President of the Republic of Haiti Jovenel Moïse  
Prime Minister Joseph Jouthe  
Minister of Justice and Public Security Lucmane Délile  
Interim Director General of the Haitian National Police Normil Rameau

April 26, 2020

Your excellency President Jovenel Moïse, Prime Minister Jouthe, Minister of Justice and Public Security Délile and Director General Normil Rameau of the Haitian National Police:

The undersigned organizations voice concern at Haiti’s Ministry of Justice and Public Security statement on Friday April 24th, announcing that government forces will conduct a gang raid in Village de Dieu, and that all residents must evacuate the area within 72 hours.1 The Minister of Justice, Lucmane Délile, said that beyond 72 hours, “we [the State] are not responsible, eventually, for what happens in this area. The State has a monopoly on legitimate violence.” Further, there is evidence that Jimmy Cherizier, a former police officer implicated in the La Saline and Bel Air massacres in November 2018 and November 2019, has stated publicly that he is organizing with members of the Haitian National Police to “clean” Village de Dieu. In light of past massacres carried out under the guise of “cleaning” neighborhoods and given the extensive evidence against Cherizier, the undersigned call for urgent action by the government of Haiti to cancel the planned raid and to protect the human rights and physical safety of all Haitian people, particularly vulnerable populations, and especially during the COVID-19 crisis.

The government of Haiti cannot absolve itself of responsibility for the use of violence against civilians in “cleaning” operations or by ordering civilians to leave their homes.2 There is extreme and understandable concern within Haiti that the gang raid may turn into indiscriminate violence, as have some past gang raids including the November 2017 raid in Grand Ravine, in which at least 9 civilians were killed.3 The government of Haiti must protect the rights of all Haitians and cannot allow its own police forces or private actors to exercise control over areas through brute force. Its duties are not discharged by

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3 The right to life is enshrined in Article 19 of the Haitian Constitution, and protected by Article 6 of the International Covenant on Civil and Political Rights, which has been ratified by Haiti. The right to life prohibits police from arbitrarily depriving individuals of their lives, and requires the government to protect individuals against real and immediate risks to their lives from
ordering citizens to flee their own homes; indeed, such action is tantamount to ordering an unlawful forced eviction under human rights law. Nor is it acceptable or reasonable to expect families to do so, particularly given that many residents of Village de Dieu live in conditions of extreme poverty and may have nowhere else to go. Further, forced displacement and evictions present an acute public health risk in the context of the COVID-19 pandemic.

The risk of indiscriminate violence in the planned raid is higher given the apparent involvement of a well-known gang leader who has been directly implicated in two past massacres. A video interview is circulating on social media that suggests that Jimmy Cherizier (alias ‘Barbecue’), a former member of the Haitian National Police (Police Nationale d’Haïti or PNH) and suspected perpetrator of the La Saline and Bel Air massacres, is collaborating with the PNH to carry out the raid on Monday. According to the Haitian human rights organization RNDDH, at least 71 people were brutally killed in the November 2018 La Saline Massacre, and an estimated two dozen in the November 2019 Bel Air massacre, with multiple reports, including those from the United Nations, implicating Cherizier (who denies involvement) in both. Senior members of the Haitian administration were also implicated in both massacres. Cherizier is not in police custody due to his suspected involvement in either massacre. He was seen in early April in the Port-au-Prince neighborhood of Delmas assisting PNH officers with food distribution. Cherizier’s apparent alliance with the PNH is deeply disturbing, and heightens concerns about his possible role in the planned raid.

It is not only the involvement of non-State actors that causes concern; the PNH has itself used indiscriminate violence against civilian protesters. Since July of 2018, nearly 200 Haitians have been killed


5 The UN Special Rapporteur on the Right to Housing has explained that “Housing has become the front line defense against the coronavirus” and made clear that “Evictions are not only inconsistent with the ‘stay home’ policy, but forced evictions are a violation of international human rights law, including the right to housing, as are any evictions that result in homelessness.1 In the face of this pandemic, being evicted from your home is a potential death sentence.” See Leilani Farha, U.N. Special Rapporteur on the Right to Adequate Housing, COVID-19 Guidance Note: Prohibition on Evictions (Apr. 22, 2020), https://www.ohchr.org/Documents/Issues/Housing/SR_housing_COVID-19_guidance_evictions.pdf.

