



Plenary sitting

B9-0286/2021

18.5.2021

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on Situation in Haiti
(2021/2694(RSP))

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on behalf of the ECR Group

B9-0286/2021

**European Parliament resolution on 2021/2694
(2021/2694(RSP))**

The European Parliament,

- having regard to its previous resolutions on Haiti, in particular those of 19 January 2011 on the situation in Haiti one year after the earthquake: humanitarian aid and reconstruction, and of 8 February 2018 on child slavery in Haiti, and of 29 November 2019 on Haiti,
- having regard to the EU Annual Report on Human Rights and Democracy in the World 2018, and in particular the Haiti country update thereof, adopted by the Council on 13 May 2019,
- having regard to the final report of the EU Election Follow-up Mission to Haiti between 19 and 23 November 2018,
- having regard to the United Nations Stabilization Mission in Haiti (MINUSTAH) and Office of the High Commissioner for Human Rights (UN OHCHR) annual report on the situation of human rights in Haiti, 1 July 2015 to 31 December 2016, of July 2017,
- having regard to the MINUSTAH and UN OHCHR report on allegations of human rights violations and abuses of 13 and 14 November 2018 in the district of La Saline, Port-au-Prince,
- having regard to the Universal Periodic Review (UPR) on Haiti adopted by the UN Human Rights Council at its 34th session on 17 March 2017,
- having regard to the International Covenant on Economic, Social and Cultural Rights, adopted by the UN General Assembly on 16 December 1966 and to which Haiti is a State Party,
- having regard to the Cotonou Agreement,
- having regard to the UN Declaration of Human Rights,
- having regard to UN Security Council Resolution 2476 (2019) of 25 June 2019,
- having regard to the final report of the EU Election observation mission of 2015,
- having regard to the Declaration by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on behalf of the European Union on the situation in Haiti of 7 November 2019,
- having regard to the report of the UN Office for the Coordination of Humanitarian Affairs regarding the situation in Haiti of 1 October 2019,
- having regard to the statement made by the Delegation of the European Union to Haiti on

28 May 2019,

- having regard to Rules 144(5) and 132(4) of its Rules of Procedure,
- A. whereas Haiti has been without a government since March 2019, hampering the country’s ability to access international aid funding and World Bank loans; whereas as of January 2020 Haiti is without a Parliament on account of its failure to hold parliamentary elections in October 2019;
- B. whereas since January 2020, President Jovenel Moïse has governed by decrees and without checks and balances because of the lack of elections in recent years; whereas he intends to submit to a popular vote a project for a new constitution on June 27, increasing powers of the President; whereas the constitution currently in force, declares that any popular consultation aimed at modifying the constitution by referendum is formally prohibited;
- C. whereas the United States have renewed its call for the organization of elections in Haiti while affirming its opposition to a constitutional change; whereas the EU, following various public statements demonstrating concern over the current state of play in Haiti, has recently announced, that it foresees an Election Expert Mission for the Presidential and Legislative elections scheduled on 19/09/2021.
- D. whereas a judge of the Supreme Court, as well as at least 22 other people were arrested on 7 February in circumstances that may amount to an unlawful or arbitrary arrest and detention; whereas the judge has been released, but 17 others are still in pre-trial detention; whereas three Supreme Court judges -- including the one arrested -- were forced to retire and later replaced, apparently through an irregular procedure; whereas in response, justice system personnel started an indefinite strike on Monday 15 February; whereas these developments cause concerns about judicial independence and have further eroded the separation of powers in Haiti; whereas respecting the rule of law and the system of checks and balances at all times is paramount, but it is even more crucial now given the growing political tensions and the increasing expression of dissent in demonstrations.
- E. whereas the demonstrations organised by opposition leaders demanded the resignation of President Jovenel Moïse because of over reported rampant inflation, allegations of systematic government corruption, and economic and food insecurity;; whereas the protracted and continuing crisis has also had the consequence of further limiting access to healthcare, food, education and other needs, and has caused further shortages of electricity and fuel;
- F. whereas there is credible evidence that police have fired live ammunition during protests, in violation of international human rights law and standards on the use of force; whereas journalists are a target of continuous harassment and physical attacks;
- G. whereas Haiti, ranked number 168 of the world’s countries in the UNDP Human Development Index is in continuous need of humanitarian and development aid and remains the poorest country in the Americas, and one of the most impoverished states in the world, with 59 % of the population living below the national poverty line, whereas

government corruption runs rampant, and Transparency International's Corruption Perceptions Index 2018 ranks Haiti 161st out of 180 states surveyed;

