Marie-Louise Gautier, and Louis Buteau, and to insist that all officials in the Moïse Administration abide by the rule of law and respect the human rights of the Haitian people.

Sincerely,

A handwritten signature in black ink that reads "Maxine Waters". The signature is written in a cursive, flowing style.

Maxine Waters  
Member of Congress

cc: Dr. Jacqueline Gautier, MD

## RESPONSES TO QUESTIONS SUBMITTED FOR THE RECORD

**Questions for the Record from Representative Albio Sires  
 “Policy Recommendations on Haiti for the Biden Administration”  
 House Foreign Affairs Committee  
 Friday, March 12, 2021**

**Question:**

**Corruption:** In 2014, Haiti passed a comprehensive anti-corruption law broadly defining corruption and decreeing a zero-tolerance policy toward the practice. However, corruption remains a serious problem in Haiti, and the country ranked 170<sup>th</sup> of 180 countries in Transparency International’s most recent Corruption Perceptions Index, reflecting Haitian citizens’ perceptions that corruption is systemic. In fact, President Moïse was sworn in while under investigation for allegedly embezzling Petrocaribe funds. The Superior Court of Auditors found credible evidence of this corruption. However, the judiciary has not brought charges against Moïse.

- President Biden has made anti-corruption a pillar of his foreign policy. How could the United States support institutions within Haiti to better investigate and combat corruption?
- What challenges do government and non-government institutions investigating corruption face?

**Answer:**

*Ms. Augustine:* This assertion is true. However, it was not the Haitian judiciary that did not file a complaint. But preferably, the justice, seized of the file, did not follow up because it is instrumentalized by the executive power.

Since 2017, the main institutions created to fight corruption have been systematically dismantled and / or weakened by the current state authorities. These include, among others, the Central Economic and Financial Intelligence Unit (UCREF), the Anti-Corruption Unit (ULCC) and the Superior Court of Accounts and Administrative Litigation (CSC / CA).

It should be remembered that UCREF and ULCC are specialized in the fight against money laundering and financial crimes. These are two (2) institutions that the United States has spent a lot of money on, providing materials and strengthening through training programs.

Since May 2017, a law has been adopted by the Haitian parliament, altering UCREF and totally undermining its autonomy. And, the ULCC has been placed even more under the ~~thumb~~ thumb of the executive.

The United States must therefore insist that the Haitian state work to restore these institutions to their former autonomy. It is at this price that cases relating to financial crimes and money laundering committed by individuals close to power and by members of power, can effectively lead to prosecutions and convictions.

In addition, the United States must also prosecute the Haitian authorities involved since 2017 in money laundering and financial crimes on American territory.

Government institutions are facing numerous challenges because they have been placed under the regulated control of the government. Therefore, the United States should also ask the Haitian state to respect their autonomy, as mentioned above.

Non-governmental institutions are facing an inability to find information relating to acts of corruption because, at the highest level, there is a blockage to silence the scandals in which members and those close to power are involved.

*Ambassador White:* There are no zero institutions in Haiti government that have not been tainted by corruption. Two days ago a prominent Haitian Senator said even congressmen were paid huge sums of money to confirm Moise's choice of Prime Minister. We need a strong anti corruption commission. One does not exist. We must have complete fiscal transparency starting now. Every government dollar must be accounted for or they don't get another penny from USA. They are spending tens of thousands of dollars on useless lobbyists while the Haitian people are starving. This is outrageous. We also must insist on rebuilding the police which is now completely infiltrated with former gang members. Police are now paid to throw rocks and fire weapons into any protest crowd. This is also outrageous. We once had outstanding US policemen from New York and Miami that trained Haitian police. They developed a strong bond. Bring them back.

The huge challenge is that almost everyone in any position of power is corruptible. People are reluctant to come forward (although they all know) to make allegations. The consequences for revealing corruption could be death. The consequences for accepting bribes is nothing. As long as no one pays any price for playing the destructive corruption game, the game continues and grows. This is why the country is in such bad shape. Even the god guys are in hiding. I just spoke with a former Haitian ambassador to the USA and to a former Haitian police chief. They are both living outside of Haiti fearful for their lives.

The Haitian government instead of throwing tens of thousands of dollars hiring shady lobbyists to promote Haiti's image in Washington DC should hire a team of highly competent CPAs. This is what president Sirleaf did in Liberia after the war. She had a team of ten American accountants serving in every ministry that handled money. They had to approve every expense and establish transparency in bookkeeping.

Corruption was almost zero under this system.

*Ms. Douyon did not submit a response in time for printing.*

**Question:**

“**Constitutional Reform:** President Moise is holding a constitutional referendum on April 25, 2021, before holding new legislative elections. As I understand, amending the constitution by referendum is actually forbidden, and instead any constitutional changes should be approved by the legislature.

- Do you believe the Haitian Constitution needs reform? If so, by what process should the Haitian Constitution be amended?
- What steps, if any, has the Haitian government taken to include Haitian civil society in the reform process?”

**Answer:**

*Ms. Douyon did not submit a response in time for printing.*

**Question:**

“In 2014, the Obama administration created the Haitian Family Reunification Parole program to help Haitian family members of U.S. citizens or permanent residents remain with family in the U.S. while waiting for their immigrant visas. This program effectively ended during the Trump Administration.

- How did the termination of this program affect Haitians with family in the United States? Do you believe it should be reinstated?”

**Answer:**

*Ms. Jozef did not submit a response in time for printing.*