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Haitian Advocates Demand Information as Government Pushes Mining and Tourism *Testimony before Inter-American Commission on Human Rights Describes Information Blackout*

(WASHINGTON, D.C. March 17, 2015)—Today, two Haitian civil society groups, the *Justice in Mining Collective* and the *Megaprojects Observatory*, testified to the social, environmental, and political costs of the lack of transparency surrounding the development of the tourism and mining industries in Haiti. They described how farmers lost their crops to tourist development projects and signed away their land rights to mining companies due to a lack of information about the risks they faced. In live and video testimony, advocates exposed the failure of the Haitian government to provide basic information about planned projects—even to those directly affected—and denounced proposed legislation that would keep information about the mining sector confidential. The two Haitian collectives, a Haitian journalist, and the Global Justice Clinic of NYU School of Law, requested the hearing before the Inter-American Commission on Human Rights to examine the right of access to information in Haiti.

Article 40 of the Haitian Constitution requires the government to publish all laws, orders, decrees, and international conventions through print, radio and television in French and in Haitian Creole. “This provision is crucial for the enjoyment of human rights in Haiti. However, testimony presented today shows that the government is promoting development projects without adequately informing or consulting the communities immediately affected,” said Margaret Satterthwaite, Director of the Global Justice Clinic.

In 2013, the residents of Île-à-Vache learned through rumor rather than by public notice that the government had designated their land for public utility. “Some families woke up to find tractors destroying their crops, taking the land that they have owned and tilled for generations,” said Roosevelt Jean Felix, a member of the Megaprojects Observatory who testified today.

In video testimony, residents of communities affected by mining activity explained that they signed or thumb-printed agreements authorizing a company to use their land, unaware of the agreements’ contents or of the potential environmental consequences of mining activity. “Communities have a right to information in the government’s possession that they need to make decisions about their lives and futures,” said Etienne Chenier-Laflèche, law student advocate with the Global Justice Clinic, who testified at the hearing.

Journalists based in Port-au-Prince recounted dogged but unsuccessful efforts to obtain information related to the promotion of the mining industry from government ministries. In video testimony, journalist Lafontaine Orvild described the indifference and disdain shown by Haitian officials in response to requests for information concerning activities affecting the public.

The advocates concluded their presentations with three principal recommendations to the Haitian state: First, advocates urged the government to adopt legislation guaranteeing the right to access information, recognized in the Haitian Constitution and the American Convention on Human Rights. Second, the

advocates urged the government to immediately provide affected communities with information concerning development projects. Third, the advocates called on the government not to enact proposed mining legislation, drafted with the support of the World Bank, which would undermine transparency through a clause requiring all mining company documents to be kept confidential for ten years.

“This provision appears to apply to environmental and social impact assessments,” said Nixon Boumba of the *Justice in Mining Collective*, who testified today. “Hiding information like this from communities will directly interfere with their ability to participate in decisions about their future and to defend their rights.”

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