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Haiti's Political and Economic Conditions

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Summary

Since the fall of the Duvalier dictatorship in 1986, Haiti has struggled to overcome its centuries-long legacy of authoritarianism, disrespect for human rights, extreme poverty, and underdevelopment. Widespread corruption remains an impediment to changing that legacy. Despite significant progress in improving governance, democratic institutions remain weak and stability fragile. Poverty remains massive and deep, and economic disparity wide. In proximity to the United States, and with a chronically unstable political environment and fragile economy, Haiti has been an ongoing policy issue for the United States. Many in the U.S. Congress view Haiti's stability with concern and have shown a commitment to improving conditions in the country through continued support for U.S. foreign aid.

Haiti has experienced growing instability during the administration of President Jovenel Moïse. Unrest, high rates of inflation, and resurgent gang violence have characterized Moïse's term. The judiciary is conducting ongoing investigations into Moïse's possible involvement in money laundering, irregular loan arrangements, and embezzlement, which the president denies. Haitian Senate and Superior Court of Auditors investigations allege embezzlement and fraud by current and former Haitian officials managing $2 billion in loans from Venezuela's PetroCaribe discounted oil program.

Moïse's decision in mid-2018 to end oil subsidies, which would increase prices dramatically, sparked massive protests. Government instability has heightened since May 2019, when a report alleged Moïse had embezzled millions of dollars. Mass demonstrations have continued, calling for an end to corruption, provision of government services, and Moïse's resignation.

In the face of increasing ungovernability, a high-level Organization of American States delegation traveled to Haiti in June 2019 to facilitate dialogue to reduce political tensions. Some opposition elements refuse to negotiate with the government, however. To date, the parliament has refused to ratify Moïse's nominee for prime minister, Jean-Michel Lapin, leaving Haiti without a fully functioning government. Tensions may rise around parliamentary elections, scheduled for October 2019.

Haiti, which shares the island of Hispaniola with the Dominican Republic, occupying the western third of the island, is the poorest country in the Western Hemisphere. Almost 60% of the country's 10 million people live in poverty, and almost a quarter of them live in extreme poverty. Haiti is still recovering from the devastating 2010 earthquake, as well as Hurricane Matthew in 2016. The latter worsened a process begun by a two-year drought, destroying Haiti's food supply and creating a humanitarian disaster. Haiti also continues to battle a cholera epidemic inadvertently introduced by United Nations peacekeepers in 2010. Nonetheless, according to the State Department, Haiti is transitioning from a post-disaster era to one of reconstruction and long-term development.

The United Nations Stabilization Mission in Haiti (MINUSTAH) helped restore order from 2004 to October 2017 but was criticized for sexual abuse by some of its forces and for introducing cholera to the country. The U.N. maintains it has diplomatic immunity, but after years of international pressure said it had a "moral responsibility" to the epidemic's victims. The U.N. announced a $400 million plan to fight cholera in Haiti and its intention to support cholera victims; neither program has been fully funded or implemented. MINUSTAH was succeeded by a smaller peacekeeping mission, the U.N. Mission for Justice Support in Haiti (MINUJUSTH), which has focused on rule of law, development of the Haitian National Police (HNP) force, and human rights. In October 2019, a political mission, the United Nations Integrated Office in Haiti

(BINUH), is scheduled to replace MINUJUSTH to help Haiti plan and carry out elections and reinforce the HNP through training on human rights, among other duties.

Since MINUSTAH's departure, the HNP have had primary responsibility for domestic security. Moïse reinstituted the army, raising concerns about the potential for the army to engage in internal repression, as it had in the past.

According to the State Department, U.S. policy toward Haiti is designed to foster the institutions and infrastructure needed to achieve strong democratic foundations and meaningful poverty reduction through sustainable development. The Trump Administration requested $145.5 million for aid to Haiti for FY2020.

The Administration planned to terminate Temporary Protected Status (TPS) for Haitians as of July 22, 2019. Two U.S. courts issued preliminary injunctions against the decision, however, so TPS designation for Haiti remains in effect pending further court orders.

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Political Background[1]

Haiti inaugurated Jovenel Moïse as president on February 7, 2017, marking a return to constitutional order after having been without an elected president from February 2016 to February 2017 due to delayed elections and political gridlock. Moïse, a political newcomer and member of the Bald Head Party (PHTK, former President Michel Martelly's [2011-2016] party), won the November 2016 elections with almost 56% of the vote. Voter turnout was 21%. Runoff elections for some parliamentary and local elections were completed in January 2017. Although PHTK has the most seats of any party in the legislature, with 31 of 119 in the Chamber of Deputies and 11 of 30 in the Senate, no single party has a majority. PHTK has to rely on alliances to enact legislation and fulfill its policy agenda.

Among the challenges Haiti faces are ongoing recovery from the 2010 earthquake and 2016's Hurricane Matthew, a cholera epidemic, stalled economic growth, and a highly polarized political climate. Other obstacles Moïse faces during his five-year term include a weak mandate due to a relatively low voter turnout and ongoing social unrest due to continued poverty, lack of job opportunities, and growing public calls for an end to corruption. Moïse arrived under the shadow of an ongoing Haitian government investigation into his possible involvement in money laundering and irregular loan arrangements, which Moïse denies. In May 2019, Haiti's Superior Court of Auditors and Administrative Disputes alleged that Moïse and other officials embezzled millions of dollars. The court's report alleges that the Martelly administration contracted a company then led by Moïse to carry out infrastructure projects that it never completed. Moïse and the company deny the allegations.

