

HUMAN RIGHTS IN HAITI

Special Mission

Original: Spanish, French, English.

Report of the mission independent of Human Rights about the situation of Human Rights in Haiti.

PREAMBLE

The foundation of “ Human Rights without frontiers ” council was self-convened, by the resolution on December 5th 2022, to establish an international independent mission to determine facts of the Republic of Haiti, in order to “evaluate the presumptions of human rights violations committed, apparently against Haitian citizens by de States of Canada, which applied individual, unilateral, and coercive measures, all in Canadian territory and in the rest of the world during 2022”.

The mission has the purpose of determining the existence of human rights violations against Haitian citizens and the origin of these, as well as following up and suggesting recommendations to rectify as much as possible the damage and effects of these, in those affected and specially to suggest reparations about their dignity as human persons.

TERMS OF THE MISSION

- To urgently send a mission to de Republic of Haiti, so that they can investigate the relating facts about violations of Human Rights, civils, politics, and economics of Haitian citizens. Both in the territory of Haiti and in the rest of the world by effect of the extension or the assignment of unilateral acts of foreign authorities whether in commercial, economic, administrative, or political matters.
- To see the situation of Haitian citizens in relation to immigration facts in Canada, United States, and Chile.
- To review the facts in relation to the consolidated list of Canadian autonomous sanctions and inform on possible human rights violations in the form of application of SOR/2022-226, SOR/2022-227, and SOR/2022-231
- To present oral deferment of the work done during council sessions.
- To send a request to the assessor committee of the United Nations of Human Rights commission in order to expose during the period of the sessions in Geneva, attaching this report, its additions and conclusions in the deliberations of the committee, especially given the principal responsibility after resolution A/HRC/28/74.
- To send a request to the special rapporteur on the adverse effects of unilateral coercive measures in the exercise of Human Rights according to the resolution

(A/HRC/RES/27/21)

https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/AdvisoryCom/AdvisoryCommitteebooklet_S.pdf

- To prepare written reports on its conclusions and recommendations to present them to the United Nations high commissioners, followed by an oral presentation of the reports to the UPR, universal periodic exam of the HRC, UN Human Rights council, in Geneva, Switzerland.
- To send a copy of the report to the Inter-American commission on Human Rights.
- To present the report to the UPR of the year 2023.
- To carry out follow-up and inform about the facts investigated until full reparation is obtained for the victims.

MISSION

To collect from different sources, review, observe, recommend, and denounce to the commissioner for Human Rights of the United Nations, according to the mandate granted, the facts related to Human Rights violations against Haitian citizens on the part of Canada as well as the unilateral and individual coercive measures that have been applied.

PURPOSE OF THE REPORT

To review the facts, to observe and to recommend measures to mitigate, correct, and repair the Human Rights violations of the people identified by this mission.

To obtain, according to the standard set by the resolutions of the UNHCR, the reparation of the victims, especially regarding their dignity as persons.

VISIT TO THE REPUBLIC OF HAITI

The mission visited the city Port au Prince, Haiti, between January 10th and 11th, 2023. During this stay, the mission went to different places to observe the current state of the situation of civil society. In general, they met with victims and spoke with local NGO's.

The day before the mission started, an interview was done on zoom platform, with the director of citizen protection office (OPC) in Haiti, with whom they exchanged information and different points of view on Human Rights in Haiti. They asked several questions and subsequently sent him a questionnaire at his mail, which he answered the same way.

Between January 10th and 13th, 2023, the mission met with the victims. An interview was conducted with Mr. Lauren LAMOTHE and Mr. Jean Henry CEANT, both former prime ministers in Haiti. Then the mission met with officials of the national commission for disarmament, dismantling, and reintegration in Haiti (CNDDR). This commission was

created by Mr. Jean Henry CEANT when he was prime minister in Haiti, according to the decree published in the Monitor.

The mission received information on the campaign for the disarmament of armed groups, in agreement with the office for disarmament affairs of the United Nations UNLIREC. All this is described in the document “Norms and Legal Instruments” concerning arms, ammunition, and explosives in Haiti. The official document of the United Nations recognizes the legislative work carried out by the Prime Minister Jean-Henry Céant during his mandate.

