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Key Issues for a Just Response in Haiti February 17, 2010

This document was developed in consultation with MCC workers in Haiti as a response to the January 12, 2010, earthquake. This document will develop as the situation in Haiti changes and as MCC plans its long-term response.

The challenge of rebuilding Haiti is compounded by multiple pre-existing factors such as the devastation of four hurricanes in 2008, an ongoing food crisis, a global economic/financial crisis, environmental degradation, political instability, foreign interventions and liberalized trade/economic policies.

As the international community moves forward with relief and recovery efforts we urge that the following be taken into account:

1. Sustainable, long-term development coupled with economic reform policies

Haiti's economy was in a state of crisis long before the earthquake. More than 80 percent of the population lived under the poverty level, earning less than \$2 per day. Haiti needs sustainable, long-term development coupled with economic reform policies rather than just short-term reconstruction.

- a) Haiti should not be obstructed from determining its own food security needs. In the 1980s Haiti was nearly self-sufficient in food production, most of its farmers could earn a living and the Haitian population purchased local food. Today, up to 70 percent of Haiti's food comes from imports and Haiti's agriculture remains in shambles due to economic policies that have debilitated local food production and rural development.

In 2008, the Haitian government implemented the International Monetary Fund (IMF)-sponsored Poverty Reduction Strategy Plan (PRSP), which names rural and agricultural development as one of the pillars of development.

In order for the Haitian government to provide sustainable livelihoods and food security for its people, the new priority of the PRSP, and additional funds, must support and rebuild local agricultural production by:

- i) Allowing the Haitian government to regulate food imports.
- ii) Providing agricultural subsidies.
- iii) Providing Haitian farmers with access to credit.
- iv) Repairing and improving agricultural infrastructure.
- v) Ensuring that farmers have legal rights to their land.
- vi) Investing in participatory, farmer-led research and knowledge transfer for small-scale farmers in Haiti.

- b) The earthquake has stimulated reverse migration from urban centers to rural communities. The Haitian government estimates that more than 250,000 people have migrated out of Port-au-Prince as a result of the disaster. In addition to revitalizing the economy in Port-au-Prince, development efforts must focus on rural community and agricultural development in order to provide sustainable livelihoods for the rest of the country.
- c) The international community must follow through on its commitment at the G7 meetings to full debt cancellation, and should further commit to ensuring that Haiti does not fall under any additional debt burden. All current loans should be turned into grants, as the IMF has pledged, and future grants and loans should not come with any attached economic conditions. This will allow the Haitian government to set reconstruction and development priorities for itself.

2. Transparent and Haitian-led use of donor funds

U.S. citizens have donated millions of dollars for Haiti. Aid agencies, including MCC, have committed to long-term support. U.S., Canadian, European and other governments have pledged millions in foreign assistance. These committed funds must be used in programs that are Haitian led and in a transparent manner to ensure that every dollar is truly used for the relief, reconstruction and long-term sustainable development of Haiti.

Even though local organizations have been affected by the earthquake, local community associations are present in the most devastated areas. Capacity and skill exists within the Haitian community to take charge of their relief, development and reconstruction needs. Local civil society must drive efforts to rebuild Haiti, rather than donor requirements.

3. Clarified mandate and length of stay of U.S. troops

As of February 15, 2010, there were approximately 13,000 U.S. military personnel deployed in Haiti. The military was perhaps one of the only institutions with the capacity to respond quickly and effectively to immediate infrastructure needs following the calamity in the country. However, the militarization of disaster relief and foreign aid raises serious concerns. Haiti is no stranger to foreign military intervention and the U.S. has militarily intervened in the country three times over the course of Haiti's history. Given its observations of the use of military personnel in Haiti and other countries, and based on the concerns of Haitian partners, MCC is wary of the presence of foreign troops in Haiti. The military presence in Haiti lacks clarity in terms of mission, rules of engagement and length of stay.

The U.S. governments must do the following:

- a) Clearly define how the U.S. governments are collaborating with the United Nations and not multiplying or confusing relief efforts. The lack of clarity with the regard to the mandate of the military contingents and poor coordination give the impression that the forces are effectively militarizing the country.