Haiti at a Glance

Population: 10.9 million (2017; World Bank)

Land area: 27,560 square kilometers (slightly smaller than Maryland; CIA)

GDP: $9.5 billion (2018, current U.S. dollars; IMF)

GDP per capita income: $857 (2018, current U.S. dollars; IMF)

Life expectancy: 63 (2017; World Bank)

Leadership: President Jovenel Moïse; Prime Minister Jean Michel Lapin; Supreme Court Chief Justice Jules Cantave

Sources: World Bank; U.S. Department of State; Central Intelligence Agency, International Monetary Fund

Moïse's strategy to increase government revenues sparked widespread protests in 2017 and 2018. The legislature approved the policy agenda presented by Moïse's first prime minister, Dr. Jack Guy Lafontant, which focused on reviving the agricultural sector, rolling out a comprehensive national health care insurance system, bringing alternative energy to Haiti, and repairing infrastructure. Other items on the policy agenda included redeveloping the capital, Port-au-Prince, including the presidential palace and other government buildings that were destroyed during the 2010 earthquake. The government took a step toward funding these objectives in May 2017 by ending government fuel subsidies, thereby increasing fuel prices by at least 20%, but freeing up resources for other programs.[2] In September 2017, the legislature approved the president's budget for 2018, which included several tax increases for revenue generation.

[1] For further background on Haiti, and information on relations with the United States, also see CRS Report R42559, *Haiti Under President Martelly: Current Conditions and Congressional Concerns*, by Maureen Taft-Morales, and CRS In Focus IF10440, *Haiti Declares Winner of Presidential Election After Delays*, by Maureen Taft-Morales.

[2] "In Brief: Haiti, Dominican Republic, St Kitts & Nevis, Guatemala," *LatinNews*, May 15, 2017.

Figure 1. Map of Haiti

Source: Map Resources; adapted by the Congressional Research Service (CRS).

The public greeted these tax increases with violent street protests. Workers conducted strikes for higher wages, especially in the textile-manufacturing sector. National and local transportation unions held strikes in September and October, leading the president to withdraw certain transport-related tax increases he had proposed. In November 2017, hundreds protested government corruption and the remobilization of the army, demanding that the government direct funds toward public needs such as health and education instead. By the end of 2017, street protests had become a fixture of Moïse's administration.

As official reports of corruption were released and inflation rose, public dissatisfaction intensified. The Haitian Senate's Special Commission of Investigation issued a 656-page report in November 2017 detailing alleged embezzlement and fraud by current and former Haitian officials managing $2 billion in loans from Venezuela's PetroCaribe discounted oil program from 2008 to 2016. Public pressure reportedly led Moïse to fire two high-ranking officials in his government for their involvement in the scandal.

When the government proposed another plan to raise fuel prices significantly—some by as much as 51%—in July 2018, two days of violent protests ensued, causing at least two deaths. Prime Minister Lafontant resigned and was replaced by Jean-Henry Céant. Riots shut down much of the country's cities for 11 days in February 2019, as citizens demanded better living conditions and Moise's resignation. The legislature passed a vote of no confidence against Céant in March 2019, saying he had failed to improve living conditions during his six months in office.[3]

[3] "Lapin confirmed as Haiti's new prime minister," Agence France Presse (AFP), April 9, 2019.

On April 9, 2019, President Moise nominated Jean-Michel Lapin as his third prime minister in just over two years. Some lawmakers in the opposition ransacked the Senate on May 30 to prevent a confirmation vote for the third time. As of June 30, the parliament had still refused to ratify the appointment of Lapin or his Cabinet, leaving Haiti without a fully functioning government. A ratification vote does not appear imminent.

The United Nations ended its 13-year-long United Nations Stabilization Mission in Haiti (MINUSTAH) in October 2017. A smaller mission, the United Nations Mission for Justice Support in Haiti (MINUJUSTH), succeeded it, focusing on strengthening judicial institutions and protecting human rights. On October 16, 2019, the U.N. is scheduled to transition from peacekeeping missions to a political mission, the United Nations Integrated Office in Haiti (BINUH), which is to provide election and other technical support. (See "Security: U.N. Missions, Haitian Police, and Revival of the Haitian Army" below.)

Some observers are concerned that the peacekeeping mission is leaving just before Haitian parliamentary elections for one-third of the Senate are scheduled to be held, on October 27, 2019. Elections are often volatile in Haiti. The next presidential elections are due in 2021 (presidents may not seek consecutive reelection). Some opposition groups calling for Moïse's resignation may call for early elections. Organizing elections often has proven difficult in Haiti, leading to long delays, periods without an elected legislature or president, and heightened political tensions.

The Organization of American States (OAS) sent a high-level delegation to Haiti on June 19, 2019, in response to a request from the Haitian government, to help facilitate a national dialogue. The delegation reportedly told Moïse that he was not governing and needed to do so, that those seeking the president's ouster needed to defeat him "at the ballot box," and that the delegation was not going to ask Moïse to resign.[4] Moïse reportedly agreed to the delegation's proposal to establish an OAS-sanctioned commission of international financial experts to help Haitian government auditors determine how much money people stole from the PetroCaribe fund and who should be prosecuted for doing so.[5]

Given Moïse's lack of experience, government capacity, and public support, political unrest is likely to continue. Some analysts, such as the Economist Intelligence Unit (EIU), expect Moïse to serve out the remainder of his term, which ends in 2022, while noting that political risk is high and early elections cannot be ruled out.[6] Others, such as IHS Global Insight, see the reports of corruption against Moïse, and his growing isolation, as increasing the possibility of him being ousted in the coming months.[7]

According to the Haitian Constitution (article 149), if the president resigns or is dismissed, the Council of Ministers, under the presidency of the prime minister, exercises executive power until another president is elected within 120 days. As mentioned earlier, however, neither the prime minister nor a Cabinet are currently confirmed. If the presidency becomes vacant during the fourth or fifth year of a term (Moïse is in his third year of office), the National Assembly is to meet within 60 days to elect a provisional president to complete the remainder of the term.

[4] Jacqueline Charles, "OAS tells Haiti opposition to back off—and tells president to start governing," *Miami Herald*, June 19, 2019.

