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Membre de la
fidh

Before the U.S. House of Representatives Committee on Foreign Affairs
Hearing Entitled “*Haiti at the Crossroads: Civil Society
Responses for a Haitian led Solution*”

Presented on September 29, 2022

President Meeks,
Ranking member McCaul;
Members of the Foreign Affairs Committee;

1. A little over one (1) year ago, we testified in front of you about the human rights denial situation in Haiti. Today, it is the worsening of this situation that still explains our presence here.
2. Thank you for offering us this new opportunity to share with you the subhuman conditions in which the Haitian population flounders, due to the absence of leadership and cynicism of state officials.

A. *Situation of the country before the assassination of Jovenel MOÏSE*

3. On the night of July 6-7, 2021, Acting President Jovenel Moïse was assassinated in his home in conditions not yet clarified. Since then, the crisis in Haiti has reached an unprecedented level. He was certainly a predator of human rights but, the aspiration of the Haitian people was not to see him murdered. The Haitian people wanted him to answer for the corruption, collusion with the armed bandits, and human rights violations that he was accused of.
4. This assassination, more than any other recorded under his administration, confirmed the degree of trivialization of life that we have never ceased to denounce. Indeed, under Jovenel Moïse, violations of the rights to life, security, and physical and mental integrity multiplied under his indifferent gaze. However, nothing prepared us to see the worst.

B. *Situation in the country since the assassination of Jovenel MOÏSE*

5. Since the arrival of current Prime Minister Dr. Ariel HENRY at the head of the Primature, the worst has been imposed on us. The process of dehumanizing the population has accelerated. With the complicity of the international community, Dr. Ariel Henry has placed himself at the head of a political coalition composed of lying politicians, bluster who defend only their own interests, to the detriment of the just popular demands for security, has a duty

to respect human rights well-being and the fundamental right to an adequate standard of living.

On security

6. Armed bandits have become more arrogant in their operator mode. They win more territory every day, and wage wars with the aim of defending their economic and financial interests while protecting the political and electoral interests of their true bosses; they kidnap victims from their homes for ransom, they drive people out of their homes, and they want to be political. As an example, Jimmy CHERIZIER alias Barbecue involved since 2017, in various bloody events and massacres in deprived neighborhoods, presents today with his coalition of armed gangs, as a revolutionary, a visionary, because he benefits from the complicity of state authorities who do not seek him.

7. Today, two major coalitions of armed gangs are openly fighting over the division of the national territory: the G-9 Fanmi and Alye and the G-Pèp. In addition, many other armed gang homes have been created and their leaders regularly reach out to the population via social networks because they know they will not be sought or prosecuted.

8. Assassinations, kidnappings followed by sequestration for ransom, collective and repeated rape of women and girls, use of the bodies of women and girls as weapons of war to reach rival armed gangs: Nothing is spared to the Haitian population.

9. Firearms are never silent. They arrive in containers that completely escape customs control, with the help of state authorities or their influential relatives.

10. The three (3) deadliest massacres ever recorded in Haiti since 2018, were perpetrated under the administration of Dr. Ariel Henry. These are the massacres of Martissant/Fontamara (June 1, 2021 before Jovenel Moïse's assassination, to the present day), La Plaine du Cul-de-Sac (April 24 to May 6, 2022), and Cité Soleil (July 7 to 17, 2022). In the last two massacres, police equipment as well as other state equipment have been used by armed gangs close to the government. In addition, during the two last massacres listed above, at least six hundred (600) people were murdered and at least seventy-one (71) women were brutally raped in the presence of their spouses and children.

11. Apart from these massacres, an average of three (3) people are murdered daily and ten (10) others are abducted. Women victims are almost systematically raped and more and more alerts about men raped during their sequestration, reach us.

On arms trafficking, smuggling, and the relations of certain personalities with armed bandits

12. The situation of insecurity persists only because political figures close to the actual government are involved in the illegal trafficking of firearms and smuggling and because they maintain links with armed gangs. As examples:

- Former elected officials such as Congressman Prophane Victor the head of the political party Bouclier is indexed to firearm and ammunition trafficking.
- The politician Mr. Mercurieu Calixte Valentin member of Bouclier party – indexed in the murder of Octanol Dérissaint on April 18, 2012, under the administration of Joseph Michel Martelly, is indexed in illicit drug trafficking.

Journalist linked to G-9 and 400 Marozo gangs.

- Journalists such as Dr. Harisson Ernest, Roberde Céliné aka Bob C, Guerrier Henry, and Jean Ismaël Valestin have links with armed bandits. They put their microphones at their disposal and present them as peaceful citizens while defending their actions. In addition, Guerrier Henry and Harisson Ernest are co-owners of companies respectively with the bandit Christ-Roi Chéry, an armed bandit who operates in Fontamara and Carrefour, and with Jimmy Chérizier alias Barbecue, who is an armed bandit who operates in Delmas 6.