- H. whereas illiteracy and access to education are major problems in Haiti, since approximately one half of all Haitians age 15 and older are illiterate, and at least 350.000 children and young people remain out of primary and secondary school throughout the country; whereas recent events as well as inadequate handling of the Covid-19 pandemic have only contributed to already existing underlying societal problems;
- I. whereas the system of *Restavèk*, a modern form of slavery, is still a common practice in Haiti; whereas this practice involves Haitian children from impoverished homes being sent to live with other families and work for them as domestic servants, by their parents; whereas said children often suffer abuse and mistreatment, with no access to schooling; whereas the current government has not sought to make any changes in order to improve the lives of societies' most vulnerable;
1. Strongly condemns the repression of peaceful protests by the Haitian authorities, as well as the use of lethal force, arbitrary detention, intimidation, harassment, and sexual violence; demands that the Haitian authorities immediately desist from the unlawful use of force, in particular firearms and live ammunition, against peaceful protesters, and safeguard the people's right to demonstrate freely and peacefully; endorses the Haitian people's demands for an end to corruption and impunity;
 2. Calls on all sides to refrain from violence and engage in a frank and open inter-Haitian dialogue in order to better respond to the basic needs and aspirations of the population, and provide lasting solutions to the current political, economic and humanitarian crisis;
 3. Recalls that justice reform and the fight against corruption must remain a priority, as identified in the last Universal Periodic Review; reiterates the need to strengthen an independent and robust judicial system, which is able to bring perpetrators to court and punish them, regardless of their social status;
 4. Endorses the call for an independent OAS expert mission to be sent to Haiti for a longer period with the task of clarifying the multiple human rights violations in the country, and the aim of carrying out impartial, thorough, transparent and independent investigations, as well as improving accountability, providing justice and truth for families and surviving victims, as demanded by national human rights organisations;
 5. Rejects any attempt to reinstate dictatorship; underlines the urgent need for structural reforms regarding governance and the economy in order to restore faith in the country and its political leadership; highlights the need to eradicate systemic corruption, clientelism, and the erosion of the rule of law;
 6. Calls on the European External Action Service (EEAS) and the EU Embassy in Port-au-Prince to support the full democratic stabilisation of the country, and to help to put an end to corruption and other forms of crime;
 7. Welcomes the establishment of the United Nation Integrated Office in Haiti (BINUH) by the UN Security Council on 16 October 2019, to be tasked with advising the Government of Haiti on improving political stability and good governance; asks the UN to continue to

play an active role in a process of peace-keeping and preparing peace, without repeating errors of the past; calls on the UN and its member countries to effectively investigate cases of alleged sexual exploitation or sexual abuse by MINUSTAH peacekeeping forces and non-governmental organisations in Haiti, and to prosecute the perpetrators of these crimes, and provide support and compensation to the victims;

8. Calls for the EU to strengthen and support the capacity of Haitian organisations to take the lead in deciding on humanitarian assistance delivered to the country, as well as on its beneficiaries;
9. Calls on the Government of Haiti to immediately allow for the unhindered access by humanitarian organisations in order to carry out their operations, assist those in need, and distribute food and other vital aid;
10. Calls for an end to the practice of *Restavèk*; calls for the Haitian Government to implement measures that ensure the registration and protection of children, both physically and psychologically, and to enforce schooling; calls for the EU to cooperate with the Haitian Government in order to implement a legislative framework to protect children's rights;
11. Calls for the Haitian Government to put in a place an administrative system which guarantees that all new-born children are registered at birth and to ensure that measures are taken to register those who were not registered at birth;
12. Calls for a systematic fight against violence and other acts committed against the elderly;
13. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the ACP-EU Council of Ministers, the institutions of the Cariforum, the government and parliament of Haiti, and the Secretary-General of the United Nations.