[5] Ibid.

[6] EIU, "Country Report: Haiti," generated June 24, 2019, p. 9.

[7] Carla Selman, "Haitian president's mention in court corruption report raises ousting chances, power vacuum over coming months highly likely," IHS Global Insight Daily Analysis, June 21, 2019.

Economic Background[8]

Plagued by chronic political instability and frequent natural disasters, Haiti is the poorest country in the Western Hemisphere, and one of the poorest countries in the world. Haiti's poverty is massive and deep. Almost 60% of the population lives under the national poverty line of $2.41 per day. More than 24% live under the national extreme poverty line of $1.23 per day. In addition, Haiti continues to recover from the 2010 earthquake that devastated the capital of Port-au-Prince, whose original estimated economic damage was $8 billion to $14 billion.[9] In October 2016, Hurricane Matthew, which the World Bank characterized as the most devastating disaster since the earthquake, caused damage estimated to equal 32% of Haiti's gross domestic product (GDP). The agricultural, livestock, and fishing sectors suffered losses of about $600 million. A two-year drought, compounded by Hurricane Matthew, has largely destroyed Haiti's food supply, creating a humanitarian disaster. More than 96% of Haiti's 11 million people are at risk from natural disasters, and Haiti is one of the most exposed countries in the world to climate change.[10]

Haiti has few resources to tackle these challenges. Few people or businesses pay taxes, according to the World Bank, and the state provides limited services.[11] Haitians rely heavily on remittances from Haitians living abroad to supplement their incomes; the World Bank estimated remittances to Haiti were almost $3 billion for 2018, constituting about 31% of Haiti's GDP.[12] Widespread corruption depletes funds intended for government institutions and public services. A Haitian Senate investigation alleged that government officials had mismanaged almost $2 billion dollars between 2008 and 2016 (see "Human Rights" below). As noted above, in May 2019, Haiti's Superior Court of Auditors alleged that Moïse and other officials embezzled millions of dollars. The government was supposed to have used those funds for improving infrastructure, including restoring ministry buildings destroyed by the 2010 earthquake, and health and education programs for Haiti's poor.

Political gridlock can hamper economic development efforts and contribute to government instability. The legislature has not passed a 2019 budget or, since the removal of Prime Minister Céant in March 2019, confirmed multiple executive branch appointments. Without a budget, a confirmed prime minister, or a Cabinet, pending agreements with donors have not moved forward, and experts grow increasingly concerned that policy cannot be effectively developed or implemented. For example, until the Cabinet is sworn in and a budget approved, a three-year, $229 million loan with the International Monetary Fund (IMF) that the government secured in March 2019 cannot be approved.[13]

Nonetheless, according to the State Department, Haiti has made the transition from a post disaster era to one of reconstruction and long-term development.[14] The EIU reports a 1.5% economic growth rate in 2018, and forecasts a modest increase to an average 1.8% growth in 2019 and

[8] Data in this section are from World Bank, "Haiti Overview," April 5, 2019, at http://www.worldbank.org/en/country/haiti/overview, accessed June 26, 2019, unless stated otherwise.

[9] Eduardo A. Cavallo, Andrew Powell, and Oscar Becerra, *Estimating the Direct Economic Damage of the Earthquake in Haiti*, Inter-American Development Bank, February 11, 2010.

[10] World Bank, "Towards a New Road Map for Inclusive and Sustainable Growth in Haiti: New Country Partnership Strategy for Haiti 2015-2019," Infographic, September 29, 2015.

[11] Ibid.

[12] World Bank, "Remittance Inflows April 2019," Migration and Remittances Data, accessed June 26, 2019.

[13] EIU, "Country Report: Haiti," generated June 24, 2019, p. 9.

[14] U.S. Department of State, "U.S. Relations with Haiti," Fact Sheet, March 16, 2019.

2020. In the short term, President Moïse announced emergency policy measures to address state corruption and improve the quality of public spending. In the long term, however, the EIU also states that Haitian institutional weaknesses will inhibit greater economic growth and continue to limit the government's ability to address economic structural deficiencies.[15]

Public frustration with economic woes has contributed greatly to ongoing demonstrations, some of which have become violent. In addition to low economic growth and the government's failure to address corruption adequately, consumer price inflation is currently estimated to be 17%, one of the highest rates in the region; the Haitian gourde depreciated by almost 7% in the first quarter of 2019; fuel supply is low while prices are high; and public investment is very weak.[16] Furthermore, the protests themselves disrupt and diminish economic activity.

Security: U.N. Missions, Haitian Police, and Revival of the Haitian Army

Congress has expressed concern over citizen security in Haiti, which has struggled since 1986 to establish a democratic government. Congress has supported various U.N. missions in Haiti and the professionalization and strengthening of the Haitian National Police (HNP) and other elements of the country's judicial system to improve security conditions.

MINUSTAH, a peacekeeping mission that was in Haiti for 13 years, was established to help restore and maintain order after the collapse of former President Jean-Bertrand Aristide's government in 2004. The U.N. began reducing MINUSTAH's troops in 2012 and closed the mission in October 2017. The U.N. Security Council provided for a smaller follow-on mission to succeed MINUSTAH, the U.N. Mission for Justice Support in Haiti (MINUJUSTH). That mission is scheduled to conclude in October 2019, and a special political mission, the United Nations Integrated Office in Haiti (BINUH), is to succeed it.

The 2017 resolution ending MINUSTAH cited Haiti's peaceful completion of a long-delayed electoral process and return to constitutional order in February 2017 as a major milestone toward stabilization. The Security Council also commended the mission for supporting the political process, professionalizing the police, and maintaining a secure and stable environment in Haiti.[17]

Many Haitians and other observers criticized MINUSTAH for its role in introducing cholera to Haiti and for allegations of sexual abuse by some of its forces. Prior to the 2010 earthquake, Haiti had no cases of cholera for at least a century. According to multiple scientific reports, MINUSTAH peacekeepers inadvertently introduced the disease in the country. Vulnerability to disasters—due to a lack of immunity, overcrowded living conditions, environmental degradation, poor construction standards, dysfunctional or insufficient sewage and sanitation systems, and political instability in Haiti—has facilitated the rapid spread of the disease and the largest cholera outbreak in the world.