The official document was taken note of the legislative work done by Mr. Jean-Henry Céant during his term of office, to create favorable legal and security conditions for the dismantling of criminal gangs and the improvement of security, social peace and especially the social reintegration of people who for various reasons had some participation in criminal gangs. All of which was under the strict protocol of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean. This was also consistent with Haiti's domestic legislation and the Political Constitution, with strict respect for the rule of law and international treaties www.oas.org/juridico/english/sigs/a-63.html

The Derechos Humanos sin Fronteras Foundation learned of a serious violation of Human Rights in the Republic of Haiti. Foundation did so in various ways and forms, both through open sources and private sources of people who have witnessed, as well as heard stories about events of relevance to international human rights conventions. Members and founding members had already been aware of the facts covered in this report for several years. It is precisely this news that partly motivate the Derechos Humanos sin Fronteras Foundation to entrust this mission in defense, dissemination, protection, justice, and reparation of the Human Rights of the affected people.

INTRODUCTION

The “Human Rights without frontiers” foundation has become aware of a serious situation of violation of Human Rights in Haiti. This was done from different sources of information, both public and private. Through direct communication with people who have listened to witnesses of the facts noted for international Human Rights cases. Members and founding members of the foundation have been aware for several years of the facts which are dealt with in this report. Precisely, this information, motivated the “Human Rights without frontiers” to undertake this mission of defense, dissemination, protection, justice, and reparation of the Human Rights of the affected people.

When we talk about Human Rights, we often think that these are linked to the idea that it is only about physical violence and we tend to diminish the gravity when the rights violated are those which are related to physical violence, other essential aspects of the human person, such as economic rights, civil rights, political rights, and cultural rights.

The charter of San José of Costa Rica, also called “American Convention of Human Rights” or “The pact of San José of Costa Rica”, subscript on November 22nd, 1969, in force, since July 18th, 1978, has not been signed nor ratified, by stated that may have violated the Human Rights of the people who are the subject of this report. Canada and the United States have not signed or ratified “The Pact of San José of Costa Rica”, therefore they are not a member state of this convention. While these two countries are signatories to the universal declaration of Human Rights the United Nations and other treaties cited in this report, in which the fundamental principles which inspire and compose it are expressly recognized, regarding the basic rights of all human beings, regardless of their origin or nationality. Dedicating itself to international protection through the ratifications of the states that are part of it and the subsequent incorporation as internal legislation of each member country.

The implication of the fact that not all possibly offending states are part of the “Pact of San José of Costa Rica” is very important because this may have implications for the inapplicability of international law in relation to certain states which are in a situation of violation of Human Rights, which may or may not count with internal legal and legal protection. In addition, those states that *are not part of the American Convention of Human Rights* **can systematically and continuously violate the Human Rights of persons** from other countries, with impunity by applying *unilateral and autonomous coercive sanctions* to small countries that do not count with roused intern legislations that could give protection to civil, political, and economic rights of people violated, who remain in the most absolute lack of defense.

Also, those powerful states can do so with people from other countries who remain completely defenseless in the face of the unfounded application of autonomous unilateral sanctions or coercive measures without any legal or judicial justification, nor respect for an international norm that can support the coercive measures that are completely arbitrary. It can even happen that in many cases, these unilateral coercive measures against individuals have the appearance of constitutional legality, by the special creation of ad-hoc legislation, subsequent to the supposed acts which are sanctioned.

This could be even more serious, since this supposed faculty to sanction granted by this ad-hoc legislation, it is only an erroneous interpretation of the powers granted by the higher authority which created the public functions in the countries where unilateral international sanctions come from. That’s where the substantial importance for human beings to seek refuge in various international legal instruments for the protection of fundamental guarantees comes from. In this case, the charter of Human Rights of the United Nations is the natural and safer refuge, insofar as almost all the member countries of the United Nations have signed and ratified it, among which there are many countries that violate the Human Rights of individual persons, not only in their territory, but also in different places of the world. Also, the victims will be able to look for protection in the international pact of civil and political rights and the international pact of the economic, social and cultural rights.

