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Hearing on “Haiti on the Brink: Assessing U.S. Policy Toward a Country in Crisis”
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Haiti’s Crisis: From a civic push for accountability to demand systemic change

Chairman Sires, Ranking Member Rooney, and other distinguished Members of the Subcommittee:

I would like to thank you all for the opportunity to speak about the ongoing situation in Haiti. This hearing is an important step in recognizing the ongoing challenges the country is facing, and I look forward to sharing the perspectives of Nou Pap Domi with you today.

Haitian Government’s Response & Deterioration of Economic and Social Justice

For the past 18 months, the Haitian population have engaged in massive nationwide protests demanding increased government accountability. Demonstrations erupted in July 2018 after the Moise-Lafontant government followed the International Monetary Fund’s (IMF) recommendation and decided to end the fuel subsidy. Shortly after, a movement called Petro Challenge emerged. The movement has two main grievances: government impunity and government corruption, which prevent progress toward a just society. The current accountability movement was sparked by Senate reports outlining the misappropriation of an estimated US\$3.8 billion from a Venezuela-backed oil loan program, also known as PetroCaribe, that has implicated successive Haitian administrations and officials, including sitting President Jovenel Moïse. Funds were taken to finance projects that were either not finished or never started. What began as a small-scale appeal for the government response to the report findings has grown into a national movement for accountability and systemic change.

The PetroCaribe fund was designed to provide oil at a discounted rate to Haiti and enable national savings that could be invested in strengthening critical infrastructure and social services. After the Senate reports, the government requested that the Haitian Court of Auditors conduct their own analysis. The Court of Auditors published two reports echoing many of the same problems identified by the Senate.

The response to the nationwide accountability movement from government institutions and agencies has been varied:

- **Undermining accountability efforts:** The implication of so many high-level officials in and close to this government in acts of corruption has thwarted accountability at every level of government. None of the officials implicated in the PetroCaribe corruption scandal have been held judicially accountable. The Senate, predominantly PHTK, the party of the President and his allies, obstructed PetroCaribe-related investigations by blocking a vote on the Senate Committee report for four months. Senators with the majority party then passed a resolution condemning the Senate report as politically-motivated in a clandestine session convened after opposition senators had left the building. This resolution referred the dossier to the Superior Court of Auditors and Administration (CSCCA). The Court of Auditors published two serious, but incomplete, reports in January and May of 2019. Many state entities denied cooperation with the Court of Auditors; judges of the court have received death threats. The government institutions responsible for fighting corruption are being dismantled. President Moïse unlawfully fired the director of UCREF, the financial crimes unit that produced an investigative report during the 2016 elections implicating President Moïse in money laundering and replaced him with an unlawful “interim” director more favorable to Moïse. The new Parliament dominated by President Moïse’s allies then passed a law that granted the executive de facto control over the entity, greatly undermining its independence. President Moïse also pushed out the UN’s chief officer in Haiti after she spoke out on corruption in 2018.
- **Violence against protesters:** From July 2018 to the present day, the Haitian National Police (HNP) has met largely, non-violent protests with a repressive response. In Amnesty International’s October 2019 report, they called on President Jovenel Moïse to guarantee the rights of Haitians who are taking to the streets to protest against his government, and to put an end to the use of excessive force by his security forces. In the most recent report, Amnesty verified multiple instances of “security forces under the command of President Jovenel Moïse” using unlawful and excessive force. Amnesty said it also verified instances in which police, armed with semi-automatic rifles, fired live ammunition during protests, in violation of international human rights law and standards on the use of force.
- **Attacks on the press:** Journalists reporting on corruption and the popular movement have received threats and come under attack, by both police and protestors. In September, the Committee to Protect Journalists condemned the shooting of journalist Chery-Dieu-Nalio, who was injured after a senator fired a shot in the air near the Senate building. On October 10th, Néhémie Joseph, a reporter covering the movement for Radio Méga, was found shot dead in his car.