In August 2016, after years of criticism and demands that the U.N. take full responsibility for introducing the disease to Haiti, then-U.N. Secretary-General Ban Ki-Moon said that the U.N. had a "moral responsibility" to the epidemic's victims and announced a new program to support

[15] EIU, "Country Report: Haiti," generated June 24, 2019, p. 2.

[16] EIU, "Country Report: Haiti," generated June 24, 2019, pp. 2-3, 8-9.

[17] For further information, also see CRS In Focus IF10502, *Haiti: Cholera, the United Nations, and Hurricane Matthew*, by Maureen Taft-Morales and Tiaji Salaam-Blyther.

them, although the U.N. continues to claim diplomatic immunity. Advocates for cholera victims say that the U.N. did not consult victims regarding compensation.[18] The U.N.'s $400 million cholera plan still has not been fully funded or implemented. As of November 2018, international donors had pledged only $17.7 million to the fund.[19]

Charges of sexual abuse by MINUSTAH personnel also fueled anti-MINUSTAH sentiment. The U.N. has a zero-tolerance policy toward sexual abuse and exploitation. The U.N. returns alleged perpetrators to their home country for punishment. The U.N. substantiated 42 of 82 alleged sexual abuse and exploitation cases among MINUSTAH personnel; seven cases are pending.[20]

MINUSTAH's successor mission shifted focus from stabilization to institutional strengthening and development. MINUJUSTH focuses on rule of law, development of the HNP, and human rights, "to support the Government of Haiti in consolidating the stabilization gains and ensuring their sustainability." MINUJUSTH began operations in October 2017, deploying police units in five political departments (similar to states), plus up to 295 individual police officers.

MINUJUSTH established a zero-tolerance policy toward sexual exploitation and abuse that included training, raising awareness, and enforcement. There were no allegations of sexual exploitation and abuse by MINUJUSTH police officers and staff in 2018.[21]

With the support of MINUSTAH, MINUJUSTH and U.S. and other international assistance, the HNP became increasingly professional and have now taken on responsibility for domestic security. New police commissariats built in areas previously not served by police have given more Haitians access to security services. Currently, the police force has 14,000-15,000 officers. Its goal is to have 16,000 officers. Some observers remain concerned, however, that the Haitian police force remains below international standards for the size of its population and is underfunded. While acknowledging the increased ability of the HNP, some observers also wonder whether the force will be able to maintain security and stability without the backup of international forces.

In what proved to be a very controversial move, former President Michel Martelly (2011-2016) began reviving the Haitian army, after a 22-year absence. The former army allegedly committed gross violations of human rights over decades, according to numerous reports by the State Department, the Inter-American Commission on Human Rights (IACHR), Amnesty International, and others. It also carried out numerous coups. After returning to office following one of those coups, former President Aristide disbanded the army in 1995. Martelly sent recruits to Ecuador for training. President Moïse has continued to implement Martelly's plan and began recruiting 500 additional soldiers in July 2017.[22]

The Haitian government says the army will be different this time and will focus on patrolling the border with the Dominican Republic, combating smuggling, and executing recovery efforts after natural disasters. Many observers, including many Members of Congress, remain concerned about the potential use of the army for internal repression. Moïse appointed six former soldiers to

[18] Jacqueline Charles, "On Eve of High-Level U.N. Haiti Visit, Trump Continues to Say 'No' to Cholera Request," *Miami Herald*, November 2, 2017.

[19] Human Rights Watch, "Haiti," in *World Report 2019*.

[20] Conduct in UN Field Missions, "Sexual Exploitation and Abuse," accessed June 25, 2019, at https://conduct.unmissions.org/sea-investigations.

[21] U.S. Department of State, "Haiti 2018 Human Rights Report," in Country Reports on Human Rights Practices for 2018, March 2019.

[22] Amelie Baron, "Haiti's Army Reborn 20 Years After It Was Demobilized," AFP, July 18, 2017.

head the command, all of whom the United States had sanctioned for supporting the military coup that overthrew former President Aristide.[23] Many members of the international community, including the United States, have said that Haiti should focus on strengthening its police force instead.

The U.N. Security Council's resolution on BINUH directs it to help Haiti plan and carry out elections; reinforce the HNP through training on human rights and responding to gang and sexual and gender-based violence; develop an inclusive approach with all social sectors to reduce inter-communal violence (particularly gang violence); address human rights abuses and violations and comply with international human rights obligations; improve administration of Haitian prison facilities; and strengthen the justice sector through adoption and implementation of key legislation.[24] BINUH is to commence on October 16, 2019. The mission is to be run by a Special Representative and will include a U.N. Police Commissioner, up to 30 police and corrections advisers, and about 80 to 100 personnel.

Concerns over Haitians and People of Haitian Descent in the Dominican Republic

Relations between Haiti and the Dominican Republic, which share the island of Hispaniola (see **Figure 1**), have been strained throughout their history. New tensions arose after a 2013 court ruling in the Dominican Republic stripped Dominicans of Haitian descent of their citizenship, applied retroactively to 1929, essentially rendering them stateless.

