

**Presentation by Commissioner Margarete May Macaulay,
Second Vice-President of the Inter-American Commission on Human Rights
during the meeting of the Permanent Council**

Item 6: "The situation in Haiti"

Wednesday, February 1, 2023

Presentation

1. Ambassador **ANTHONY PHILLIPS-SPENCER**, Chairman of the Permanent Council.
2. H.E. Minister of Foreign Affairs and CARICOM Affairs of the Republic of Trinidad and Tobago, Senator, The Honorable **Dr. AMERY BROWNE**.
3. Mr. **LUIS ALMAGRO**, Secretary General of the Organization of American States (OAS).
4. Mr. **NÉSTOR MÉNDEZ**, Assistant Secretary General of the OAS.
5. Permanent and Alternate Representatives of Member States and Observers.
6. Ladies and Gentlemen.
7. On behalf of the Inter-American Commission on Human Rights, as its Vice-President, I thank you for convening this special session of the Permanent Council of the Organization of American States (OAS) to address the situation in Haiti as an urgent matter.
8. On behalf of the IACHR, I emphasize that the comprehensive protection of the human rights of all persons in Haiti requires priority and urgency, both from the perspective of the OAS and the international community as a whole. This effort must include the leadership of the State of Haiti and Haitian society, with contributions from the international community, under the principles of solidarity and cooperation.

9. As part of its mandate, the IACHR published on January 5, 2023, its Report on Human Rights in Haiti, which aims to analyze the factors that weaken the protection of human rights in the country, with the worsening of citizen insecurity and democratic instability.
10. In addition, this is the first IACHR report on the country since 2008 and was prepared based on the compilation and processing of information received through the various monitoring mechanisms, incorporating information received before, during and after the on-site visit to Haiti, conducted from December 17 to 20, 2019, in public hearings between 2019 and 2022, and information published or provided by civil society organizations, international organizations, the Haitian State, among other sources.
11. Among its main lines of analysis are:
 - a.) the historical context of the human rights situation in Haiti;
 - b.) the trajectory of the weakening of democratic institutionality between 2018 and 2022, with the main challenges to democratic governance, from the deepening political tension and institutional vacuum to the impact of extreme political violence (represented by the assassination of President Jovenel Moïse), and
 - c.) the main factors of insecurity, which include the increase in homicides and kidnappings, and serious human rights violations due to violence by armed groups and territorial control.
12. The IACHR observes two interconnected cycles that characterize the current institutional and political dynamics in the country.
 - I. The first cycle was marked by the growth of social protests motivated by economic, social and political discontent, as well as by efforts to consolidate an electoral institutionality in the midst of contestation processes, and the expiration of the mandates of 119 representatives and two thirds of the senators; a situation that left the Legislative Branch without parliamentary quorum for its operation.
 - II. The second cycle follows the assassination of the President of the Republic, Jovenel Moïse, which led to the worsening of the political, institutional and economic crises in Haiti.

With respect to citizen security, this represents a historical and complex challenge:

- III. Challenges of strengthening and consolidating security institutions;
- IV. Lack of systematized processes for data collection;
- V. Presence of and conflicts between organized armed groups;
- VI. Indiscriminate access to firearms; and
- VII. Impunity with respect to the commission of criminal acts, especially those in which members of the security forces are alleged to have participated.

13. The Report also includes the main challenges for the enjoyment and protection of economic, social, cultural and environmental rights in the country, the challenges for the protection of freedom of expression, specifically in relation to the protection of journalists and communicators in the country, as well as an analysis of the context of human mobility that affects Haitians inside and outside the country.
14. In this context and under this framework, the IACHR has intensified its monitoring work and the development of recommendations in recent years, aimed not only to the Haitian State, but also the international community in general.
15. Ladies and Gentlemen,
16. The recommendations of the report focus on five key and interconnected areas: democratic institutionalidad, citizen security, access to economic, social, cultural and environmental rights, freedom of expression and the protection of Haitians in human mobility, both considering the Haitian diaspora and internal displacement, including due to extreme violence by armed groups.
17. First, the IACHR emphasizes the importance of strengthening democratic institutions in the country.
18. To achieve this, measures must be taken to stabilize the functioning of State institutions, such as free and fair elections, inclusive dialogue and the establishment of agreements that allow for the recomposition of the strategic organs of the three branches of the Republic.
19. In addition, the State must be supported to guarantee the institutional and socio-political conditions for the Electoral Council to be reestablished and to operate freely, with an adequate budget and regulations that make them function effectively.
20. With regard to citizen security, it is necessary to establish a comprehensive and effective security policy. This policy should include directives for prevention, containment of violence and assistance to victims, as well as strengthening social ties. In addition, it is essential to strengthen the Haitian National Police, with an adequate budget and training in human rights and gender perspective.
21. It is also important to establish an independent mechanism for police oversight and a framework for international cooperation to promote the exchange of good security practices.
22. At the intersection between citizen security and democratic institutionalidad itself, it is crucial that the assassination of President Jovenel Moïse be diligently investigated to

clarify its motives, identify those responsible and impose the corresponding legal sanctions, guaranteeing the non-repetition of political violence.

23. In addition, it is important to strengthen institutions for the protection of human rights and to guarantee spaces for action and services for civil society organizations, groups and human rights defenders.
24. In relation to ESCR, we recognize the depth of the challenges for the integral socio-economic development of the country and the long road to strengthening institutional capacities for social policy, increasing the resilience of the population to the effects of climate change and natural disasters, and access to basic goods.
25. In relation to the mobility of Haitian persons at the international level, I would like to bring your attention to IACHR resolution No. 02/2021 on the "Protection of Haitian Persons in Human Mobility: Inter-American Solidarity", which advances in the design of recommendations for the provision of protection mechanisms for displaced persons outside the country and addresses the link with development and cooperation mechanisms within Haiti.
26. Likewise, in relation to internally displaced persons, many of whom have been suffering successive displacements due to violence, the IACHR stresses the need for durable solutions so that they may leave their temporary situation of displacement and their right to housing is guaranteed.
27. Globally, all actions and recommendations developed by the IACHR go through a process of recognition of the seriousness and complexity of the country's human rights protection challenges, their historical roots, as well as the present and past international factors that have contributed to the current scenario.
28. Mr. Chairman, Ladies and Gentlemen Representatives,
29. More importantly, for the comprehensive confrontation of the current context that challenges the sister nation of Haiti, the IACHR emphasizes and reiterates in all its appeals, the importance of full respect for the path and independence of the Haitian population in making decisions about its future, whether in the imperative of reconstituting its internal institutions, or in the design of cooperation mechanisms and support that the State requires to fully regain its institutional capacities.
30. In particular, it is essential that all stakeholders work together - with transparency and social participation from all sectors - to build a more just and free future for the Haitian people.

31. In addition, a call is made to the international community, to the States of the region, to adopt measures that can concretize the principles of solidarity and cooperation with a focus on building, supporting and strengthening institutional capacities, civil society networks, and public policies to achieve protection standards.
32. Finally, I take this opportunity to reiterate the IACHR's willingness to collaborate technically with the Haitian State and to continue the dialogue based on our institutional role and mandate.
33. Thank you for your attention.