- **Massacre of civilians to repress political dissent:** Armed gangs have carried out massacres in neighborhoods known as strongholds of political opposition that support anti-government demonstrations. Credible investigations by Haitian human rights organizations, the national judicial police, and the UN point to government involvement in a massacre in the La Saline neighborhood, where at least 71 people were brutally murdered, and hundreds of houses were burned by armed gangs in November 2018. La Saline is a key convening spot for anti-government protests, and the massacre took place after a massive anti-corruption protest had taken place the month prior and while another protest was being planned for November 18, 2018. Despite the scale and horror of the atrocities, the current administration has yet to formally start legal proceedings against those implicated in the La Saline case. This sends a clear signal that the massacre is not a priority for this government. Moreover, aligned with the one-year anniversary of the La Saline Massacre, from November 4 to 7, 2019, armed attacks against the inhabitants of the Bel-Air community resulted in fifteen people killed and twenty-one houses burnt.

These dangerous government responses, frustration from the population, deplorable living conditions, and the deteriorating economic performance of Haiti have led to the current political, social and economic crisis. The economic situation in Haiti has worsened throughout Jovenel Moïse's presidency – with a 37 percent devaluation in the gourde over the past year and, in July 2019, the inflation rate was recorded at 19.10 percent. The Haitian people are also victims of increased levels of banditry. There is a proliferation of armed gangs that work for and enjoy the protection of state officials.

The ongoing protests demanding government accountability coupled with the population's notable lack of support for either the current administration or the political opposition demonstrates a growing consensus that Haiti's governmental system is fundamentally broken and must be transformed into a system that actually fosters social equity and inclusion. The current crisis is due to a broken political and economic system that has failed to serve the population, create functional public institutions, protect human rights or provide social services and opportunities to the citizens of Haiti.

Based on the current administration's weakening of state institutions, undermining of accountability efforts, corruption, ongoing human rights violations, failure to form a government despite a majority in the Parliament, inability or lack of desire to fight gang proliferation, extreme poverty, hyperinflation, disintegration of public service, unemployment and the general economic deterioration of the country, Haitian citizens recognize that this administration does not have the political will or capacity to transform Haiti's governmental system into one that actually serves the Haitian people. As a result,

citizens from all sectors of civil society, in both rural and urban areas, are calling for the President to step down. Corrupt officials cannot fight corruption.

A Latent Crisis Has Finally Exploded

The current generation of Haitians, the Petro Challengers, in particular, are committed to the fight against corruption. They were in their twenties when they lost their loved ones, hopes, and dreams in the devastating 2010 earthquake. This generation is marked by the biggest natural disaster the country ever faced, followed by a cholera outbreak, and another major hurricane in 2016. Haitian hopes were high that the country would rebuild after the earthquake in 2010. But years later, there was great disappointment when they realized that very little was achieved with all the money that was supposed to rebuild the country and finance development projects. Many promises have been made, but the country has only become poorer while a group of politicians and businessmen are getting rich on the backs of the people. Kleptocracy and state capture were in full effect. The country is characterized by high inequalities, endemic corruption, impunity, and social injustice. It was clear that as inequality and poverty increased a crisis would explode, as everyone had had enough. It was only a matter of time.

Assessing Current U.S. Response

To date, the U.S. administration has largely stood by the Moïse government calling for:

Dialogue: The US has been recommending dialogue since 2018, but it has not worked for several reasons. The implication of so many high-level officials in and close to this government in acts of corruption and human rights violations has thwarted their legitimacy to lead national dialogues. President Moïse has lacked a popular mandate from the beginning of his term and he has only further alienated Haitians through economic mismanagement and violent abuses of authority. The Haitian society is calling for an inclusive National Conference, which would include all sectors of society and be facilitated by the transitional government. This is not a political crisis between those who won the last election and those who did not; this crisis goes beyond political opposition. The demand of the Petro challengers and the population is for systemic change dialogues.

A new government: The recommendation to form a new government is noble, but it is morally difficult to encourage citizens to work with a president that has been indicted in corruption, weakened state institutions, undermined accountability efforts, been unresponsive to ongoing human rights violations, failed to form a government despite a majority in the parliament, failed to fight gang proliferation and been unable to address the general economic deterioration of the country. President Moïse has already formed two governments during his two years in office. The reshuffling of the cabinet will not resolve

the current crisis. Protesters are demanding systemic reforms to increase government accountability and responsiveness and to reign in widespread impunity for corruption and human rights violations that this administration is incapable of executing. The key actors from the opposition, whether a political party or civil society, have had a negative experience with the President, particularly the way he handles dialogue. At this point, they won't be willing to cancel their demands for him to resign to form a government with him.