The universality of the rights contained in the universal declaration of Human Rights of the United Nations, their moral force and the power of its norms, obligating the signatory stated not only to guarantee their protection, internal and external, but also to inhibit themselves from violating the rights contained in the charter of universal Human Rights, to promote and disseminate their protection and above all to repair the victims, when the fundamental human rights of certain people have been violated.

Also, in accordance with the principles set out in the charter of the United Nations and conduct by a member state of the universal declaration that violates the Human Rights of a person, anywhere in the world, it must be heard by the council of Human Rights of the United Nations and in particular by the assessor council, in the preparation of reports on violations of Human Rights. The Universal Periodic Review (UPR) is a unique process that includes a review of Human Rights records in all member states of the United Nations, in the UPR, they are states that have the opportunity to present the measures taken to improve the situation concerning the Human Rights violations which have been denounced against them. Whether by individuals or by NOG's who have researched and reported to the United Nations high commissioner for Human Rights.

SOURCES REVIEWED

- Notes, letters, phone calls, publications of Canadas government web pages
- United States government web pages.
- White house web page.
- United Nations web page.
- OHCHR web page.
- HRC UPR web page (Universal Periodic Review).
- OAS web page.
- Web page of the inter-American commission on Human Rights.
- Chapter VI of the IACHR, OAS.
- United States congress web page.
- Canadian Federal Parliament web page.
- Provincial Parliaments of Canada web page.
- Justice Law of Canada web page.
- Canada gazette web page.
- UK Parliament web page.
- Essay on the constitutionality of the Charters of Patents of 1947 of King George IV.
- Canadian and British doctrine on the faculties granted by the Charters of Patents which delegate powers to the General Governor in the Council of Canada.
- Investigative reports of the United Nations Human Rights Commission on the application of autonomous individual unilateral coercive measures.
- Specific Canadian legislation.

- Interviews with affected people and victims.
- Interviews with representatives of Human Rights organizations in Haiti.
- Interviews with representatives of legally constituted civil organizations in Haiti.
- Consolidated list of Canadian autonomous sanctions.
- International Human Rights Treatise
- American Convention of Human Rights or Pact of San José of Costa Rica
- Universal Convention of Human Rights.
- International covenant on civil and political rights.
- International covenant of economic, social, and cultural rights.
- Web page of various international electronic media and countries mentioned in this report.
- Web page of the Human Rights council of the United Nations.
- Canadian constitution act
- Canadian legislation cited in this report.
- UN resolutions cited in this report.
- Le Moniteur (The monitor). Year 174. Num. 33.

APPLIED LEGISLATION REVIEWED

- Special Economic Measures (Haiti) Permit Authorization Order SOR/2022-227.
- Special Economic Measures (Haiti) Regulations SOR/2022-226.
- Justice for Victims of Corrupt Foreign Officials Act.
- [United Nations Resolution on Haiti, Regulations Implementing the](#) (SOR/2022-237).
- Regulations Amending the Special Economic Measures (Haiti) Regulations: SOR/2022-231.
- Canadian constitution act 1867-1982.
- British crown patent charters 1947-1982.
- The constitution and the people of Canada, an approach to the purposes of confederation, the rights of persons and the institutions of government. Published by the government of Canada on the occasion of the second meeting of the constitutional conference. Ottawa February 10, 11, 12, 1969
- United Nations Act. (R.S.C., 1985, c. U-2). Law in force on 2023-01-11.

SCOPE OF THE SPECIAL LAWS REFERENCED IN THIS REPORT

- Canadian Citizen
- Inhabitant of Canada
- Haitian citizens with properties and investments in Canadian territory, non-residents in Canada.
- Haitian citizens who are or have been civil servants of the Haitian government.
- Haitian citizens close relatives of personas affected by the laws applied.