The Dominican government said it was trying to normalize a complicated immigration system. Nevertheless, U.N. and OAS agencies, foreign leaders, and human rights groups challenged the decision's legitimacy, concerned that it violates international human rights obligations to which the Dominican Republic is party. The IACHR concluded that the Constitutional Court's ruling "implies an arbitrary deprivation of nationality" and "has a discriminatory effect, given that it primarily impacts Dominicans of Haitian descent."[25]

The Dominican government established a "regularization of foreigners" plan in 2013. The plan required all foreigners, immigrants, and descendants of immigrants born between 1929 and 2007 to register, after which they could obtain temporary residence or possibly confirm their eligibility for naturalization. Out of almost 290,000 people who applied, about 240,000 qualified for legal status.[26] The Dominican government said it would help rectify the immigration status of people who missed registration deadlines. Nonetheless, thousands of people have difficulty obtaining documents demonstrating they were born in the Dominican Republic because for decades, Dominican officials have denied birth certificates and other documents to many Dominican-born people of, or perceived to be of, Haitian descent.

After the June 2015 registration deadline passed, the Dominican government authorized its officials to expel forcibly individuals of Haitian descent who lacked the new documentation. From July 2015 to September 17, 2017, according to the U.N. migration agency, the International

[23] Jacqueline Charles, "Haiti has a New Army with much of the Old Leadership. Some in the U.S. Aren't Happy," *Miami Herald*, updated April 3, 2018.

[24] Edith M. Lederer, "UN votes to establish political mission in Haiti," The Associated Press, June 25 2019.

[25] Organization of American States, Inter-American Commission on Human Rights, "IACHR Wraps Up Visit to the Dominican Republic," press release, December 2013.

[26] CRS In Focus IF10407, *Dominican Republic*, by Clare Ribando Seelke.

Organization for Migration (IOM), 58,271 people were officially deported, and 37,942 claimed to have been deported. Over 4,000 presumed unaccompanied and separated children crossed the border into Haiti.[27] A naturalization law developed a process to revalidate Dominican citizenship for 55,000 people whose Dominican identity documents the government had invalidated, and to allow them to register their children as citizens as well. After four years, less than half of those people had received new documents.[28] The regularization of foreigners plan ended in August 2018. According to Human Rights Watch, more than 200,000 people of Haitian descent remained in the Dominican Republic without valid documents and at risk of deportation.[29]

In May 2017, Haiti and the Dominican Republic revived the Joint Bilateral Commission to address security, border, and migration issues. The commission was inactive while Haiti was dealing with its earlier electoral problems. Tensions over these issues remain.

On April 23, 2019, the IACHR found that the Dominican Republic has not complied with the court over the past four years, affecting the rights of Haitian-descended people seeking Dominican nationality.[30] It also stated that the Dominican Republic failed to send legal representatives to an early 2019 public hearing, becoming one of only two countries (the other being Nicaragua) to do so in the history of the court.

U.S. Relations with Haiti

According to the State Department, U.S. policy toward Haiti is "designed to foster the institutions and infrastructure necessary to achieve strong democratic foundations and meaningful poverty reduction through sustainable development."[31] Policy priorities include support for economic growth and poverty reduction, including through bilateral trade and investment to promote job creation; improved health care and food security; promoting respect for human rights; strengthening democratic institutions; and strengthening the HNP so that the country can provide its own security and work more effectively with U.S. agencies to combat international crime. Tensions between the two rose over the Trump Administration's decision to end Temporary Protected Status (TPS; see "Immigration" section below) for about 60,000 Haitians as of July 2019. Two U.S. courts issued temporary injunctions against implementing the decision.

U.S. Assistance[32]

Because Haiti is the poorest country in the hemisphere, and because of its proximity to the United States, Haiti has received high levels of U.S. assistance for many years. In recent years, it has been the second-largest recipient of U.S. aid in the region, after Colombia. In 2010, the year the earthquake hit Haiti, U.S. aid reached a peak of $505 million in base funding, plus $908 million in a FY2010 supplemental. Aid to Haiti has been declining steadily over the past 10 years. (See **Table 1** for U.S. aid to Haiti from FY2011 through the FY2020 request.)

The Trump Administration's request for FY2020 aid to Haiti totals $145.5 million, a 15% reduction from FY2019's request. It requests $25.5 million for the Economic Support and

[27] IOM Haiti, "Border Monitoring Sitrep," September 28, 2017 (latest report available as of June 27, 2019).

[28] CRS In Focus IF10407, *Dominican Republic*, by Clare Ribando Seelke.

[29] Human Rights Watch, "Haiti," in *World Report 2019*.

[30] Economic Intelligence Unit, *Country Report: Haiti*, generated on June 24, 2019, p. 15.

[31] U.S. Department of State, "U.S. Relations with Haiti," Fact Sheet, March 16, 2019.

[32] Budget figures from U.S. Department of State, *FY2018 Congressional Budget Justification: Department of State, Foreign Operations, and Related Programs*.

Development Fund; $90 million for the State Department-administered part of the Global Health Programs account (GHP); $21.7 million for the U.S. Agency for International Development (USAID)-administered part of the GHP; $255,000 for International Military Education and Training (IMET); and $8 million for International Narcotics Control and Law Enforcement (INCLE).

The House-passed FY2020 Department of State, Foreign Operations, and Related Programs (SFOPS) appropriations measure, Division D of the minibus H.R. 2740 (which references the report, H.Rept. 116-78, to the House Appropriations Committee-reported SFOPS bill, H.R. 2839) would place several restrictions on aid to Haiti. Under the bill, no funds could be obligated or expended for aid for Haiti except through regular notification procedures of the Committees on Appropriations, and no funds could be used to provide aid to the Haitian Armed Forces. The bill recommends $51 million in Development Assistance (DA) for long-term development programs in Haiti. The referenced report says that "not more than $45 million" may be made available for DA and Economic Support Funds, although that limit may be exceeded for food security and global health programs.

The bill would withhold aid for the central government of Haiti unless the Secretary of State certifies and reports that Haiti is strengthening the rule of law through certain steps such as transparently selecting judges based on merit, and implementing reforms to increase transparency and accountability; combating corruption including by implementing the 2014 anti-corruption law and prosecuting corrupt officials; increasing government revenues and expenditures on public services; and resolving commercial disputes between U.S. entities and the government of Haiti.