Elections: Haiti's political crisis can be traced back to the electoral process that brought President Moïse into power. President Moïse was elected in 2016 in the lowest voter turnout elections since the end of the Duvalier dictatorship in 1987. The Presidential elections took place during an election cycle characterized by fraud and violence. Fraud in the first Presidential elections forced a redo. The second time, only about 20% of the eligible population voted due to a combination of disenfranchisement and disillusionment with the electoral system. President Moïse received only 600,000 votes in a country of 10 million people. While the international community has invested billions in building up rule of law institutions in Haiti, powerful governments and international institutions have also exerted influence on Haiti to forge ahead with problematic and exclusionary elections, such as the one described above. Without a popular mandate to govern, President Moïse has had to rely on patronage by diverting funds from the treasury and from social programs to maintain a network of supporters.

Haitian citizens remain disillusioned with elections as a means for change within the current context, but after the needed key systematic reforms, organizing elections is an identified priority of the transitional government. Haitian youth and civil society groups realize that they cannot abandon politics, especially as they do not believe in the old guard politicians – opposition or not. They are willing to engage in voter education, demand campaigns based on clear agendas and to run for office in order to influence change.

The Path Forward

Given the development of the current situation, it appears increasingly likely that the President will not be able to complete his term, set to expire in early 2022. Many political actors and civil society organizations are already collaborating to define a roadmap for the political transition and the mandate of the transitional government. As of now, a political transition is not supported by the international community, including the U.S., but it is critical that they listen to the legitimate demands of the Haitian people.

We have seen how important it is to support Haitian demands. Ten years ago, after the earthquake, the world came to Haiti to implement projects that fit their missions and would help them achieve their national or organizational goals. Their projects did not fulfill the needs of the Haitian people on the ground. The results were suspicions of the

mismanagement of funds and a failed recovery. What we need now is support from the international community that matches the needs and supports the Haitian population's vision for their future. Given this, the following points are very important to keep in mind:

1. This time around, the complexities of the crisis won't be easily solved by short term interventions, such as food distribution, talks of forming a new government with a president indicted in corruption.
2. What's happening in Haiti today is different. The Petro challenge movement isn't the same old crisis between various political groups. The youth of Haiti have emerged and have decided to tackle one of the biggest problem the country has ever faced – corruption.
3. Haitian civil society has defined the principles of an inclusive transition as the following:
 - a. The selection of a transitional government via a process that is transparent and inclusive.
 - b. A National Conference that includes members of civil society. The National Conference will define a legally binding mandate, or road map, for the transitional government.
 - c. The creation of a diverse oversight and accountability entity to accompany the transitional government.

The mandate of the transitional government needs to include the following:

- a. The rationalization of public spending and reform of state institutions;
- b. The strengthening of anti-corruption bodies such as ULCC, UCREF, CSCCA;
- c. The creation of new mechanisms to ensure judicial independence;
- d. The holding of a trial regarding PetroCaribe corruption scandal.

Requests for the U.S. Congress

Support the legitimate demands of the current movement: If the U.S. wants to support a sustainable way forward for Haiti, it must finally take its lead from Haitian civil society and support systemic reform. Systemic reform is the only way for Haiti to emerge out of this crisis into a place of stability. There is a need to support for civic engagement of the Haitian people and systematic democratic reforms by encouraging accountability for corruption and rights abuses. The popular call for accountability can help advance a more stable, prosperous and rights-respecting democracy in Haiti. The USG's failure to stand with the legitimate demands of the current movement provides political cover for government impunity and in turn further undermines the rights of the population, democracy, rule of law and stability. The U.S.'s decades-long prioritization of short-term stability over rule of law has failed and must be re-examined.

I would like to thank you for your time and I look forward to your questions.