

CONGRESSIONAL BRIEFING COMMENTS BY:

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Introduction

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General Comments

- 1) We encourage UN Secretary-General Kofi Annan to call for investigations into all abuses committed by all actors in Haiti**
- 2) The international community must demonstrate its support for President-elect Préval**

Introduction

We would like to begin by thanking Representatives Wexler, Conyers, Lee and Waters for organizing today's briefing. We just returned from participating in a delegation that traveled to Haiti in order to assess US and international assistance programs in the health and environmental sectors. In Haiti, we met with representatives of the US and Brazil, as well as the InterAmerican Development Bank and leaders of the Haitian agricultural community. We visited Cité Soleil, Jacmel and traveled to the National Forest and the nearby towns, Fond Veret and Grocheyval, to meet with local cooperatives and persons displaced by recent natural disasters. Additionally, Nicole met with human rights workers and victims of alleged human rights violations.

As you know, in 2004, the donors drafted an assistance plan for Haiti called the Interim Cooperation Agreement (ICF) that took into account the results of external assistance to Haiti for the past 10 years. The document that has the external support of 26 bilateral, multilateral and UN agencies sets expectations for assistance for the period of 2004-2006. The assistance is divided into four general sectors that are as follows: 1) Strengthen Political Governance and National Dialogue, 2) Strengthen Economic Governance and Institutional Development, 3) Promote Economic Recovery and 4) Improve Access to Basic Services. During our trip, Haitian officials from governmental Ministries and local organizations told us that they were not consulted in the development of the priorities or ideas articulated in this document. One of our great concerns is this: most assistance during that period fell short of meeting its objectives.

Today we will share with you the following five points:

1) **US assistance to Haiti falls short in its breadth and focus**

Current AID assistance for health does not take into account overall structural problems associated with the delivery of services. The first day of the delegation, we visited St. Catherine's Hospital in Cité Soleil which services 300,000 people. The hospital was in very poor condition. It became apparent that aid is needed to strengthen the institution itself so it can function properly. We were told that often aid goes to constructing a new building or for highly specialized pilot programs while funding for strengthening the Ministry of Health and in the case of St. Catherine's keeping the generator running, as well as providing basic medicine and supplies is ignored.

Hospital employees, who work fulltime, receive their salaries months late. In order to survive, they have to obtain high rate interest loans from loan sharks. Clearly, it is very difficult to expect employees who cannot feed themselves or their families, some of whom are responsible for the welfare of some 6-11 relatives, to provide good service. We were told that within the hospital there are attempts to form a union.

The workers at St. Catherine took us to their homes in Cité Soleil. The physical conditions are deplorable. There is no proper sanitation system and shelters consist of shacks made out of tin. Many reside on top of a garbage dump. These conditions bring to mind what is provided to unfortunate refugees fleeing war and natural disasters in other deprived parts of our Earth. However, what we saw was worse because of a key difference: this is a *permanent* situation for most Haitians

in their own country. It is especially tragic that persons who worked fulltime for 10-25 years in a hospital live in such appalling conditions.

Throughout our visit, we observed that little international assistance trickles down to the local level. And it was confirmed that most of the funds, perhaps 7 out of every 10 dollars, go back to the donor countries to pay for contractors or non-governmental organizations. In 2005-6 the bulk of ESF funding went to provide technical advisors to the Ministries of Justice, Agriculture, Planning, Commerce and Industry, Education and the office of the Prime Minister. Although technical assistance is needed, most foreign aid should go to build and strengthen the capacity of local ministries.

To ensure that aid is effective, international assistance should be continuously evaluated and monitored. Also needed are mechanisms of accountability, indicators of success and stronger coordination of assistance among the donors.

2) More focus is needed on strengthening government institutions and building basic infrastructure

Prior to the removal of Aristide, Haiti was already lacking in basic infrastructure and basic services. Now, more than ever, Haiti requires more attention to combating poverty. The American people must be assured that the aid provided in Haiti is given to the right entities, for the right reasons, so it can reach the most people in need. The Ministries of the Environment, Health and Interior all are unable to fulfill their mandates, in part, because of a lack of funding. Capacity for the Ministry of Health is so low that most of the healthcare services in Haiti are provided through NGOs to which USAID provides 40% of the funding. Because of a lack of centralized coordination, many towns and villages who do not have a strong NGO presence, fall through the cracks and do not receive adequate healthcare for their population. In fact many NGOs have argued that more assistance needs to be provided to the central government in order to facilitate healthcare for all citizens.