The House Committee on Appropriations said in its report that it was "greatly concerned" by civil unrest in Haiti, and expected the Secretary of State and USAID Administrator to support dialogue aimed at resolving the political crisis, and ensuring that the upcoming elections are transparent and inclusive. The committee also encouraged providing technical support for thorough and independent investigations into allegations of corruption and human rights.

Addressing other concerns, the committee also encouraged USAID to consider strategies that work with local governments to assess areas of potential economic growth, and urged the Secretary of State to work with the Haitian and Dominican Republic governments to develop a strategy for enhancing border security.

Table 1. U.S. Assistance to Haiti, FY2011-FY2020

($ in thousands)

	FY2011 Actual	FY2012 Actual	FY2013 Actual	FY2014 Actual	FY2015 Actual	FY2016 Actual	FY2017 Actual	FY2018 Actual	FY2019 Request	FY2020 Request
TOTAL	**380,261**	**351,829**	**332,540**	**300,796**	**242,922**	**190,744**	**184,426**	**184,563**	**170,455**	**145,455**
Economic Support Fund	131,000	148,281	135,985	119,477	100,000	—	8,500	8,500	—	—
Development Assistance						65,245	36,500	32,000	—	—
Economic Support and Development Fund						—	—	—	39,000	25,500
Economic Support and Development Fund *(Pre FY2017 DA + ESF to compare)*	*(131,000)*	*(148,281)*	*(135,985)*	*(119,477)*	*(100,000)*	*(65,245)*	*(45,000)*	*(40,500)*	*n/a*	*n/a*
Foreign Military Financing	1,597	0	1,519	1,600	800	1,200	1,200	5,000	—	—
Global Health Programs—State	156,240	141,240	129,865	124,013	104,013	87,185	84,913	99,386	100,000	90,000
Global Health Programs—USAID	26,946	25,000	25,017	25,200	25,200	25,200	25,200	24,2000	23,200	21,700
International Military Education and Training	220	224	208	241	272	246	239	233	255	255
International Narcotics Control and Law Enforcement	19,420	19,420	17,448	12,000	6,000	6,000	8,000	12,000	8,000	8,000
P.L. 480 Title II	44,838	17,664	22,498	18,265	6,637	5,668	19,874	3,244	0	0

Sources: U.S. Department of State, Congressional Budget Justification (CBJ), Fiscal Year 2013, Foreign Operations, Annex: Regional Perspectives, p. 798 (FY2011); CBJ, Fiscal Year 2014, Foreign Operations, Annex: Regional Perspectives, p. 667 (FY2012); CBJ, Fiscal Year 2015, Foreign Operations, Annex: Regional Perspectives, p. 666 (FY2013); CBJ, Fiscal Year 2016, Foreign Operations, Appendix 3, p. 411 (FY2014), CBJ, Fiscal Year 2017, Foreign Operations, Appendix 3, p. 434 (FY2015); CBJ, Fiscal Year 2018, Foreign Assistance Supplementary Tables, p. 91 (FY2016); CBJ, Fiscal Year 2019, Foreign Operations Appendix 2, p. 486 (FY2017), Request by Account and Fiscal Year; CBJ, Fiscal Year 2020, Foreign Operations, Appendix 2, p. 520 (FY2018, FY2019, FY2020).

Note: "n/a" signifies not applicable.

Counternarcotics[33]

Haiti is a transit point for cocaine from South America and marijuana from Jamaica headed to U.S. and other markets, according to the Department of State's 2019 International Narcotics Control Strategy Report. Haiti does not produce a significant amount of illicit drugs for export. Although some cannabis is grown for local consumption, the country's subsistence-level economy means that most people cannot afford drugs, so domestic drug use is not widespread. Criminal gangs in Haiti are involved in international drug trafficking.

The Haitian government has committed to combating drug trafficking, and has taken steps to follow through on that pledge. The HNP has increased staffing of its counternarcotics unit (Bureau for the Fight Against Narcotics Trafficking, or BLTS), which conducted several successful investigations and interdiction operations against drug trafficking organizations in 2018.

Nonetheless, according to the State Department, Haiti remains unable to secure its borders against illicit drug traffic, and drug and cash seizures decreased in 2018. The land border with the Dominican Republic is basically uncontrolled, although the HNP formed a border police unit to begin to control some border crossings. The underequipped Haitian Coast Guard has minimal ability to patrol Haiti's 1,100 miles of coastline and seven international ports. Furthermore, Haiti's judicial system remains extremely weak, limiting its ability to prosecute drug traffickers or money launderers.

In terms of money laundering and financial crimes, the State Department notes, "while Haiti itself is not a major financial center, regional narcotics and money laundering enterprises utilize Haitian couriers.... Much of the drug trafficking in Haiti, and related money laundering, has a connection to the United States."

A significant example of successful cooperation between the two countries' law enforcement forces was the extradition of former coup leader Guy Philippe to the United States in January 2017. HNP officers arrested Philippe and transferred custody to the U.S. Drug Enforcement Administration. Philippe, who led a coup that overthrew then-President Jean-Bertrand Aristide in 2004, admitted in a U.S. court that he accepted $1.5 million to $3.5 million from drug smugglers while he was police commander of a Haitian coastal city from 1999 to 2003.[34] Philippe was sentenced to nine years in prison.

Haiti passed an anti-corruption law in 2014, but the government has not yet implemented it effectively. According to the State Department, obstacles in 2018 included "frequent changes in leadership, fear of reprisal at the working level, rumored intervention from the Executive, and the failure of judges to follow through by investigating, scheduling, and referring cases to prosecutors."