- Persons residing in Canada and Haitian citizens who have or have had commercial relations or business with persons affected by the laws applied.
- Haitian citizens who have had or have relations with armed groups in Haiti.
- Family members of Haitian citizens who may be affected by applicable Canadian legislation.
- Banking, financial, insurance trust companies in Haiti with business interests in Canada or in the United States.

THE CONSTITUTIONAL LEGISLATION OF THE ACTS OF THE GENERAL GOVERNANCE OF CANADA

Since the 18th century there has been a controversy between Canada and the United Kingdom about the constitutional legitimacy of the acts of the general governor of Canada and the provincial governors who received their power from the authority of the British Crown. The conclusion has always been the same and since the 21st century it has become even more. In the actuality the governor exercises very few of the powers of the king and again, for example, he has refused to dismiss the prime minister (*Forsey, Eugene A. 1943. The Royal Power of Dissolution of Parliament in the British Commonwealth. Toronto: Oxford University Press*). **The prerogative of the general governor or the provincial governors considers the fact of excluding a person who is not a subject of the King and blocking him financially whether in Canadian territory or outside it, it seems that it's not one of the faculties he can exercise in the name of the monarch.**

VIOLATION OF THE PRINCIPLE OF CONSTITUTIONAL LEGALITY. THE FACTS ARE PREVIOUS TO THE APPLIED LEGISLATION.

The laws applied are all published and in force after the facts for which the sanctions were applied. **There is no court that is prior to the facts or prior to the sanctions, likewise, there is no ad-hoc tribunal responsible for applying the sanctions.** We have described the procedure applied as “a suggestion from the foreign affairs minister to the governor”, since it is the governor who has the power to decide on the matter, although he cannot do so in the name of the monarch. **Consequently, there is no procedure that includes the guarantees of legal or constitutional due process based on the rule of law that justifies such a decision.** The Canadian constitution is limited to charters patents of the crown, but there is controversy about prerogatives of these powers. (Letters Patent Constituting the Office of Governor General of Canada Effective October 1, 1947), (Newman, Warren J. (2009). “Of Dissolution, Prorogation, Constitutional Law, Principle and Convention: Maintaining Fundamental Distinctions during a Parliamentary Crisis”. *National Journal of Constitutional Law* 27: 217-229).

In fact, sanctions were applied without respecting fair trial or the rule of law.

THE REVIEWED FACTS THAT MOTIVATE THIS MISSION

- The annotation of individual persons' names in the Canadian consolidated list of autonomous sanctions.
- Private and exclusive faculty of the British Monarch.
- Law which grants the right to the FOREIGN AFFAIRS MINISTER OF CANADA to "insinuate or suggest" to the GENERAL GOVERNOR OF CANADA.

LIST OF THE HUMAN RIGHTS VIOLATED IN THE FACTS STUDIED IN THIS REPORT

The rights included in the universal convention of Human Rights of the United Nations. Arts. 6-7-8-10-12-21.

The rights included in the pact of San José of Costa Rica. Arts. 5.1-8.1-8.2.a.b.c.d.e.f-9-11.1.2.3-14.1.2.3-21.1.2.3-22.1.2.3-23.1.a.b.c-24.

The rights included in the covenant of civil and political rights. Arts. 2.1-2.3.a-3.

The rights included in the covenant of economic, social, and cultural rights. Arts. 2.2-3-4-5.1-5.2-12.1

BACKGROUNDS THAT MOTIVATE CANADIAN AUTHORITIES

- Canadian and Haitian press notes on Haiti's external debt.
- United Nations observer reports.
- Current political authorities of Haiti reports
- USA authorities reports.