Another concern is the effect of the lack of aid on Haiti's fragile environment. According the Minister of Environment, little attention is paid to the Ministry, leaving many important conservation projects with little or no funding. It was clear from what we witnessed during our trip to the hurricane-ravaged areas that conservation is not a luxury in Haiti; it is a survival tactic. In the past twenty years extensive deforestation and soil erosion has occurred from logging in densely forested areas. Deforestation has intensified the damage done by hurricanes and tropical storms. Tropical Storm Jeanne produced the devastating effects of a hurricane in 2004, in part, due to massive deforestation in Fond Vert and Grocheyval. Community groups and local government are working tirelessly in the region to educate the populace about prevention of deforestation. Schools offer weekend classes to teach children about sustainable development. More formal conservation projects do exist in Haiti, yet they are scattered and run by NGOs with very little coordination between them. Yet, these programs occur with no assistance from the central government. Local government and community groups are powerless to stop loggers from the cities without central government assistance. The Ministry of Environment is the only government agency with the specific mandate to ensure the environment in Haiti is protected. Yet, the Ministry does not have the funds to support basic programs throughout the country.

The purpose of the ICF is to ensure that there is increased cooperation with NGOs to ensure that there is less overlap in programs and more effective use of resources, we observed that little coordination with local and central government has occurred. We observed that resource allocation still remains a hindrance to providing many Haitians with basic services.

3) Attention must be paid to mitigating natural disasters and helping victims of the hurricanes

As stated earlier, we visited Fond Veret and Grocheyval to meet with local cooperatives and persons displaced by recent natural disasters. During our meeting with peasant groups, citizens talked about the lack of cooperation with local officials to ensure that aid was used in the most effective manner possible. For example, one peasant leader in Fond Veret explained that 3,000 people were displaced by flooding due to hurricanes in 2004 but that international assistance only provided 90 new homes. Those who did not receive homes were left to find shelter on their own. Additionally, those who did not receive a home were not counted in the UN needs assessment for assistance to the displaced. The international community provided immediate humanitarian assistance. However, support for persons to become self-sustainable again was not provided. Also, little agricultural and technical training was made available at the local level.

US should support reforestation programs in flood-prone areas that prevent further human catastrophes and employ impoverished Haitians. We saw that community groups with no resources have attempted to help themselves. These individuals should be at the forefront of environmental and development programs designated for their communities.

4) Financing has been pledged for rule of law programs, but little of it has reached its targets

In 2005, the USG provided approximately 38 million dollars for Democracy and Governance matters, yet there is no notable change in judicial processes, due process or police reform. An important piece is rule of law and security. We found that the conditions for basic security for Haitians remain unchanged. According to the Haitian Constitution all arrested are to be brought before an investigating judge within 48 hours of arrest. Presently in Haiti, many accused persons do not go before the investigating judge for months or up to a year, regardless of the severity of the crime for which they are accused. There is no plan to deal with dossiers in any specific manner such as in chronological order or by category. As a result, accused persons without special circumstances have no way to determine how long it will be until their arraignment.

According to Maren Dobberthien, a lawyer for the Bureau des Avocats Internationaux, there are a disproportionate number of political prisoners who are arrested, mistreated and imprisoned indefinitely. Many of the arrested are Lavalas supporters who have been targeted for police retribution. Most poor continue to be pro-Lavalas and pro-Preval.

Many arrested have reported abuse at the Commissariat or police station. Reports of torture and extortion are common and similar to one another. One human rights advocate explained to me that for the vast majority of Haitians who are without attorneys, paying bribes is the only way to secure their freedom.

The National Penitentiary provides a microcosm of some of the major issues plaguing the Haitian justice system. Built to house no more than 800 inmates, the National Penitentiary now houses over 2000 inmates. Cells are overcrowded; prisoners must take turns to lie down. Prisoners sleep on the hard floor unless their family can afford to provide mattresses.