Similarly, Haiti amended an anti-money laundering law in 2017 that strengthened its regulatory framework, but, according to the State Department, undermined the independence and effectiveness of its Central Financial Intelligence Unit by moving it under the control of the executive branch. Haiti made no prosecutions or convictions for money laundering in 2017 or 2018.

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[33] This section draws from: U.S. Department of State, "Haiti," in *2019 International Narcotics Control Strategy Report (INCSR), Volume I: Drug and Chemical Control*, pp. 177-180; and "Haiti" in *Volume II: Money Laundering and Financial Crimes*, March 2019, pp. 108-109.

[34] Marcos Martinez, "Former Haiti Rebel Gets 9 Years in Prison in US Drug Case," Associated Press, June 21, 2017.

Immigration

Haitians began migrating to the United States in larger numbers after the collapse of the 29-year Duvalier dictatorship in 1986. Recurrent political instability and violence, endemic poverty, and natural disasters have contributed to the continued flow of migrants from Haiti. About 5,000 Haitians lived in the United States in 1960.[35] In 2017, the number was almost 680,000.[36] A slight majority (51%) of foreign-born Haitians living in the United States in 2017 entered the country before 2000; 27% arrived from 2000 to 2009, and 22% arrived from 2010 through 2017.[37] As of 2017, 59% of the foreign-born Haitians residing in the United States were naturalized citizens. Haitians constitute 1.5% of the foreign-born population in the United States.

Temporary Protected Status

Following the 2010 earthquake, the United States granted TPS for 18 months to Haitians living in the United States at the time of the disaster. TPS provides temporary lawful status to foreign nationals in the United States from countries experiencing armed conflict, natural disaster, or other extraordinary circumstances that prevent their safe return. Then-Department of Homeland Security (DHS) Secretary Janet Napolitano extended TPS regularly, and expanded it to include eligible Haitians who arrived in the United States up to one year after the earthquake. On May 22, 2017, then-DHS Secretary John Kelly extended TPS for Haitians for an additional 6 months—rather than the usual 18 months—from July 2017 through January 2018, saying that TPS recipients should use that time to obtain the necessary papers and make arrangements to return to Haiti. He added that the Haitian government should prepare to receive "all current TPS recipients" and indicated that Haiti's recovery progress "may not warrant further TPS extension past January 2018."[38] There are an estimated 56,209 Haitians with TPS living in the United States.[39]

President Moïse responded in the press, "[I]t is out of the question that they will be sending back 60,000 Haitians."[40] In October 2017, the Haitian government formally requested that the Trump Administration extend TPS for Haitians for another 18 months. Later that month, then-Secretary of State Rex Tillerson wrote then-acting DHS Secretary Elaine Duke that the conditions in Haiti that led to Haitians initially being granted TPS no longer justified their continuation in a protected status.[41] On November 20, 2017, DHS announced that TPS for Haitians would permanently terminate on July 22, 2019, giving Haitians with the status 18 months to return to Haiti or seek another legal status. In October 2018, however, a U.S. district court issued a preliminary injunction blocking implementation and enforcement of the order. In April 2019, another district

[35] Jennifer Schulz and Jeanne Batalova, "Haitian Immigrants in the United States," Migration Information Source, August 2, 2017.

[36] U.S. Census Bureau, "2017 American Community Survey 1-Year Estimates," accessed June 25, 2019, at https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_16_1YR_B05006&prodType=table.

[37] U.S. Census Bureau, American Community Survey (ACS) 2017 data, https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml, accessed June 25, 2019.

[38] Department of Homeland Security, "Secretary Kelly's Statement on the Limited Extension of Haiti's Designation for Temporary Protected Status," May 22, 2017.

[39] USCIS data as cited in CRS Report RS20844, *Temporary Protected Status: Overview and Current Issues*, by Jill H. Wilson.

[40] Jacqueline Charles, "After Canceling with TPS Families, Haitian President Tells Recipients to 'Calm Down,'" *Miami Herald*, June 17, 2017.

[41] "Tillerson: Central Americans, Haitians No Longer Need Protected Status," *Washington Post*, November 3, 2017.

court also issued an injunction against the termination order. The TPS designation for Haiti remains in effect pending further court orders.[42]

Some Members of Congress have expressed concern that the potential return of tens of thousands of Haitians, and the loss of remittances from Haitians working in the United States could heighten instability in Haiti. Haitians sent about $3 billion in remittances to Haiti in 2018, constituting the equivalent of almost 31% of Haiti's GDP.[43] Another U.S. immigration program, the Haitian Family Reunification Parole Program (see below), states that allowing Haitians in the United States to work and send remittances to Haiti "supports broader U.S. goals for Haiti's long-term reconstruction and development."[44] Other Members, and some business and labor organizations, have expressed concern that removal of tens of thousands of Haitians will be detrimental to local U.S. economies.

Members have introduced a range of bills related to TPS. Some would create a new protected status that would last for six years rather than rely on the DHS Secretary to redesignate it every 6-18 months, or provide a path to permanent residency for TPS holders. Others would limit the program, by transferring country designation authority from DHS to Congress, making unauthorized foreign nationals and members of criminal gangs ineligible, or making TPS holders subject to detention and expedited removal.[45]

The Haitian Family Reunification Parole Program

Through the DHS's Haitian Family Reunification Parole (HFRP) Program, eligible U.S. citizens and lawful permanent residents can apply for parole for family members residing in Haiti who have already been scheduled to receive U.S. entry visas within two years. The HFRP Program began in December 2014 to expedite family reunification and to support U.S. development and reconstruction goals in Haiti by allowing HFRP parolees to work in the United States and send remittances back to Haiti.[46] DHS warned Haitians against trying to enter the United States illegally, stating that only people living in Haiti would be eligible to participate in the reunification program.[47] Potential beneficiaries in Haiti cannot apply for themselves. The sponsoring family members in the United States, or "petitioner," must wait for the Department of State's National Visa Center to invite them to apply for the program.

