Place……………., Date ………….

Dear Sir/Madam,

We, ...., a trade union organisation affiliated to the International Trade Union Confederation (ITUC), wish to raise the alarm about the socio-political situation in Haiti, where human and trade union rights are being systematically violated by Haiti’s de facto government, headed by Mr Jovenel Moïse.

We are outraged by the information provided by Haitian trade unions, in particular the CTH (Confederation of Haitian Workers) and the CTSP (Confederation of Public and Private Sector Workers), regarding the alarming state of affairs in the country and we strongly denounce the harm being caused at all levels by the clique in power in Haiti.

Since Jovenel Moïse came to office, illegality and corruption have become the rule; the country’s institutions have been vassalised and politicised; justice and oversight institutions have been reduced to façades and exist in name only; the police, the army and armed gangs, set up by the government with young people recruited from poor neighbourhoods, are deliberately used to persecute, terrorise, eliminate and massacre those who oppose or do not support the de facto government; abduction cases are on the rise and certain trade union leaders are receiving death threats. Moïse’s intention, with all of this, is to create a climate of terror in the country. To entrench his autocracy, he has gone outside the law to establish the National Intelligence Agency (ANI), whose members have been placed above justice and can only be identified by Mr Jovenel Moïse. They raid private homes without authorisation and at any time they choose.

Since 13 January 2020, the legislature has been rendered inoperative by Mr Jovenel Moïse, by virtue of article 95 of the Haitian constitution; since 8 February 2021, Mr Jovenel Moïse has brought the judiciary under his control, arbitrarily sending three irremovable Supreme Court judges into retirement and appointing three of his friends to replace them, in breach of all the legal norms governing the matter. It appears clear that dictatorial rule has been surreptitiously reinstated in Haiti, and this cannot be tolerated.

Mr Jovenel Moïse’s term of office as president, elected in the 20 November 2016 elections, ended on 7 February 2021, in accordance with article 239 of the 2015 electoral decree and articles 134-2 and 134-3 of the constitution in force.

**Under article 239 of the electoral law under which Mr Moïse was elected:to reconcile the constitutional period and the electoral period, where elections are held outside the constitutional period, regardless of the reason, the term of office of elected representatives shall expire as follows:**

**The term of the president of the Republic shall end on 7 February of the fifth year of his term of office, regardless of the date on which he takes office.**

Article 134-2: “The presidential election shall take place on the last Sunday of October of the fifth year of the presidential term. The president-elect shall take office on 7 February following the date of his election. In the event that voting cannot take place before 7 February, the president-elect shall take office immediately after the validation of the ballot and his term of office shall be deemed to have begun on 7 February of the year of the election.”

Article 134-3: “The president of the Republic shall not benefit from an extension of the term of office.”

Mr Moïse nonetheless continues to illegally hold on to the reins of power, with the support of the Organization of American States, the Core Group[[1]](#footnote-1) and the United States of America, despite the clear position on the expiry of Mr Jovenel Moïse’s term on 7 February 2021 taken by the High Council of the Judiciary (CSPJ), which is one of the three branches of government, the Haitian Bar Federation (FBH), the Episcopal Conference of Haiti (CEH), bringing together Haiti’s Catholic and Protestant church leaders, and Haitian civil society.

As a trade union organisation fighting for respect for democracy, for the rule of law and human and trade union rights, we urge you:

1. Not to support the dictatorial designs of Mr Jovenel Moise, whose aim is to:

- Have a new constitution drawn up by his friends, outside the rules established by the amended Haitian constitution of 1987;

- To hold undemocratic elections with an unconstitutional, illegal and illegitimate Electoral Council formed by his friends, to keep him in power;

1. To condemn any rollback of the Haitian people’s human and trade union rights orchestrated by the authoritarian, de facto government.

We fully support the Haitian people in their efforts to establish democracy, the rule of law and respect for human and trade union rights, which are currently being put on hold by the self-proclaimed ruler of Haiti, Jovenel Moïse.

In the hope that you will continue to support respect for democracy and human and trade union rights, please accept our best regards.

Signatures ….

1. The Core Group is composed of the special representative of the UN secretary-general, the ambassadors of Brazil, Canada, France, Germany, Spain, the United States of America and the European Union, and the special representative of the Organization of American States. [↑](#footnote-ref-1)