HAITI'S EXTERNAL DEBT

Until 2013, Haiti presented an external debt, only with Venezuela, for the purchase of oil of an approximate amount of US\$2,420 million. <https://reliefweb.int/report/haiti/venezuela-dijo-naciones-unidas-que-aportar%C3%A1-2420-millones-de-d%C3%B3lares-en-ayuda-hait%C3%AD-en>. This debt caused two fundamental problems. On one side, the impossibility for Venezuela to recover the debt, because of the insolvency of Haiti and on the other side, the problem of the trade balance between the two countries, which undoubtedly affected the Venezuelan tax accounts. It was then that the government of the President Chavez, solved the problem in the following way:

Venezuela offered a donation of 2,400 million dollars to Haiti. This donation would be made between 2010 and 2016, as part of the aid for the reconstruction of Haiti. But this aid did not mean a monetary transaction, but a **condemnation** of Haiti's external debt to Venezuela. This aid also considered contributions through UNASUR, for an amount 37.2 million dollars. This help, like the previous one, did not materialize. What is retained is that no money has arrived in the Haiti tax arks. In addition, all this happened half a decade before the Haitian citizens, victims of the facts treated in this report which were included in the LCSAC, assumed political responsibilities in the Haitian governments.

2013 DONORS ROUND IN NEW YORK

The round took place during the meetings of the international donor conference for the future of Haiti, convened by the general secretary of the United Nations, Ban Ki Moon, in the headquarters of the organization in New York, on March 31st, 2010.

THE ROLE OF UNASUR IN RELATION WITH THE FUNDS GIVEN BY VENEZUELA

On May 28th, 2010, in Panama City, the agency for the fight against terrorism and organized crime for South America was created. Following OAS rules, the agency would start operating with \$200 million from UNASUR. The same 200 million that had been brought by Venezuela to UNASUR and that, following an assembly of members, it was decided to give them to Haiti in the round of donors carried out in NYC in 2013. (<https://interferencia.cl/articulos/las-dudas-en-torno-la-muerte-del-general-bernales>).

There is no evidence that this money was actually transferred to the fiscal arks of the Republic of Haiti or that persons incorporated in the LCSAC were in a position to have access to these funds in the period 2010-2013.

LIST OF HAITIAN CITIZEN VICTIMS IN RELATION WITH THE FACTS PRESENTED IN THIS REPORT

China / Chine	Xinjiang Production and Construction Corps Public Security Bureau			
Haiti / Haiti			Latortue	Youri
Haiti / Haiti			Lambert	Joseph
Haiti / Haiti			Célestin	Rony
Haiti / Haiti			Martelly	Michel Joseph
Haiti / Haiti			Lamothe	Laurent Salvador
Haiti / Haiti			Fourcand	Hervé
Haiti / Haiti			Bodeau	Gary
Haiti / Haiti			Céant	Jean-Henry
Haiti / Haiti			Bigio	Gilbert
Haiti / Haiti			Deeb	Reynold
Haiti / Haiti			Abdallah	Sherif
Haiti / Haiti			Dorcé	Berto
Haiti / Haiti			Quitel	Liszt
Haiti / Haiti			Bélizaire	Arnel
Haiti / Haiti			Saint-Rémy	Charles

INDIVIDUAL CASES

1. LAURENT SALVADOR LAMOTHE

Ex-prime minister of Haiti, during May 10th, 2012, and December 20th, 2014. **There is no precedent for a legal imputation against him. There are no formal charges from any authority either in Haiti or Canada related to the sanctions. The source of information is press' notes published by electronic media that refer to unfounded reports with armed groups.**

During his management as prime minister, he executed and promoted various direct measures against organized crime in Haiti, mainly regarding the armed groups that exist and operate in Haiti territory. **These security measures were carried out under the international standards of the United Nations, especially the Haitian security organizations were approved by authorized agents of the United Nations**, during the "peace operation" of the United Nations. The United Nations Stabilization Mission in Haiti (MINUSTAH) which was established on June 1st, 2004, by the Security Council Resolution S/RES/1542 (2004) and which has lasted for almost 10 years. This mission succeeded [in? in creating?] the Provisional Multinational Force (PMF) authorized by the security council in February 2004.

According to the information we gathered on the spot in Port-au-Prince, **Mr. Lamothe as head of government and head of the Superior Council of the National Police (CSPN), has done everything possible to prevent the armed groups and sequestrators who commit these kinds of Human Rights crimes.** Mr. Lamothe must arrest several people considered untouchable by Haitian society, such as the arrest in October 2012 of a Haiti businessman for kidnapping and forcible confinement. This businessman was subsequently (2018), convicted by the Haitian justice system for kidnapping and forcible confinement for ransom.