- b) Clearly articulate the mission as strictly short-term relief and humanitarian support. Military forces currently on the ground are providing crucial logistical and operational support, while civilian agencies have the experience and expertise needed to deliver assistance. Assistance currently being provided by military personnel should be handed over to civilian agencies as soon as possible, leaving the military to focus on providing logistical and operational support as well as building the capacity of the Haitian government.
- c) Clearly define and publicize the military's rules of engagement. The military should not engage in fighting the Haitian people. While isolated incidents of violence have occurred, by and large the survivors of the disaster have acted with compassion and love for their neighbors. The presence of foreign military forces risks criminalizing these survivors. The Haitian National Police should take the lead in providing security and foreign troops can provide support to make this possible.
- d) Set a clear timetable for handing over responsibility and withdrawal of troops from Haiti. This could minimize Haitian concerns of another foreign military occupation.

4. Compassionate and respectful treatment of refugees and immigrants

Haiti has experienced significant flows of out-migration for several decades, particularly to the U.S. and Canada. A number of factors, such as the desire to be with family, have access to resources or escape harsh conditions, have compelled people to take the tremendous risk of emigrating without proper documentation. While a natural disaster does not necessarily generate increased flows of out-migration, the severity of the recent earthquake coupled with pre-existing economic hardships in Haiti, as well as loose enforcement of human rights standards and rule of law, will likely cause many to seek refuge outside the country.

In such a situation, it is important for foreign governments to treat all immigrants and refugees, whether legal or undocumented, with dignity, compassion and respect for their human rights. Additionally, government policies should reflect both the immediate needs of individual Haitians and the best long-term interests of their families, communities and the country as a whole. Immigrants and refugees living outside of Haiti, whether on a temporary or permanent basis, can work and send money back to Haiti, which contributes to both short-term relief and long-term development of their home communities.

However, in order to discourage large numbers of out-migration, a swift and efficient recovery and reconstruction response is needed. If basic needs are being met and progress is visibly being made toward a better future, Haitians will be more likely to stay and rebuild rather than face the difficult challenges inherent in becoming an uprooted person. For the long-term development of the whole country, it is important that Haitians with energy, knowledge and physical capacity stay in Haiti to help reconstruct their communities.

With regard to immigration and refugee policies, MCC advocates that the U.S. government should:

- a) For Haitians in the U.S. seeking Temporary Protected Status:
 - i) Waive fees for low-income applicants.
 - ii) Release Haitians currently in detention centers for immigration violations so that they can apply for TPS.
- b) For refugees:
 - i) Consider allowing some of Haiti's most vulnerable – children, the elderly and the sick – who have lost caregivers in Haiti, but who have relatives in the U.S, to immigrate legally.
 - ii) Continue transporting some of the most serious medical cases to hospitals in the U.S. Provide adequate assistance to those released from the hospital into local communities. Extend Temporary Protected Status to this population. Provide transportation back to Haiti for those who wish to return.
 - iii) Proceed with extreme caution on any plan to use the Guantanamo Bay Naval Base as a large-scale refugee camp or as an immigration detention center for Haitians attempting to flee to the U.S. Advocacy groups are raising serious concerns about long-term separation from home communities and about erecting an immigration detention center outside of the U.S. where individuals would not have habeas corpus rights.
 - iv) Treat all those seeking refuge on our shores humanely and with dignity.
- c) For orphans:
 - i) Discourage efforts to remove large numbers of children from Haiti through inter-country adoptions.¹ (Note: The U.S. government has granted “humanitarian parole” for adoptions already in process and nearly finalized, whereby visas for these children are being expedited.)
 - ii) In all cases, ensure that international statutes and obligations to combat human trafficking are rigorously applied and enforced.²

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¹ The International Reference Centre for the Rights of Children Deprived of their Family (ISS/IRC) recommends that, “In general, international adoption should not take place in a situation of war or natural disaster, given that these events make it impossible to verify the personal and family situation of children.” <http://uai-news.blogspot.com/2010/01/international-reference-centre-for.html>

² In the wake of a natural disaster, there is always increased risk of child exploitation by kidnappers and human traffickers. Furthermore, most of the children in Haitian orphanages are there not because their parents are deceased, but because their parents could no longer afford to care for them.