6 For video, see @gaetantguevara, TWITTER (Apr. 25, 2020, 10:26 AM), https://twitter.com/gaetantguevara/status/1254054142970155009.


in anti-government demonstrations.\(^\text{12}\) In late 2019, Amnesty International condemned human right abuses by the PNH and called on the Haitian government to end its unlawful use of force against protesters.\(^\text{13}\) The Inter-American Commission on Human Rights and its Special Rapporteurship for Freedom of Expression similarly condemned the government of Haiti for the use of violence against protesters.\(^\text{14}\)

The planned raid gravely threatens residents’ right to life; violates their rights to housing, security, and health; and discriminates against citizens who reside in an impoverished community, where rights violations are already common.\(^\text{15}\) The government announcement provides no alternative housing or effort to guarantee that those who leave their homes remain safe during the COVID-19 pandemic. **The right to health is of heightened concern during the current pandemic.** Hours prior to the Government of Haiti’s Ministry of Justice and Public Security announcement that all residents of Village de Dieu must evacuate, the presidential panel of scientists, led by Dr. Patrick Delly, warned that if government measures are not observed to curb COVID-19, including home confinement and wearing masks, COVID-19 could peak in one or two months, and up to 20,000 Haitian people may die.\(^\text{16}\) Further, since the first reported deaths from COVID-19 in Haiti, the Ministry of Health regularly asks Haitian people to stay at home.\(^\text{17}\)

The Office de la Protection du Citoyen (Office of Citizen Protection, or OPC), tasked with promoting human rights in Haiti released a statement concerning Monday’s raid. The OPC noted that many thousands of families, including vulnerable populations—women, children, and the elderly—live in Village de Dieu in “inhumane conditions” that have deteriorated in the period of COVID-19 confinement.\(^\text{18}\) The OPC questions how residents could safely evacuate, without being perceived as cooperating with police, and putting themselves at risk of violence.

The undersigned call for urgent action by the government of Haiti to cancel the planned raid and to protect the human rights and physical safety of all Haitian people, particularly vulnerable populations. Further, the undersigned ask the Haitian National Police to immediately halt any collaboration with Jimmy Cherizier, and to bring Cherizier to justice for his alleged involvement in the La

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\(^\text{15}\) Haiti is bound to protect the rights of all individuals to life under Article 22 of the Constitution of Haiti, Article 6 of the ICCPR; to housing under Article 11 of the ICESCR; to security of the person under Article 9 of the ICCPR, and to health under Article 14 of the ICESCR. See *CONST. D’HAITI*, art. 22; ICCPR, *supra* note 3, at Art. 6; International Covenant on Economic, Social and Cultural Rights, Dec. 16, 1966, 993 U.N.T.S. 3, at Arts. 9, 11, 14.


Saline and Bel Air massacres. Impunity and an absence of accountability for those who have committed human rights abuses contributes to a climate of insecurity.

cc: Inter-American Commission on Human Rights
UN Special Rapporteur on Extreme Poverty
UN Special Rapporteur on the Right to Housing
UN Special Rapporteur on the Right to Health

Signatories:
Action pour la reforestation et la Defense de l'Environnement (AREDE)
Altenativ Popilè
American Jewish World Service
Avocats San Frontières Canada
Beyond Borders
Environmental Justice Initiative for Haiti
Family Action Network Movement (FANM)
Fondasyon Men Ansanm Ayiti (FONDAMA)
Gender Action
Global Justice Clinic, NYU School of Law
Groupe de Support a la Constitution (GSC)
Haiti Justice Alliance
Institute for Justice and Democracy in Haiti
Konbit Lakay
Li, Li, Li! Read
Òganizasyon Lite pou demen nou (LIDE-N)
Petrochallengers Noupapkonplis
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20 This communication does not purport to represent the institutional views, if any, of New York University.
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