13. It should also be mentioned that the situation of insecurity that has been raging in the country for several years pushes members of the private business sector to seek protection from armed bandits, by paying them a regular amount. No business owner is immune to this practice because, when the bandits take control of a territory, their first action is to make themselves known to the owners of businesses to establish the conditions for their operation.

14. At the same time, Mr. Fednel Monchéry, charged in the La Saline massacre, remains an influential man in the government of Dr. Ariel Henry. He even signed the September 11 political agreement. He also acts as a liaison between the armed gangs of the G-9 Fanmie Aye, alongside Mrs. Rosemila Petit-Frère, also considered a very influential woman in the government of Dr. Ariel Henry.

On the police and judicial institutions

15. The National Police are gangsterized. Many acts that harm lives and property have been committed by the police. It is also complicit in the massacres in deprived neighborhoods, not only because several bandits have access to police equipment such as tear gas, Uniforms, and armor tanks but also because it does not intervene in these massacres, hiding behind the excuse of the hegemonic struggle between armed gangs. The police are also under-equipped because they do not have weapons capable of adhering to those of the bandits. The police are also exposed to insecurity. From January to the present day, for example, at least thirty-nine (39) police officers have been murdered, an average of four (4) per month. Finally, it should be noted that the police are also totally under the control of Dr. Ariel Henry who is also the president of the Superior Council of the National Police (CSPN) who is able to make strategic decisions concerning the current situation.

16. The dismantled Justice is now completely erased. No emblematic trial has been carried out. No decision to put public action in motion against the influential members of known armed gangs has been taken, impunity is one of the guarantees offered to armed bandits. The leaders of the armed gangs of the G-9 Fanmie Aye and those of the G-Pèp are neither wanted nor prosecuted: Jimmy Chérizier alias Barbecue, Mathias Saintil, Andrice Iscard, Tyson Samedy, Serge Alectis alias Ti Junior, Micanor Altès still known as Monel Félix alias King Mikanò, Christ King Chéry alias Krisla, Claudy Célestin alias Chen Mechan still known as

Stevenson Pierre, Jean Claude Célestin, father of Claudy Célestin, Wilson Joseph alias Lanmò 100 jou, Vitelhomme Innocent, Gabriel Jean Pierre alias Ti Gabriel or Gabo, Johnson André alias Izo 5 seconds, Kempes Sanon, Destina Renel alias Ti Lapli.

17. In this context of protection of armed bandits by the state authorities, the government commissioner at the Miragoane Court of First Instance, Jean Ernest Muscadin, instead of putting public action in motion in his jurisdiction, against armed bandits, turned into a vigilante. He circulates with heavily armed, executes people he believes are involved in acts of banditry, records his executions, and publishes them on social networks. One of his executions has been in the news, but no investigation by the judicial inspection has been carried out and no sanctions have been taken against him.

18. Another evidence of the dysfunction of justice is the rate of pre-trial detention. Indeed, until July 27, 2022, the Haitian prison population was eleven thousand nine hundred thirty-eight (11,686) people, including one thousand nine hundred and thirty-eight (1,938) convicted. Thus, before the spectacular escape of September 22, 2022, recorded at the civil prison of Cabaret where women and girls in conflict with the Law are kept in the Department of the West, eighty-three and five (83.5%) percent of the population are awaiting trial, which is unacceptable.

19. The situation described above is aggravated by precarious socioeconomic conditions and many unpopular decisions taken by the ruling political coalition which is surprising that these decisions lead to popular riots.

20. The international community, including the United States, has unfortunately always been on the wrong side of the fence. By deciding to grant its blind protection to the political coalition led by Dr. Ariel HENRY, this international community is causing enormous harm to the Haitian population. It ignores the efforts of civil society to find a Haitian solution to the multidimensional crisis that affects the country and delivers the Haitian population to human rights predators, much more virulent than those who preceded them.

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the multidimensional crisis that affects the country and delivers the Haitian population to human rights predators, much more virulent than those who preceded them.

21. We will conclude our remarks by recommending:

- To support the search for a Haitian solution to the crisis, with the involvement of civil society, which so far has shown a strong commitment to popular demands;
- Demand from the political coalition currently in power an end to the protection of armed bandits;
- Take sanctions against the various personalities who protect armed bandits;
- Encourage the American administration to systematize the control of containers from the United States;
- Encourage vetting of Haitian police and judicial institutions;
- We are calling for sanctions against all government officials who fund gangs and launder money on American soil;
- Launch an investigation into the PHTK administration from 2011 to 2022 into arms trafficking and money laundering in the United States.

We thank you and remain available for your questions and comments.