It is undeniable that Mr. Lamothe has rather worked against armed groups, involved in kidnappings for ransom rather than supporting or financing them.

2. JEAN-HENRY CÈANT.

Former prime minister of Haiti, during September 17th, 2018, and March 21st, 2019 (six months and four days). He was there for a short period because of the resignation of his predecessor because of the "fuel crisis". **During his tenure, he was especially concerned with taking measures to improve public security and tackle the organized crime of armed groups in Haiti territory. While in this position, Cèant creates the Haitian disarmament commission, which operates to this day. This commission was created and still operates based on the article 11 of the United Nations Charter.** "The general assembly may consider the general principles of cooperation for the maintenance of international peace and security, including the principles which regulate disarmament and the regulation of arms ...".

The United Nations office for disarmament affairs, more than a year after Cèant's unprecedented initiative, through the United Nations Regional Center for Peace, Disarmament, and Development in Latin America and the Caribbean (UNLIREC), has

highlighted, in May 2022, the development of Haiti's action plan and its consistency with the Caribbean roadmap on firearms. UNLIREC did the same by highlighting the culmination of the development of the national action plan on firearms when it received the second face-to-face mission from UNLIREC on July 15th, 2022.

EXTENSION OF SANCTIONS TO OTHER PERSONS FOR BEING MEMBERS OF THE VICTIMS' FAMILIES

Without evidence or anything, some Haitian banks that have Canadian capital or that carry out transactions with Canadian banks, have applied sanctions by blocking access to personal or professional accounts and blocking access to credit to family members main victims, causing extensive damage to people by the mere fact of having family ties with the victims.

NEGATIVE IMPACTS OF SANCTIONS

If we analyze the formulas that can be useful to evaluate the negative effects of the autonomous unilateral coercive measures applied by Canada against Haitian citizens and the possibility of mitigating these perverse effects against the Human Rights of the victims, these formulas should be centered in Human Rights organizations. These agencies are the first to obtain the application of the mechanisms of reparation of the victims since they have more experience and competent personnel in the field of Human Rights. Human Rights organizations have as their mission the promotion and protection, without borders of any type. They have been designed to check that the catalog of Human Rights established in the Human Rights Conventions subscribed and ratified by the States are respected.

CONSIDERATIONS

It is important to note **that this research has focused especially on the violated Human Rights**, which are a political and economic type and that by their special nature these violated rights are related and also involve the agencies dependent on the World Organization of the Trade (WTO), in particular, insofar as the main violating country is a member of this organization.

The fact that the WTO does not expressly include in its mandate the promotion of Human Rights does not in any way signify a letter of impunity vis-à-vis this organization or its members. In fact, the omission in its mandate to protect human rights does not mean that they can be violated with impunity or that the WTO can be used by its members to systematically violate the human rights of civilians or individuals.

It is shocking that Canada has proceeded almost two years after the facts investigated in this report to obtain sanctions that have serious questions of legality, constitutionality, and legitimacy, in addition to the lack of basis based in facts who violate the Human Rights and the fundamental rights of the sanctioned, without them having had

the opportunity for dialogue and the right to a public hearing which allows them to impugn the ignominious accusations presented against them.

In accordance with SOR/2022-226, **the mere fact of having held a position of responsibility in a government does not justify the fact of being included in a consolidated list of sanctions which is autonomous in Canada; incorporation which materializes following the sole insinuation of the Ministry of Foreign Affairs to the general governor of Canada who is the only one who can decide it following consultation with the monarch, who must give his agreement, in this case Charles III.**

These sanctions applied by inclusion in the SCACA are, as the case may be, direct and indirect. Direct sanctions prohibit any kind of financial or economic relationship of the Haitian persons concerned in the territory and with Canadian financial entities or with companies or banks where there is participation or investments of Canadian origin. These persons, registered in the SCALC, are totally excluded for an indefinite time from participating in any financial or commercial activity whatsoever in relation to Canadian investments, both in Canadian territory and outside of it. **This type of autonomous unilateral sanctions have been questioned for a long time by the ACNUDH**, insofar as they are applied without observing the elementary legal principles of bilaterality of the legal hearing, right of defense, fair judicial process, right to dialogue with the affected victims and especially by the violation of the fundamental guarantees and the Human Rights contained in the charter of the United Nations and the regional pacts in force.