U.S. Citizenship and Immigrations Services (USCIS) within DHS anticipates conducting 5,000 HFRP program interviews per year. Between March 2015 and June 2016, the State Department's National Visa Center issued 12,534 invitations to apply for HFRP covering 23,993 possible

[42] USCIS, "Temporary Protected Status Designated Country: Haiti," May 13, 2019.

[43] World Bank Migration and Remittances Data at http://www.worldbank.org/en/topic/migrationremittancesdiasporaissues/brief/migration-remittances-data, accessed June 25, 2019.

[44] USCIS, "The Haitian Family Reunification Parole (HFRP) Program," updated February 21, 2018, accessed June 25, 2019, at https://www.uscis.gov/HFRP.

[45] For further background information on TPS, see CRS Report RS20844, *Temporary Protected Status: Overview and Current Issues*, by Jill H. Wilson.

[46] USCIS, "The Haitian Family Reunification Parole (HFRP) Program," updated February 21, 2018, accessed June 25, 2019, at https://www.uscis.gov/HFRP.

[47] U.S. Citizenship and Immigration Services, "DHS to Implement Haitian Family Reunification Parole Program," October 17, 2014; and Erick Eckholm, "Obama Administration to Expedite Reunification for Some Haitians," *New York Times*, October 17, 2014.

beneficiaries. [48] As of December 31, 2018, USCIS reported that of 10,507 applications accepted, it had denied 2,177, approved 8,295, and had 35 pending.

Human Rights

According to the State Department's most recent Human Rights Report, Haiti's human rights issues included allegations of unlawful killings and excessive use of force by police; "arbitrary detention; harsh and life-threatening prison conditions; a judiciary subject to corruption and outside influence; physical attacks on journalists; widespread corruption and impunity; and human trafficking, including forced labor."[49]

Reopened investigations into alleged corruption and gross violations of human rights committed during the 1971-1986 dictatorship of the late Jean-Claude Duvalier by his collaborators remained pending as of November 2018.[50]

While some observers hoped that an elected government would pave the way for improved respect for human rights and improved governance, others note that the legislature is divided and President Moïse came to office under investigation for corruption. Moïse reportedly fired the head of the country's anti-corruption agency, the Financial Control and Intelligence Unit (UCREF), one year into the head's three-year term.[51] As discussed earlier, Haitian Senate and court investigators alleged embezzlement and fraud involving billions of dollars by current and former Haitian officials, including President Moïse.

The State Department reported that the Haitian government rarely took steps to prosecute government and law enforcement officials accused of committing abuses and that corruption and a lack of judicial oversight severely hampered the judiciary. The judicial branch investigated several corruption cases, but none of them resulted in prosecutions in 2018. The government fired 21 assistant prosecutors because of allegations of corruption. According to the Human Rights report, "the perception of corruption remained widespread in all branches of government and at all levels," yet no Haitian government has prosecuted a high-level official for corruption.[52]

Since July 2018, Haiti has experienced a prolonged period of unrest, including demonstrations against corruption. Some demonstrations "provoked aggressive law enforcement responses," according to the State Department, but "police generally responded to these protests in a professional and effective manner." Nonetheless, the National Human Rights Defense Network called for an official investigation into a violent incident in La Saline in November. The group alleges that at least 59 people were killed and that HNP and other officials were involved.[53] Resurgent gang activity also has contributed to violence and instability.

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[48] USCIS, "Number of I-131 Travel Document Applications for the Haitian Family Reunification Parole (HFRP) Program as of December 31, 2018," December 31, 2018.

[49] U.S. Department of State, "Haiti 2018 Human Rights Report," in *Country Reports on Human Rights Practices for 2018*, March 2019, p. 1.

[50] Human Rights Watch, "Haiti," in *World Report 2019*.

[51] Samuel Maxime, "Haiti's Anti-Corruption Chief Abruptly Fired, 1 Year into 3-Year Term," *Haiti Sentinel*, July 9, 2017.

[52] U.S. Department of State, "Haiti 2018 Human Rights Report," in *Country Reports on Human Rights Practices for 2018*, March 2019, p. 17.

[53] Human Rights Watch, "Haiti," in *World Report 2019*.

Many observers believe a top human rights priority in Haiti is to eradicate illiteracy. Approximately one of every two Haitians age 15 and above is illiterate.[54] At least 350,000 children and youth do not attend primary or secondary school, in part because 85% of schools are privately run, and their school fees are often beyond what low-income families can afford.

Human Trafficking[55]

Haiti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. According to the State Department's *2019 Trafficking in Persons Report*, most of Haiti's trafficking cases involve children in domestic servitude, known as "restaveks," from the French for "to stay with." Most frequently, poor families place children in such situations with an expectation that their children will be housed, fed, and educated. Instead, many are kept in slave-like conditions, are physically and sexually abused, and do not go to school. The State Department cites a joint Haitian government-international organization report that found that one in four children do not live with their biological parents, and about 286,000 children under age 15 work in domestic servitude.

The State Department classified Haiti as a Tier 2 Watch List country—meaning the country's government does not fully comply with the minimum standards of the U.S. Trafficking Victims Protection Act of 2000 (Division A of P.L. 106-386) for the elimination of trafficking but is making significant efforts to bring itself into compliance with those standards. The Haitian government investigated, prosecuted, and convicted more traffickers than in the previous year, passed a 2017-2022 national action plan, closed several abusive orphanages, and increased anti-trafficking law enforcement training. The government did not prosecute officials recently alleged to be complicit in trafficking. The Haitian government also, according to the State Department, did not allocate sufficient funding for its anti-trafficking efforts or victim services and did little to combat child domestic servitude.

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[54] Human Rights Watch, "Haiti," in *World Report 2019*.

[55] U.S. Department of State, "Haiti," in *Trafficking in Persons Report*, June 2019.

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