Infections are rampant due to poor sanitary conditions. Toilets are only available in the prison yard. Because of the contamination of the water supply, prisoners develop skin lesions and rashes. A major issue in the prison is malnutrition and vitamin deficiencies as prisoners receive only rice and breadfruit for sustenance. Families may provide food for prisoners or prisoners can attempt to barter for food if they have the means. Abuse by guards has been reported by prisoners and prisoners have taken non-violent protest actions such as hunger strikes. Guards use physical punishment and abuse for the slightest provocation or offence.

5) Human rights assistance must include an emphasis on economic, social and political rights

One issue that became very apparent during the visit to Cité Soleil is the tremendous insecurity that persons living in the slums have to live with on a daily basis. In the homes we visited and at the hospital, there were bullet holes on the walls and roofs. At a meeting with an NGO that assists rape victims in Port au Prince, we were told about how women in slums such as Cité Soleil are especially vulnerable to rape and how such a practice is exacerbated in the slums when there are territorial disputes between the armed groups. The doors of the shacks that people live in are very easy to break open. Improved shelter would assist with providing women with a physical layer of protection.

Further, in all areas of Port au Prince, insecurity is a way of life. The capital has suffered repeated waves of kidnappings. In poor neighborhoods, kidnapping is used to benefit armed gangs and is commonly used by groups, political or otherwise, with little monetary backing. This is not to say, however, that kidnapping can be described as random violence in Haiti. The human rights experts we spoke with explained that the phenomena of kidnapping in Haiti is not fortuitous, but has been developed by sophisticated networks in both rich and poor neighborhoods for political and economic reasons. Kidnappings take the form of taking rival gang members hostage, vendetta kidnappings, and kidnapping for political purposes. While some in Washington use the term *Chimères* to describe violent young men who say they support Aristide, in Haiti, it is a term noting any group that perpetrates mayhem and violence. According to human rights workers, there is evidence that Group 184 funds some of the kidnapping rings. Police are complicit in kidnapping, in part, because officers do not make enough money to provide for their basic needs.

Persons we spoke to stated that economic need and lack of employment opportunities are two factors that motivate persons to partake in armed criminal gang activities. More investment is needed in basic economic, social and political rights since this will help improve the security situation.

General comments

1) **We encourage UN Secretary-General Kofi Annan to call for investigations into all abuses committed by all actors in Haiti**

The Secretary General should order an investigation into alleged human rights abuses against civilians in Haiti. MINUSTAH's stated mandate is to ensure a secure and stable environment within which the constitutional and political process in Haiti can take place. This includes reforming the National Police, supporting human rights by supporting groups and institutions with that mandate and investigating violations of human rights and humanitarian law. However, continual reports of abuses at the hands of international peacekeepers by human rights organizations and victims haunt the peacekeeping force.

We had an opportunity to interview some citizens who were receiving rehabilitation services at a medical clinic.

One young man from a rural area near Jeremie told us he worked as a purette operator. He moved to Port au Prince so that he could send the proceeds of his earnings to support his family Jeremie. Four months ago, MINUSTAH soldiers appeared on the street, pursuing another Haitian male. MINUSTAH fired, apparently at the suspect they were pursuing and hit the young man, who lost consciousness. Subsequently his purette was stolen and victim has lost his only means of income. He told us, "I had my business with my purette and now everything is lost. I have no way to care for myself or my child."

Another example is an elderly man who explained to us he could not identify who shot him. On November 3, 2005, on Bois Neuf in Cite Gerard, he was in his house when a shoot-out began between residents and MINUSTAH soldiers. The bullet went through the metal sheets constituting the walls of his home and struck him in the ankle. The victim cannot identify the shooter as he was in his home at the time of the shooting.

One young man described treatment tantamount to torture during questioning by MINUSTAH. He showed us deep wounds and scars on his waist claiming that they were a result of tight handcuffs for a prolonged period. In detention, he claimed he was not provided with food or water. He also claimed he was questioned and four officials forced his head into a bucket of water four times during questioning. He claimed that he was kicked in the face and questioned about the whereabouts of guns in his neighborhood.

We strongly encourage the Secretary General to investigate these alleged abuses and to hold the actors responsible accountable.

2) **The international community must demonstrate its support for President-elect Préval**

On February 7, 2006 the majority of Haitians voted René Garcia Préval into office. This is a positive step towards reinserting democracy and the hope for stability to Haiti. It is vital that the US support President Préval's government and provide the necessary economic and political support to achieve its aims.