These measures especially affect the dignity of the human person because they produce publicity in the mass media and produce serious ignominious damage to the honor of the human person.

The report of the council assessor of the Human Rights Council¹, establishes it as such and makes serious recommendations about mechanisms to assess the negative repercussions of unilateral coercive measures in the application of human rights and specifically calls for reports from member states that revered these rights.

OBSERVATIONS

It is clearly established that autonomous unilateral coercive measures produce catastrophic effects, not only at the general level, but also when they affect individual persons, **who have not been judged by a competent tribunal and a natural judge**

¹ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/022/11/PDF/G1502211.pdf?OpenElement>

and who have not had the opportunity to dialogue with those who applied the sanctions.

It is evident that the Human Rights of these people have been violated. The minimum of the fundamental guarantees to which every human being is entitled have not been respected. The negative effects produced by the unilateral and autonomous coercive measures in the exercise of the Human Rights of the civil persons cause damages in the dignity of the individual persons which are catastrophic in their life.

Many of these coercive measures are applied against States and in these cases the only recourse that the civilian population has precisely the protection of the state. Despite this, when these measures are applied by a developed state, as is the case of Canada, with its enormous public machine, against individual persons, the result is not only an asymmetrical sanction, but also abusive at the superlative level, considered as a “banned” or a “bullying” of giant proportions by an organization which has the duty to be rational and morally irreproachable, like a State against an individual and common person who remains in the most absolute lack of defense before such a grotesque aggression from a State that acts under the registered trademark of an international organization such as the World Trade Organization and the Ottawa group.

RECOMMENDATIONS AND REQUESTS

To follow up on the visit to the “Foundation of Human Rights without frontiers” to Haiti to review a situation and obtain more information from local human rights organizations and victims, we present this file to the deliberations and to the interactive dialogues of the Advisory Committee of the Human Right Council established in Geneva.

We request to the Council of Human Rights that the inclusion of individuals mentioned in this report in the LCSCA be considered and published as a permanent violation of the Human Rights of the victims and that all measures of reparation be adopted by the council and transmitted to the government of Canada.

We ask to the Council of Human Rights for urgent measures so that the offending States cease and desist from the application of these unilateral and autonomous coercive measures regarding individual persons, Haitian citizens who have been included in the LCSAC.

We ask to the council of Human Rights for measures to ensure that new complementary and periodic reports of the facts observed continue to be made.

We ask the Council of Human Rights for reparation measures as soon as possible, proportional to the coercive effects of the unilateral and autonomous measures applied to Haitian citizens who have been included in the LCSAC. Specially to repair the damage caused to the dignity of the persons victims of the violation of the Human Rights referees in this report.

We ask the Council of Human Rights to establish a special procedure with the highest standard of guarantees, independence, transparency, and justice to repair the

victims describe in this report, which is in line with the objectives of administrative effectiveness and efficiency, and finance of the United Nations.

We ask the Council of Human Rights to select competent employers with specific knowledge in the area to lead the process of reparations for victims.

We ask the Council of Human Rights that reparations, imperative of the United Nations, be done by the offending State.

We ask the Council of Human Rights to hold offending states accountable through the Universal Periodic Review (UPR).

We ask the Council of Human Rights to consider creating standards for holding offending states to account for reparations done.

Juan Carlos Moraga
President
Fundación Derechos Humanos Sin Fronteras
Santiago, Chile

ELECTRONIC SOURCES

<https://www.ctvnews.ca/politics/trudeau-biden-have-bilateral-meeting-as-north-american-summit-begins-1.6224225>

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